

EC-5343. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Australia; to the Committee on Foreign Relations.

EC-5344. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a proposed manufacturing agreement of the manufacture of significant military equipment abroad and the license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to the Republic of Korea; to the Committee on Finance.

EC-5345. A communication from the Director, Executive Office of the President, Office of Management and Budget, transmitting, pursuant to law, a report on direct spending or receipts legislation dated October 24, 2001; to the Committee on Foreign Relations.

EC-5346. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Appeals Settlement Guidelines: Forest Products—Losses of Timber for Epidemic for Southern Pine Beetles" (UIL165.19-00) received on November 20, 2003; to the Committee on Finance.

EC-5347. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "October–December 2003 Bond Fund Amounts" (Rev. Rul. 2003-117) received on November 20, 2003; to the Committee on Finance.

EC-5348. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Transfers to Provide for Satisfaction of Contested Liabilities" (RIN1545-BA91) received on November 20, 2003; to the Committee on Finance.

EC-5349. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Transfers to Provide for Satisfaction of Contested Liabilities" (RIN1545-BA91) received on November 20, 2003; to the Committee on Finance.

EC-5350. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—December 2003" (Rev. Rul. 2003-122) received on November 20, 2003; to the Committee on Finance.

EC-5351. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Transfers to Trusts to Provide for the Satisfaction of Contested Liabilities" (Notice 2003-77) received on November 20, 2003; to the Committee on Finance.

EC-5352. A communication from the Procurement Executive, Department of State, transmitting, pursuant to law, the report of a rule entitled "Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace" (RIN1400-AB83) received on November 19, 2003; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and

were referred or ordered to lie on the table as indicated:

POM-326. A resolution adopted by the General Assembly of the State of New Jersey relative to the federal tax code; to the Committee on Armed Services.

ASSEMBLY RESOLUTION NO. 292

Whereas, The President of the United States has authorized the Secretary of Defense to mobilize select members of the National Guard to active duty in response to the continuing global war on terrorism, armed conflict with Iraq, and heightened tensions with North Korea, additionally, state governors have mobilized National Guard members for state active duty to protect airports, nuclear power plants and interstate bridges and tunnels; and

Whereas, Members of the National Guard activated by the President of the United States are entitled to certain exemptions from income taxation that members of the National Guard activated by a Governor are not; and

Whereas, Members of the National Guard activated during the current crises, whether activated by the President of the United States or a Governor, are serving vital interests for which they deserve the full support of our government; and

Whereas, Many of the National Guard members and their families will suffer short and long-term hardships due to their state activation during the crises; and

Whereas, It is fitting and proper that the United States government recognize the sacrifice that these mobilized National Guard members and their families are making; and

Whereas, Part of this recognition should consist of the enactment of federal legislation establishing the same tax treatment for allowances received by members of the National Guard on state active duty as exists for allowances received by such members on federal active duty; Now, therefore, be it

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

1. The President of the United States and the Congress of the United States are respectfully urged to enact legislation to amend the provisions of the federal tax code to exempt from taxable income of National Guard members on state active duty allowances received for housing and subsistence.

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 Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader or the United States House of Representatives, and each member of Congress elected from the State of New Jersey.

POM-327. A resolution adopted by the General Assembly of the State of New Jersey relative to trade relations with Taiwan; to the Committee on Finance.

ASSEMBLY RESOLUTION NO. 228

Whereas, The United States and the Republic of China, commonly known as Taiwan, maintain an important trade relationship, with Taiwan being among the largest trading partners of the United States and the United States being one of the largest exporters to Taiwan; and

Whereas, Taiwan, the fourteenth largest trading nation in the world, is a center for international trade which is vital to the economic prosperity of this State and the United States in general; and

Whereas, The State of New Jersey and Taiwan established a sister-state relationship in 1989 symbolizing the close friendship between the people of New Jersey and the people of Taiwan; and

