

The message also announced that the House disagree to the amendment of the Senate to the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. YOUNG of Florida, Mr. REGULA, Mr. LEWIS of California, Mr. WOLF, Mr. WALSH, Mr. HOBSON, Mr. BONILLA, Mr. KINGSTON, Mr. FRELINGHUYSEN, Mr. NETHERCUTT, Mr. LATHAM, Mr. GOODE, Mr. LAHOOD, Mr. OBEY, Mr. MURTHA, Mr. MOLLOHAN, Ms. KAPTUR, Mr. SERRANO, Ms. DELAURO, Mr. HINCHEY, Mr. FARR of California, Mr. BOYD, and Mr. FATTAH.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1367. An act to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1648. An act to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District; to the Committee on Energy and Natural Resources.

H.R. 1732. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2304. An act to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3157. An act to provide for the designation of a Department of Agriculture disaster liaison to assist State and local employees of the Department in coordination with other disaster agencies in response to a federally declared disaster area as a result of a disaster, to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3209. An act to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; to the Committee on Energy and Natural Resources.

H.R. 3217. An act to provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3353. An act to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, NC, as the "George Henry White Post Office Building"; to the Committee on Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 299. Concurrent resolution honoring Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America, and for other purposes; to the Committee on the Judiciary.

#### MEASURES PLACED ON THE CALENDAR—NOVEMBER 17, 2003

The following bills were read the second time, and placed on the calendar:

S. 1862. A bill to provide certain exceptions from requirements for bilateral agreements with Australia and the United Kingdom for exemptions from the International Traffic in Arms Regulations.

S. 1863. A bill to authorize the transfer of certain naval vessels.

S. 1864. A bill to enhance the security of the United States and United States allies.

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#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1875. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend the mental health benefits parity provisions for an additional year.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3185. An act to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, NH, as the "Hugh Gregg Post Office Building."

H.R. 3198. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and where referred or ordered to lie on the table as indicated:

POM—315. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to danger pay and family separation allowances for members of the military in combat zones; to the Committee on Armed Services.

#### HOUSE RESOLUTION NO. 130

Whereas, at this moment, our troops serving in harm's way are facing some of the most trying situations; and

Whereas, with the end of the fiscal year on September 30, supplemental pay increases approved for serving in combat zones expire without action by Congress to extend this as part of defense appropriations. Rates of imminent danger pay and family separation allowances had been raised by \$75 and \$150 respectively, effective October 2002. Rates for imminent danger pay and family separation allowances are scheduled to return to the prior levels on October 1, 2003; and

Whereas, the effects of a pay reduction on the brave men and women representing us in the war on terror and their families could be

demoralizing. Forcing added sacrifices, especially on the families at home, is inappropriate: Now, therefore, be it

*Resolved by the house of representatives,* That we memorialize the Congress of the United States to maintain the current imminent danger pay and family separation allowances for members of the military in combat zones; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-316. A resolution adopted by the General Assembly of the State of New Jersey relative to the New Jersey National Guard; to the Committee on Armed Services.

#### ASSEMBLY RESOLUTION NO. 254

Whereas, the Department of Military and Veterans' Affairs supports Homeland Security in this State by preparing the New Jersey National Guard and providing specialized teams and training to emergency first responders; and

Whereas, there are more than 1,700 New Jersey National Guard troops on State and federal active duty involved in Homeland Security and Homeland Defense missions; and

Whereas, the New Jersey Army National Guard provides mobilized combat ready military units for deployment in State and national activations; and

Whereas, the New Jersey Army National Guard provides combat-ready airmen, aircraft and equipment for world wide deployment in support of United States Air Force objectives; and

Whereas, the department is responsible for training and equipping domestic emergency response teams in support of New Jersey's Homeland Security program; and

Whereas, the federal government has failed to establish a Civil Support Team in this State; and

Whereas, the United States Congress is responsible for appropriating funds to the New Jersey National Guard for the procurement of critical resources to be deployed in the effective execution of all assigned missions; and

Whereas, it is necessary to provide critical funding and equipment to the New Jersey National Guard; Now, therefore, be it

*Resolved by the General Assembly of the State of New Jersey:*

1. This House calls upon the United States Congress to provide funding and equipment to the New Jersey National Guard to support the Guard in the execution of all assigned missions.

