

(3) COMPLIANCE REPORT.—Not later than 60 days after the exchange of instruments of ratification of the Treaty, and annually thereafter on April 15, the President shall submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate a report on the compliance of the President with the requirements of condition (a)(8) of the resolution of ratification of the Treaty on Reduction and Limitation of Strategic Offensive Arms, with Annexes, Protocols, and Memorandum of Understanding, signed at Moscow on July 31, 1991 (START Treaty), which states that “[in] as much as the prospect of a loss of control of nuclear weapons or fissile material in the former Soviet Union could pose a serious threat to the United States and to international peace and security, in connection with any further agreement reducing strategic offensive arms, the President shall seek an appropriate arrangement, including the use of reciprocal inspections, data exchanges, and other cooperative measures, to monitor (A) the numbers of nuclear stockpile weapons on the territory of the parties to [the START Treaty]; and (B) the location and inventory of facilities on the territory of the parties to [the START Treaty] capable of producing or processing significant quantities of fissile materials”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, March 18, 10:00 a.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony regarding water supply issues in the arid west. (Contact: Shelly Randel at 202-224-7933 or Jared Stubbs at 202-224-7556).

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150.

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, March 6, 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 212, a bill authorizing the Secretary of the Interior to cooperate with the High Plains States in conducting a hydrogeologic characterization, mapping, modeling and monitoring program for the High Plains Aquifer and for other purposes; and S. 220 and H.R. 397, bills to reinstate and extend the deadline for commencement of construction of a hydro-

electric project in the State of Illinois. (Contact: Shelly Randel regarding S. 212 at 202-224-7933, Kellie Donnelly regarding S. 220 and H.R. 397 at 202-224-49360 or Jared Stubbs at 202-224-7556).

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, March 5, 2003, at 10:00 a.m., to hear testimony on the Administration's Trade Agenda.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 5, 2003, at 10:30 a.m., to hold a Top Secret Briefing on the Turkish Aid Negotiations and Developments in Northern Iraq.

Briefers: The Honorable Beth Jones, Assistant Secretary for European Affairs, Department of State; The Honorable Earl Anthony Wayne, Assistant Secretary for Economic & Business Affairs, Department of State; The Honorable Ryan C. Crocker, Deputy Assistant Secretary for Near Eastern Affairs, Department of State; Mr. Ian Brzezinski, Deputy Assistant Secretary for European and NATO Affairs, Department of Defense; and Major General Dunne, Vice Director, J-5, The Joint Staff, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 5, 2003, at 3 p.m., to hold a hearing on Tax Convention with the United Kingdom (T.Doc. 107-19) and Protocols Amending Tax Conventions with Australia (T.Doc. 107-20) and Mexico (T.Doc. 108-3).

Witnesses

Panel 1: Ms. Barbara M. Angus, International Tax Counsel, Department of the Treasury, Washington, DC Mr. David Noren, Legislation Counsel, Joint Committee on Taxation, Washington, DC.

Panel 2: The Honorable William Reinsch, President, National Foreign Trade Council, Inc., Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, March 5, 2003, at 10 a.m., for a business meeting to consider S. 380 and also pending nominations before the Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, March 5, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a BUSINESS MEETING on pending Committee business, to be followed immediately by a HEARING on the President's FY 2004 Budget for Indian Programs

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “The Asbestos Litigation Crisis Continues—It is Time for Congress to Act” on Wednesday, March 5, 2003, at 2 p.m. in Hart Senate Office Building Room 216.

Panel I: The Honorable MAX BAUCUS, U.S. Senator [D-MT], Washington, DC; The Honorable GEORGE V. VOINOVICH, U.S. Senator [R-OH], Washington, DC.

Panel II: Melvin McCandless, Williamston, NC; Brian Harvey, Vashon, WA; David Austern, Esq., President, Claims Resolution Management, General Counsel for the Manville Personal Injury Settlement Trust, Fairfax, VA; Dennis Archer, Esq., President-Elect, American Bar Association, Washington, DC; Jonathan Hiatt, Esq., General Counsel, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Washington, DC; Steven Kazan, Esq., Partner, Kazan, McClain, Edises, Abrams, Fernandez, Lyons & Farris, Oakland, CA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the subcommittee on Communications be authorized to meet on Wednesday, March 5, 2003, at 9:30 a.m. on E911.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Paul Veidenheimer, a fellow on my staff, be granted the privileges of the floor for the duration of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUGAR. I ask unanimous consent that Jason Hamm, a presidential

management intern for the Committee on Foreign Affairs Committee, be given floor privileges during the debate on the Moscow Treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

**CORRECTED VERSION OF S. RES.
71 AS PASSED ON MARCH 4, 2003**

Whereas a 3-judge panel of the Ninth Circuit Court of Appeals has ruled in *Newdow v. United States Congress* that the words "under God" in the Pledge of Allegiance violate the Establishment Clause when recited voluntarily by students in public schools;

Whereas the Ninth Circuit has voted not to have the full court, en banc, reconsider the decision of the panel in *Newdow*;

Whereas this country was founded on religious freedom by the Founding Fathers, many of whom were deeply religious;

Whereas the First Amendment to the Constitution embodies principles intended to guarantee freedom of religion both through the free exercise thereof and by prohibiting the Government establishing a religion;

Whereas the Pledge of Allegiance was written by Francis Bellamy, a Baptist minister, and first published in the September 8, 1892, issue of the *Youth's Companion*;

Whereas Congress, in 1954, added the words "under God" to the Pledge of Allegiance;

Whereas the Pledge of Allegiance has for almost 50 years included references to the United States flag, the country, to our country having been established as a union "under God" and to this country being dedicated to securing "liberty and justice for all";