Whereas, This State seeks to encourage and expand mutually beneficial commercial relationships with Taiwan; and

Whereas, Taiwan is a modern democracy that routinely holds free and fair elections and has dramatically improved its record on human rights; and

Whereas, Taiwan's 23,000,000 people are not represented in the United Nations; and

Whereas, Taiwan has in recent years repeatedly expressed its strong desire to participate in the United Nations and has much to contribute to the work and funding of the United Nations; and

Whereas, Taiwan's participation in the United Nations will help maintain peace and stability in Asia and the Pacific; Now, therefore, be it

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

1. The Congress and the President of the United States are respectfully memorialized to strengthen trade relations with the Republic of China (Taiwan) and to support the participation of the Republic of China (Taiwan) in the United Nations.

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, the United States Trade Representative, and every member of the New Jersey Congressional delegation.

POM-328. A resolution adopted by the General Assembly of the State of New Jersey relative to a Medicare prescription drug benefit; to the Committee on Finance.

ASSEMBLY RESOLUTION NO. 318

Whereas, Some senior citizens in New Jersey have prescription drug coverage through the "Pharmaceutical Assistance to the Aged and Disabled" and Medicaid programs, Medicare supplemental insurance policies or retirement benefit plans; however, according to the federal government, approximately one-third of senior citizens in the nation do not have any insurance coverage for prescription drugs; and

Whereas, Prescription drugs and medication therapy management services are essential components of medical treatment, yet the Medicare program does not offer a comprehensive prescription drug and service benefit to senior citizens who need prescription drug and service coverage in order to be able to afford their medications and comply with prescription medication regimes; and

Whereas, Proper utilization of prescriptions drugs can be one of the most cost-effective medical interventions available in the health care system and medication therapy management services would assist senior citizens in proper medication utilization, which can help reduce adverse medication events that oftentimes result in increased spending of Medicare funds for nursing home stays and hospital, physician and emergency room visits; and

Whereas, Proper utilization of prescription drugs can meet the needs of special populations with chronic diseases and those with co-morbidities through coordinating care with disease management, drug utilization review and patient education program, all of which aid in ameliorating medical errors; and

Whereas, Promoting greater access to prescription drugs through the inclusion of a prescription benefit in the Medicare program would reduce the incidence of senior citizens employing unsafe cost-saving methods, such as splitting pills and staggering the days on which medications are taken; and

Whereas, Comprehensive reform of the Medicare program would coordinate care for this population and offer more choices of quality coverage for senior citizens, while maintaining the financial sustainability of the program; and

Whereas, A voluntary, comprehensive Medicare prescription drug benefit program, which provides eligible enrollees with covered outpatient prescription drugs, medication preparation services and medication therapy management services, would ensure senior citizens access to necessary prescription drugs and services: Now, therefore, be it

Resolved by the Assembly of the State of New Jersey:

1. This House respectfully memorializes Congress to enact, and the President of the United States to sign into law, a financially sustainable, voluntary, universal and comprehensive prescription drug benefit in the Medicare program, which would ensure senior citizens access to necessary prescription drugs and services.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk of the General Assembly, shall be forwarded to the President of the United States, the Secretary of Health and Human Services of the United States, the presiding officers of the United States Senate and the House of Representatives, and each of the members of the Congress of the United States elected from the State of New Jersey.

POM-329. A resolution adopted by the Commission of the City of Miami of the State of Florida relative to tax-exempt governmental facilities; to the Committee on Finance.

POM-330. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to steel tariffs; to the Committee on Finance.