2. This House urges the United States Congress to appropriate sufficient funds to the New Jersey Army National Guard to procure 464 High Mobility Multi-Purpose Vehicles to meet its authorized strength; continue the replacement of its helicopter fleet with UH-60 Black Hawk Helicopters; accelerate the procurement of AH-64 Apache Helicopters; replace the M113 Armored Personnel Carrier with Bradley Fighting Vehicles, and provide the armor division with deployable M1A1 tanks.

3. This House requests the United States Congress to appropriate sufficient funds to the New Jersey Air National Guard for the procurement of new Block 50/52/plus aircraft and for the upgrading of KC-135E refueling airframes.

4. This House further calls upon the United States Congress to establish and fully fund a Civil Support team in the State of New Jersey and to provide more and better protective clothing for team members and body armor for counter terrorism missions and to

appropriate capital construction funds for critical military construction projects, including the construction of a dedicated site for the arming and dearming of F-16 aircraft at the Atlantic City Air Base, the construction of the Consolidated Logistics and Training Facility at the Lakehurst Naval Engineering Station; and security enhancements at the McGuire Air Force Base.

5. Duty authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the Vice President of the United States, the Speaker of the United States House of Representatives, and to every member of Congress elected from this State.

POM-317. A resolution adopted by the General Assembly of the State of New Jersey relative to differential salary reimbursement for activated Reserve and National Guard members; to the Committee on Armed Services.

#### ASSEMBLY RESOLUTION No. 283

Whereas, since September 11, 2001, tens of thousands of National Guard and Reserve members have been activated in the war against terrorism and in the conflict with Iraq; and

Whereas, to alleviate financial hardship for their activated employees, many states, counties and municipalities have generously opted to pay activated Reserve and National Guard members the difference between their regular salary and their military pay; and

Whereas, however, in these difficult economic times, many states, counties and municipalities are themselves suffering substantial budget deficits; and

Whereas, such a differential pay policy is helpful in recruiting and retaining Reserve and National Guard members; and

Whereas, given the crucial role Reserve and National Guard forces play in this nation's security, it is incumbent upon the federal government to assist state and local government employers in their efforts to alleviate hardship on these soldiers, sailors and aviators when they are activated: Now, therefore be it

*Resolved by the General Assembly of the State of New Jersey:*

1. This House calls upon the President and Congress of the United States to pass and enact legislation reimbursing state, county and municipal governments for differential salary payments made to members of Reserve and National Guard units activated in response to the September 11, 2001 terrorist attacks and the Iraq conflict.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and every member of Congress elected from this State.

POM 318. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the age for receipt of military retired pay for nonregular service; to the Committee on Armed Services.

#### HOUSE RESOLUTION No. 271

Whereas, H.R. 742 has been introduced by Representative Jim Saxton to reduce the age for receipt of military retired pay for nonregular service from 60 to 55; and

Whereas, more and more military readiness and service are being contributed by Guard and Reserve service personnel, vis-avis Persian Gulf, Kosovo, Afghanistan and Iraq; and

Whereas, equity would indicate that Guard and Reserve service personnel should be

treated fairly regarding their benefits and retirement pay; and

Whereas, the current law which withholds retirement pay until age 60 does not provide fair and actuarially realistic treatment: Now, therefore, be it

*Resolved,* That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to pass H.R. 742; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-319. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to traffic stoppages at railroad crossings; to the Committee on Commerce, Science, and Transportation.

#### SENATE RESOLUTION No. 134

Whereas, local communities have long tried to address the issue of minimizing traffic stoppages caused by trains traveling within their municipal borders. Slow trains moving through a community bring traffic to a standstill. Even worse, trains may sometimes stop completely, bringing an entire city to a halt and backing up road traffic for blocks in all directions. Commuters, shoppers, and even emergency vehicles can be trapped on the one side of a railroad track, unable to reach the other side for long periods of time; and

Whereas, the State Legislature provided local governments with the means to regulate the length of time that trains may permissibly halt vehicle traffic. The authority to levy fines on train companies that block traffic for too long held the promise of compelling railroad companies to work with local governments to minimize the disruption to lives and commerce that had become routine. Unfortunately, the courts have struck down this state law, arguing that only the federal government may regulate the speed and length of trains operating in the interstate commerce; and

Whereas, with local and state options to resolve this local problem foreclosed, it is imperative that the United States Congress exercise its authority to compel a reasonable solution at the federal level. Without Congressional attention, railroad companies will continue to ignore the concerns of local governments, businesses, and citizens who must cope with unreasonable traffic stoppages: Now, therefore be it

*Resolved by the senate,* That we memorialize the United States Congress to address the issue of traffic stoppages at railroad crossings; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the United States Senate Majority Leader, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-320. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to providing financial assistance to commercial airline companies; to the Committee on Commerce, Science, and Transportation.