Whereas Congress in 1954 believed it was acting constitutionally when it revised the Pledge of Allegiance;

Whereas the 107th Congress overwhelmingly passed a resolution disapproving of the panel decision of the Ninth Circuit in *Newdow*, and overwhelmingly passed legislation recodifying Federal law that establishes the Pledge of Allegiance in order to demonstrate Congress's opinion that voluntarily reciting the Pledge in public schools is constitutional;

Whereas the Senate believes that the Pledge of Allegiance, as revised in 1954 and as recodified in 2002, is a fully constitutional expression of patriotism;

Whereas the National Motto, patriotic songs, United States legal tender, and engravings on Federal buildings also refer to "God"; and

Whereas in accordance with decisions of the United States Supreme Court, public school students are already protected from being compelled to recite the Pledge of Allegiance: Now, therefore, be it

Resolved, That the Senate—

(1) strongly disapproves of a decision by a panel of the Ninth Circuit in *Newdow*, and the decision of the full court not to reconsider this case en banc; and

(2) authorizes and instructs the Senate Legal Counsel either to seek to intervene in the case to defend the constitutionality of the words "under God" in the Pledge, or to file an *amicus curiae* brief in support of the continuing constitutionality of the words "under God" in the Pledge.

**HONORING MR. FRED MCFEELY
ROGERS**

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 16 submitted ear-

lier today by Senators SANTORUM and SPECTER.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) honoring the life and work of Mr. Fred McFeely Rogers.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SPECTER. Mr. President, I have sought recognition to pay tribute to Mr. Fred Rogers, the beloved host of the Public Broadcasting Service, PBS children's television program, *Mister Rogers' Neighborhood*.

For more than 30 years, America has been fortunate to have one of the most caring and dedicated neighbors in Mr. Rogers. His soft-spoken and patient manner put viewers at ease and allowed Mr. Rogers to courageously address adult topics such as death, divorce, and anger. The neighborhood of make believe residents helped to illustrate differences in people and teach children the importance of cooperation. From King Friday and Queen Sara Saturday to Henrietta Pussycat and Daniel Stripped Tiger, diversity, tolerance, and problem solving were not only taught, but celebrated.

Mr. Rogers is a role model for people and parents everywhere. His ability to communicate with children offered them a place, every morning, where they felt accepted and understood. Mr. Rogers, dressed in his signature cardigan sweater and tying his tennis shoes, often sang the song "You Are Special" in which he said, "You are my friend. You are special to me. You are the only one like you. Like you, my friend, I like you." I cannot think of a more important lesson to teach children than the lesson of self-esteem. Mr. Rogers taught self-esteem, but he was never limited in his lessons. Just as importantly, he helped his viewers explore subjects they were curious about and develop their own sense of self and creativity through imagination, all the while helping to teach self-discipline.

Mr. Rogers was much more than simply a great neighbor. Born in Latrobe, PA, on March 20, 1928, Fred Rogers began his television career in New York City in 1951. With a music composition degree from Rollins College, Mr. Rogers served as an apprentice at NBC managing the musical selections for some of the network's earliest shows. In 1953, after marrying college sweetheart Sara Joanne Byrd, Mr. Rogers returned to Pennsylvania to develop programming at WQED in Pittsburgh. It was at WQED that Mr. Rogers' *Neighborhood* really flourished. After working as a puppeteer, Mr. Rogers had the opportunity to develop his own 15 minute segment that eventually became the *Mister Rogers' Neighborhood* that America knows and loves today. Over thirty years and almost 900 episodes later, the messages that Mr. Rog-

ers delivered are as vital now as they were in 1960.

Mr. Rogers' accomplishments reach far beyond the boundaries of the neighborhood. Ordained by the Pittsburgh Presbytery in 1962, Mr. Rogers was active in child and family advocacy on all levels. In 1972, Mr. Rogers formed Family Communications, Inc. to produce educational entertainment for children and families and resources for teachers. Mr. Rogers most recently partnered with the Western Pennsylvania Caring Foundation to establish the Caring Place for grieving children in an effort to make sure that children who experienced a loss did not feel so alone.

During his career of service to children, families, and communities, Mr. Rogers was the recipient of two George Foster Peabody Awards, four Emmys, and two "Lifetime Achievement Awards" from the National Academy of Television Arts and Sciences and the TV Critics Association. In July 2002, Mr. Rogers was awarded the Presidential Medal of Freedom—the Nation's highest civilian honor—for his dedication to the well-being of children and for a career that demonstrates the importance of kindness, compassion, and learning. All of these awards added to the 30 honorary degrees that Mr. Rogers received throughout the years.

Mr. Rogers was no stranger to Capitol Hill. After testifying before the Senate in 1969, Mr. Rogers made an almost annual visit to Capitol Hill to express how deeply he believed in the importance of education. I was honored to have Mr. Rogers as a guest in my office during his many visits to the Senate. While walking around the U.S. Capitol with him, my Senate colleagues and their staff flocked to Mr. Rogers as if he were royalty, which he most certainly was. Always kind enough to stop and say hello or pose for a picture, Mr. Rogers truly epitomized the quintessential teacher, father, friend, guide, and neighbor.

Mr. Rogers' ability to talk about the things that really matter in childhood have made him an inspiration to two generations of children already, and to countless generations to come. Our nation's children are better today for having had the counsel and wisdom of Pittsburgh's own Mr. Rogers. All of us were truly fortunate to have had the best neighbor in Mr. Rogers.

Mr. BENNETT. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 16) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 16

Whereas Fred Rogers was born in Latrobe, Pennsylvania, in 1928;