HOUSE RESOLUTION NO. 348

Whereas, The Commonwealth of Pennsylvania is the birthplace of the American steel industry and home to the country's largest steel producer, United States Steel Corporation, and to the United Steelworkers of America; and

Whereas, The House of Representatives of the Commonwealth of Pennsylvania unanimously passed House Resolution 429 on February 12, 2002, calling upon the President to maintain the Section 201 steel tariffs; and

Whereas, The Senate of the Commonwealth of Pennsylvania adopted Senate Resolution 165 on February 12, 2002, calling upon the President to maintain the Section 201 steel tariffs; and

Whereas, As set forth in House Resolution 429 and Senate Resolution 165, the domestic steel industry and the United Steelworkers of America have worked cooperatively and made difficult decisions to ensure that the steel industry's restructuring occur in order to advance a globally competitive United States steel industry; and

Whereas, The President of the United States imposed steel tariffs on March 5, 2003, which have been vitally important to allow for the restructuring of the steel industry; and

Whereas, Since the imposition of the Section 201 tariffs, imports and domestic production of steel have increased; and

Whereas, Steel prices in the United States are still lower than in most other major steel-consuming markets around the world, and any inquiry suffered by steel-consuming industries is unrelated to the President's steel program; and

Whereas, The overall competitiveness of the United States manufacturing industries

relies on the ability to maintain a steady domestic steel supply; and

Whereas, Maintaining a steady domestic steel supply is critical to the overall competitiveness of the United States manufacturing industries in the global marketplace; and

Whereas, Steel is essential to the manufacturing and infrastructure sectors, the mainstays of every advanced economy, and no major industrialized nation has been able to function without the ability to produce steel; and

Whereas, The steel tariffs the President imposed in 2002 have provided relief for the domestic steel industry; the tariffs have stopped the hemorrhaging and the steel industry is seeing signs of real recovery; the industry has begun the process of significant restructuring to adjust to the current import competition situation; and continued relief for the full three-year term is necessary so that the industry can undertake vital capital investments that it was forced to postpone due to the import crisis; therefore be it

Resolved (the Senate concurring), That the General Assembly urge the President to maintain the Section 201 steel tariffs for the three-year duration and provide all available assistance to ease the hardship which was resulted for thousands of retired steelworkers as a result of bankruptcies and restructuring; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, to Vice President Dick Cheney, to the members of Congress and to Pennsylvania Governor Edward G. Rendell.

POM-331. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Medicare program; to the Committee on Finance.

HOUSE RESOLUTION NO. 255

Whereas, The mammogram is the medical standard in early breast cancer detection, reducing mortality due to breast cancer by at least 30%; and

Whereas, In the past year and a half, low Medicare and private insurance reimbursement rates for mammograms have contributed to a crisis in mammography; and

Whereas, The average cost of a mammogram is between \$90 and \$100 and Medicare only reimburses \$69 for the procedure; and

Whereas, The private insurance reimbursement is between \$50 and \$60; and

Whereas, As payments from the Medicare program have not kept pace with rising health care costs, hundreds of radiology clinics have been forced to close their doors and radiologists have been unable to provide mammography services because health care providers are not adequately reimbursed; and

Whereas, The current mammography crisis is causing an increasing shortage of qualified radiologists to administer mammograms; and

Whereas, United States Senators Tom Harkin and Olympia Snowe introduced Senate Bill No. 548, which would be known as the Assure Access to Mammography Act; and

Whereas, Senate Bill No. 548 would increase:

(1) The reimbursement rate of mammography services under the Medicare program to \$90.

(2) The Medicare graduate medical education funding for added radiology residency slots, some of which are required to specialize in mammography.

(3) The funding for allied health profession loan programs in order to increase the supply of qualified radiological technicians available to conduct mammograms; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to pass Senate Bill No. 548 to provide enhanced reimbursements for and expanded capacity to mammography services under the Medicare program; and be it further

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

POM-332. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Federal Unemployment Tax Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 53

Whereas, The Federal Unemployment Tax Act (FUTA) requires that every employer pay an excise tax of 6.2% on the first \$7,000 of total wages paid to each employee; and

Whereas, FUTA includes corporate officers within the scope of covered employment by defining these persons as "employees" of a corporation (26 U.S.C. §3121(d)(1)); and