#### HOUSE RESOLUTION No. 331

Whereas, airline companies of this nation were required by the Federal Government to suspend operations for four days, September 11 through 14, 2001, for reasons of national security; and

Whereas, the aggregate estimates of daily lost revenues suffered by these companies during that four-day period range from \$250 million to \$500 million; and

Whereas, in the days since flights have been able to resume, cancellation of reservations has ranged between 20% and 40%, resulting in additional lost revenues to these companies, canceled flights and huge layoffs estimated at more than 100,000 employees; and

Whereas, US Airways, a major airline company in the Commonwealth of Pennsylvania, has announced that layoffs of approximately 20,000 of its employees have become necessary; and

Whereas, in the Pittsburgh region alone approximately 11,700 residents are employees of US Airways; and

Whereas, financially necessitated layoffs of airline employees in the numbers projected will have a profound impact on the national and State economies and on national security and should be prevented; and

Whereas, the health of the airline industry impacts so directly on our economic health and our national security that Federal and State financial assistance is desirable and imperative: Now, therefore, be it

*Resolved,* That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to pass and the President of the United States to enact legislation to provide the necessary financial resources to commercial airline companies headquartered in the United States and their employees and traded on a national stock exchange; and be it further

*Resolved,* That this Legislature and our Governor likewise promptly pass and enact a financial package to provide assistance to those national airline companies who do business in the Commonwealth; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, to members of the Pennsylvania delegation of Congress, to the Governor of Pennsylvania and to the President pro tempore of the Senate of Pennsylvania.

POM-321. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to funding for home heating assistance; to the Committee on Energy and Natural Resources.

#### SENATE RESOLUTION No. 162

Whereas, for a variety of reasons, natural gas prices have risen significantly over the past year. These reasons include increasing demand for natural gas and declining production in both the United States and Canada. While this increase in cost has already exacted a toll in many areas of our national economy, the full impact has yet to be felt. This winter, when seasonal demand reaches its peak, costs are expected to strike a terrible blow to people who have had difficulties paying their home heating bills even before the recent increase in prices; and

Whereas, for many years, utilities and their customers have supplemented governmental programs through various heating assistance initiatives. However, public and private programs offering help to low-income families trying to heat their residences are already stretched thin. This winter's situation is expected to bring a crisis to many people, including the low-income seniors who will almost surely face difficult choices; and

Whereas, with summer prices of natural gas at near record highs, Michigan's Public Service Commission has warned that homeowners could expect increases of \$30 a month or more if the winter is severely cold. Gas companies in Michigan and across the country are urging their customers to take steps to prepare for the winter's costs, including weatherization and budgeting. Another key part of dealing with this problem will be for

Congress to significantly increase funding available to help state programs for low-income residents; and

Whereas, there are discussions under way in Congress over proposals to address this issue, including increasing the authorization funding level for the Low-Income Home Energy Assistance Program to at least \$3 billion. Clearly, such actions to bring home heating help are in order: Now, therefore, be it

*Resolved by the senate,* That we memorialize the President and the Congress of the United States to increase funding available for home heating assistance to cope with the rise in natural gas costs expected this winter; and be it further

*Resolved,* That copies of this resolution be transmitted to the Office of President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-322. A resolution adopted by the Board of Commissioners of Ferry County of the State of Washington relative to federal lands in Ferry County, Washington; to the Committee on Energy and Natural Resources.

POM-323. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to out-of-state solid waste; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 4

Whereas, in 1992, the United States Supreme Court, in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, ruled that states could not regulate or ban the importation of solid waste because only Congress has the authority to regulate interstate commerce. Since that time, Michigan has become the dumping ground for increasing amounts of solid waste from outside of our state and, with large amounts of trash from Canada, from outside the country; and

Whereas, Michigan has become one of the largest recipients of improved solid waste in the country. Approximately 15 percent of all trash dumped in landfills in Michigan now originates elsewhere. The amounts have increased significantly in the past several years, and recent reports of a major contract with Ontario and of the closing of the nation's largest landfill in New York seem to indicate this situation will only become a bigger issue in the future; and

Whereas, several measures have been considered in Congress to address the issue of extending authority to states to regulate or ban out-of-state solid waste, including H.R. 1730; and