Whereas, Pennsylvania employers, including corporate officers, can, to the extent provided by law, take a tax credit against the FUTA tax of the unemployment contributions that were paid into Pennsylvania's unemployment compensation fund; and

Whereas, FUTA establishes that employers may take a maximum credit of 5.4% against the FUTA tax; and

Whereas, after the offset credit is applied, Pennsylvania employers who pay into the State unemployment system are left to pay 0.8% FUTA tax on the first \$7,000 in wages paid to each employee; and

Whereas, Pennsylvania's Unemployment Compensation Law requires that corporate officers pay unemployment compensation taxes, although they generally are not eligible to collect unemployment compensation benefits should they become unemployed; and

Whereas, Pennsylvania corporate officers have expressed frustration because they are required to pay into the State's unemployment compensation system but are subsequently denied unemployment benefits when they become unemployed; and

Whereas, the payment of unemployment compensation taxes is especially burdensome for small, incorporated businesses; and

Whereas, exempting Pennsylvania corporate officers from State unemployment contribution liability would be futile because such officers would then be required to pay the full 6.2% FUTA tax on their wages instead of the net 0.8% rate normally paid with the 5.4% offset credit permitted for State unemployment taxes paid; and

Whereas, such an exemption would not provide any real tax relief to corporate officers, but would merely result in the Federal Government benefiting from additional tax revenue at the expense of Pennsylvania's unemployment compensation fund: Therefore be it

Resolved (the senate concurring) That the General Assembly of the Commonwealth of Pennsylvania urge the Congress to reexamine the FUTA tax as it relates to corporate officers and reevaluate the need for such a tax; and be it further

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

POM-333. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the war against terrorism; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 373

Whereas, nineteen terrorists hijacked four commercial airplanes on September 11, 2001, crashing two planes into the twin towers of the World Trade Center in New York City, one into the Pentagon, in Washington, D.C., and one in Pennsylvania, resulting in the loss of life of thousands of innocent people; and

Whereas, the events of September 11 led President George W. Bush to initiate a war against terrorism that is being fought at home and abroad through multiple operations including diplomatic, military, financial, investigative, homeland security and humanitarian actions; and

Whereas, the United States is enforcing a doctrine which makes plain that terrorists will be held responsible for their actions and governments which harbor, feed, house and hide terrorists will be held accountable for these acts; and

Whereas, the United States has moved to block the assets of 62 organizations and individuals associated with two investment and money-moving networks of terror; and

Whereas, the coalition of countries supporting the financial war against terrorism now stands at 195 countries; and

Whereas, the United States has issued orders blocking the access of 150 known terrorists, terrorist organizations and terrorist financial centers to United States financial systems; and

Whereas, the United States Department of Defense has airdropped 1,725,840 Humanitarian Daily Rations totaling approximately \$120 million into Afghanistan; and

Whereas, the United Nations reports that since November 1, 2001, nearly 12,000 refugees have spontaneously returned to Afghanistan from refugee camps in Iran, representing only a small portion of the estimated number of Afghan refugees in Pakistan and Iran, and it is apparent that humanitarian efforts must continue and be encouraged; and

Whereas, the people of Afghanistan have suffered extensively under the rule of the repressive Taliban regime, with girls denied access to schooling; women prohibited from working, accessing medical care and leaving their home unescorted; women required to wear the enveloping burqa; and other restrictive measures imposed on all Afghan people, including restrictions on smiling, laughing, listening to music and other normal activities of daily living; and

Whereas, talks are under way in Bonn, Germany, among various parties in Afghanistan to establish an agreement leading to a stable, cohesive and broad-based government which is loyal to the people of Afghanistan and respects its international obligations: Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania support and encourage the continued efforts of the President and Congress of the United States to bring those responsible for the September 11, 2001, attack on America to justice; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania support and encourage efforts currently under way to establish a stable government in Afghanistan and enable Afghanistan to become a peaceful participant in world nations; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania encourage national and international efforts to bring humanitarian aid and relief to the people of Afghanistan; and be it further