Whereas, accepting unlimited volumes of trash outside our state is a serious long-term commitment. Long after the money from the contract has been spent, there is a threat to the environment and an obligation to monitor sites to protect water and health. Clearly, any state accepting these long-term risks should be able to regulate what comes across state lines for disposal: Now, therefore, be it

*Resolved by the senate,* That we memorialize the Congress of the United States to enact legislation to give states the authority to ban out-of-state solid waste; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM 324. A resolution adopted by the Senate of the Legislature of the State of Michi-

gan relative to foreign municipal solid waste; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 12

Whereas, Michigan has long been frustrated in efforts to regulate solid waste imported into our state. Our state is especially concerned about waste that is brought here from Ontario. Our citizens feel strongly that our environment should not be placed at additional risk from municipal solid waste and other materials that are generated elsewhere and transported here for disposal; and

Whereas, the volume of waste that comes into Michigan each year represents a significant portion of all trash handled here. As much as 20 percent of all solid waste in Michigan is from out of state, and the amount has increased significantly in recent years; and

Whereas, Congress has authority for regulating the transportation and disposal of solid waste between states and nations by virtue of the United States Constitution's interstate commerce clause. To protect the health, safety, and welfare of our environment and citizens, Congress must take action to provide states with the express means to regulate or prohibit the importation of trash. Congress has before it now a bill that would provide the appropriate authority to the states. Under H.R. 382, which has been introduced by Michigan's Congressman Rogers, states could prohibit or impose certain limitations on the receipt of foreign municipal solid waste; and

Whereas, Congress is also considering H.R. 411, which would direct the Administrator of the EPA to carry out duties under the agreement with Canada on the transboundary movement of hazardous waste; and

Whereas, hazardous waste and solid waste transported between Canada and the United States are provided for in the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste. It has been reported, however, that the notification requirements and procedures set forth in the agreement have not been followed. It is most disturbing to think that the protections provided in the agreement between our nations are not working. The people of this state have every right to know that all prudent measures are being enforced to protect our citizens and environment: Now, therefore, be it

*Resolved by the senate,* That we memorialize the Congress of the United States to enact legislation to authorize states to prohibit or restrict foreign municipal solid waste and to urge the Environmental Protection Agency to ensure full compliance with the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Environmental Protection Agency.

POM-325. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to solid waste management decisions; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 167

Whereas, landfills and incinerators pose a variety of environmental risks to Michigan residents and our neighbors, from a potential to contaminate groundwater aquifers to the release of a variety of air pollutants; and

Whereas, certain items, such as used oil and batteries, increase significant health and

safety risks if placed in disposal facilities; and

Whereas, banning recyclable or compostable items from our disposal facilities protects public health and the environment by prolonging the life of a landfill and minimizes the need for additional landfills, saving land resources and the other inherent risks of solid waste disposal facilities; and

Whereas, the reuse of recyclable materials reduces energy use and related negative impacts on our natural resources; and

Whereas, the reuse of recyclable materials reduces the demand for virgin materials. In some cases, the mining, collection, and processing of virgin materials can lead to degradation of our natural resources; and

Whereas, Michigan's recycling rates are significantly below average when compared to the region or national averages; and

Whereas, Michigan residents have chosen to spend considerable time and resources on diverting certain waste streams from solid waste disposal facilities such as beverage containers, yard waste, used oil, and scrap tires; and

Whereas, efforts to encourage people to recycle are undermined when residents do not see a link between their efforts to recycle materials and the extension of the usable life of area disposal facilities; and

Whereas, solid waste management is most effective when done on a local level where program implementation is conducted: Now, therefore, be it

*Resolved by the senate,* That is the sense of this legislative body that local units of governments need to be empowered to have greater control over solid waste management decisions; that the county level is the optimal planning unit of government due to the multi-jurisdictional nature of solid waste disposal facilities; that the state of Michigan should play a larger role in ensuring that products that Michigan residents have decided to divert from solid waste disposal facilities are not allowed in our facilities from other jurisdictions; and that the state of Michigan should support local units of governments in their efforts to provide alternative disposal mechanisms for those items banned from our solid waste disposal facilities; and be it further

*Resolved,* That we memorialize the Congress of the United States to enact legislation to extend to the states more authority for the management of solid waste; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 616. A bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting the use of mercury fever thermometers and improving the collection and proper management of mercury, and for other purposes (Rept. No. 108-199).

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

S. 1561. A bill to preserve existing judgments on the Superior Court of the District of Columbia (Rept. No. 108-200).