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

POM-334. A resolution adopted by the General Assembly of the State of New Jersey relative to funding for the Head Start program; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY RESOLUTION NO. 307

Whereas, the Federal Head Start project in the Department of Health and Human Services has been one of the most successful of the Great Society anti-poverty programs; and

Whereas, New Jersey's Head Start programs have played a highly successful and valuable multi-faceted role in fighting poverty, creating economic opportunity and educating low-income children in New Jersey since 1965; and

Whereas, New Jersey's Head Start programs have graduated over 1.5 million children and made them education-ready for kindergarten; and

Whereas, New Jersey Head Start programs currently educate over 16,000 children in New Jersey and build the capacity of thousands of parents and staff; and

Whereas, Head Start programs nationwide and in New Jersey are under attack with a threatened loss of funding and virtual elimination of Federal performance standards that include social services benefits to families; and

Whereas, the Federal Government is proposing to move funding that goes to Head Start programs from the Department of Health and Human Services to the Department of Education; and

Whereas, the Federal Government is also proposing to block grant the Federal funding that goes to Head Start programs to the individual states; and

Whereas, the Department of Education has no experience in supervising comprehensive anti-poverty, social service and education programs for preschoolers and families; and

Whereas, evidence makes clear that block granting to the states the funds that now go directly from Federal to local Head Start programs would undermine the consistent quality of Head Start nationwide; and

Whereas, studies show that Federal funds are 8 times more likely than State funds to reach the neediest children, including the General Accounting Office 1998 Report "State and Federal Efforts to Target Poor Children"; and

Whereas, it is inconsistent for the Federal Government to push for national outcomes for Head Start children and simultaneously erase the mechanisms to help achieve them; and

Whereas, currently, Head Start funds only 6 slots out of every 10 for eligible children and Early Head start has only enough funding to serve 3% of all eligible children; and

Whereas, the New Jersey Supreme Court has already accepted the argument that expanded preschool for low-income children in poor school districts is essential to help combat the disadvantages they experience relative to children living in wealthier school districts; and

Whereas, New Jersey has this nation's most segregated housing system and school districts, and loss of Head Start means low-income and black and Latino children would be disproportionately affected; and

Whereas, over \$131 million in Head Start funds comes to local programs in New Jersey, which leverages those funds and invests in local businesses within the local Head Start community; and

Whereas, many community-based Head Start programs in New Jersey are able to build preschool facilities more economically and efficiently within the community than the State and public schools; and

Whereas, over 1,060 of Head Start's 3,400 employees in New Jersey are former Head

Start parents and from the local community; and

Whereas, Head Start's mission includes a commitment to help parents become economically viable and better advocates for children and also to strengthen the community and engage in economic development activities; and

Whereas, block granting would undermine the New Jersey Supreme Court's *Abbott v. Burk* decision and allow the State to use the Federal funds to pay for its expenses rather than provide the supplemental funds that the Head Start programs need to meet the Supreme Court mandates: Now, therefore, be it

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

1. This House expresses its opposition to the move of Head Start funding by the Federal Government from the Department of Health and Human Services to the Department of Education and also expresses its opposition to provide Head Start funding on a block grant basis.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk, shall be transmitted to the President and Vice-President of the United States, the Speaker of the House of Representatives, the Secretaries of Education and Health and Human Services, and every member of Congress elected from this State.

POM-335. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to consolidation loans; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 388

Whereas, the 1998 Amendments to the Higher Education Act of 1965 (Public Law 105-244) provided for Federal consolidation loans to help students and graduates by reducing the cost of repaying the money that they borrowed to finance their higher education; and

Whereas, the law provides that a borrower who has a Federal consolidation loan is not eligible for a subsequent Federal consolidation loan except in the narrower circumstances in which he or she has obtained another eligible loan that is to be consolidated with the existing consolidation loan; and

Whereas, many students and graduates would benefit from the ability to refinance their student loans more than once in order to secure a lower rate of interest: Therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to amend the 1998 Amendments to the Higher Education Act of 1965 to allow for subsequent Federal consolidation loans regardless of whether the borrower has obtained a new eligible loan; and be it further

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

POM-336. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to confirmation hearings on the Michigan nominees to the United States 6th Circuit Court of Appeals; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 127

Whereas, the Senate of the United States is perpetuating a grave injustice and endangering the well-being of countless Americans, putting our system of justice in jeopardy in Michigan and the states of the Sixth Circuit of the federal court system; and

Whereas, the Senate of the United States is allowing the continued, intentional obstruction of the judicial nominations of four fine Michigan jurists: Judges Henry W. Saad, Susan B. Neilson, David W. McKeague, and Richard A. Griffin, all nominated by the President of the United States to serve on the United States 6th Circuit Court of Appeals; and

Whereas, this obstruction is not only harming the lives and careers of good, qualified judicial nominees, but it is also prolonging a dire emergency in the administration of justice. This emergency has brought home to numerous Americans the truth of the phrase "justice delayed is justice denied"; and

Whereas, both of Michigan's Senators continue to block the Judiciary Committee of the United States from holding hearings regarding these nominees. This refusal to allow the United States to complete its constitutional duty of advice and consent is denying the nominees the opportunity to address any honest objections to their records or qualifications. It is also denying other Senators the right to air the relevant issues and vote according to their consciences. This is taking place during an emergency in the United States 6th Circuit Court of Appeals with the backlog of cases; and

Whereas, we join with the members of Michigan's congressional delegation who wrote Chairman Orrin Hatch on February 26, 2003, to express their concern that "if the President's nominations are permitted to be held hostage, for reasons not personal to any nominee, then these judicial seats traditionally held by judges representing the citizens of Michigan may be filled with nominees from other states within the Sixth Circuit. This would be an injustice to the many citizens who support these judges and who have given much to their professions and government in Michigan"; and

Whereas, we are concerned about the Sixth Circuit as a whole, a circuit understaffed, with 4 of its 16 seats vacant, knowing that the Sixth Circuit ranks next to last out of the 12 circuit courts in the time it takes to complete its cases. Since 1996, each active judge has had to increase his or her number of decisions by 46%—more than three times the national average. In the recent past, the Sixth Circuit has taken as long as 15.3 months to reach a final disposition of an appeal. With the national average at only 10.9 months, this means the Sixth Circuit takes over 40% longer than the national average to process a case; and

Whereas, the last time the Sixth Circuit was this understaffed, former Chief Judge Gilbert S. Merritt said that it was handling "a caseload that is excessive by any standard." Judge Merritt also wrote that the court was "rapidly deteriorating, understaffed and unable to properly carry out their responsibilities"; and

Whereas, decisions from the Sixth Circuit are slower in coming, based on less careful deliberation, and, as a result, are less likely to be just and predictable. The effects on our people, our society, and our economy are far-reaching, including transaction costs. Litigation increases as people strive to continue doing business when the lines of swift justice and clear precedent are being blurred; and

Whereas, President Bush has done his part to alleviate this judicial crisis. Over the past two years, he has nominated eight qualified

people to the Sixth Circuit Court of Appeals, with three of them designated to address judicial emergencies. Four of these nominees continue to languish without hearings because of the obstruction of the two Michigan Senators: Now, therefore, be it

Resolved by the senate, That we memorialize the United States Senate and Michigan's United States Senators to act to continue the confirmation hearings and to have a vote by the full Senate on the Michigan nominees to the United States 6th Circuit Court of Appeals; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's United States Senators and to the President of the United States Senate.

POM—337. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to confirmation hearings on the Michigan nominees to the United States 6th Circuit Court of Appeals; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 108

Whereas, the Senate of the United States is perpetuating a grave injustice and endangering the well-being of countless Americans, putting our system of justice in jeopardy in Michigan and the states of the Sixth Circuit of the federal court system; and

Whereas, the Senate of the United States is allowing the continued, intentional obstruction of the judicial nominations of four fine Michigan jurists: Judges Henry W. Saad, Susan B. Neilson, David W. McKeague, and Richard A. Griffin, all nominated by the President of the United States to serve on the United States 6th Circuit Court of Appeals; and

Whereas, this obstruction is not only harming the lives and careers of good, qualified judicial nominees, but it is also prolonging a dire emergency in the administration of justice. This emergency has brought home to numerous Americans the truth of the phrase "justice delayed is justice denied"; and

Whereas, both of Michigan's Senators continue to block the Judiciary Committee of the United States Senate from holding hearings regarding these nominees. This refusal to allow the United States Senate to complete its constitutional duty of advice and consent is denying the nominees the opportunity to address any honest objections to their records or qualifications. It is also denying other Senators the right to air the relevant issues and vote according to their consciences. This is taking place during an emergency in the United States 6th Circuit Court of Appeals with the backlog of cases; and

Whereas, we join with the members of Michigan's congressional delegation who wrote Chairman Orrin Hatch on February 26, 2003, to express their concern that "if the President's nominations are permitted to be held hostage, for reasons not personal to any nominee, then these judicial seats traditionally held by judges representing the citizens of Michigan may be filled with nominees from other states within the Sixth Circuit. This would be an injustice to the many citizens who support these judges and who have given much to their professions and government in Michigan"; and

Whereas, we are concerned about the Sixth Circuit as a whole, a circuit court understaffed, with 4 of its 16 seats vacant, knowing that the Sixth Circuit ranks next to last out of the 12 circuit courts in the time it takes to complete its cases. Since 1996, each active judge has had to increase his or her number of decisions by 46%—more than three times the national average. In the recent past, the Sixth Circuit has taken as long as 15.3

months to reach a final disposition of an appeal. With the national average at only 10.9 months, this means the Sixth Circuit takes over 40% longer than the national average to process a case; and

Whereas, the last time the Sixth Circuit was this understaffed, former Chief Judge Gilbert S. Merritt said that it was handling "a caseload that is excessive by any standard." Judge Merritt also wrote that the court was "rapidly deteriorating, understaffed and unable to properly carry out their responsibilities"; and

Whereas, decisions from the Sixth Circuit are slower in coming, based on less careful deliberation, and as a result, are less likely to be just and predictable. The effects on our people, our society, and our economy are far-reaching, including transaction costs. Litigation increases as people strive to continue doing business when the lines of swift justice and clear precedent are being blurred; and

Whereas, President Bush has done his part to alleviate this judicial crisis. Over the past two years, he has nominated eight qualified people to the Sixth Circuit Court of Appeals, with three of them designated to address judicial emergencies. Four of these nominees continue to languish without hearings because of the obstruction of the two Michigan Senators: Now, therefore, be it

Resolved by the house of representatives, That we memorialize the United States Senate and Michigan's United States Senators to act to begin the confirmation hearings on the Michigan nominees to the United States 6th Circuit Court of Appeals; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's United States Senators and to the President of the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1741. A bill to provide a site for the National Women's History Museum in the District of Columbia (Rept. No. 108-204).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment:

S. 1425. A bill to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program (Rept. No. 108-205).

By Ms. COLLINS, from the Committee on Governmental Affairs, with an amendment in the nature of a substitute:

S. 1567. A bill to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. SNOWE:

S. 1897. A bill to amend title XVIII of the Social Security Act to provide a clarification of congressional intent regarding the counting of residents in a nonprovider setting for purposes making payment for medical education under the medicare program; to the Committee on Finance.

By Mr. COLEMAN:

S. 1898. A bill to amend the Internal Revenue Code of 1986 to allow tax-payers to designate part or all of any income tax refund