

Ephraim and Joanne Zayat received the Pillars of SINAI award. Mr. Zayat is the executive chair and CEO of Heineken, Egypt and was named a Global Leader for Tomorrow by the World Economic Forum. He also serves on the Bush-Mubarak Presidents Council. Mr. Zayat is a member of the board of directors of the Academic Egyptian Arts & Sciences Foundation.

Mrs. Zayat is on the board of directors at Yavneh Academy and she was a board member of Congregation Bnai Yeshurun. She is also an active member of Amit and Emunah.

Dr. Paul and Esther Lerer were the Institute's guests of honor at this annual dinner. Dr. Lerer is a board member of Moriah School and a member of the religious services and tzedakah committees of Congregation Ahavath Torah.

Esther Lerer is on the board of trustees at Congregation Ahavath Torah where she was also president. She is also a member of the board at Ma'ayanot High School, Shaare Zedek Medical Center, and the UJA Federation of Bergen County and North Hudson. Dr. and Esther Lerer are involved in Bar Ilan University and they have been honored by Yeshivat Shalvim.

Michael and Sharon Glass were the Kesser Shem Tov awardees. Michael Glass is an original member of Dof Yomi. He also helps set up the Shalosh Seudos every Shabbat and is a member of the monthly shomer program. Michael Glass is the vice president of Global Scientific Affairs for the Adams division of Pfizer. In that capacity he works for kosher certification of Adams confectionary products.

Sharon Glass is director of the Jewish Center of Teaneck's Nursery School and used to be a teacher in the Leah Sokoloff Nursery School at Congregation Shomrei Torah. She is also the shul's co-vice president of sisterhood.

Rabbi Ya'akov Neuburger was the recipient of the Rabbinic Leadership award. Rabbi Neuburger is the spiritual leader for Congregation Beth Abraham. He was also one of the first rabbis to receive Yadin Yadin ordination from the Rabbi Isaac Eichenan Theological Seminary.

I ask my colleagues to join me and the SINAI Special Needs Institute in honoring these very dedicated residents of New Jersey who have contributed so much to their communities.●

ANOTHER UNPRECEDENTED STEP BY THE JUSTICE DEPARTMENT

● Mr. LEVIN. Mr. President, I raise an issue that has come to my attention regarding the Justice Department's reported attempt to restrict the use of the National Instant Criminal Background Check System by local law enforcement. According to the Brady Campaign to Prevent Gun Violence and the Associated Press, a Department of Justice attorney recently threatened to bring charges against a top firearm official in California. The charges stem

from California's practice of conducting National Instant Criminal Background Check System or NICS background checks.

According to reports, the dispute involves the use of the NICS database by law enforcement to determine if guns seized in criminal investigations should be returned to their owners. California officials need access to the NICS database because it includes data from across the country and therefore more accurately determines whether a person is prohibited from possessing a firearm. Local law enforcement in California performs these checks thousands of times per year.

An example from the Brady Campaign to Prevent Gun Violence illustrates the problem. When responding to a domestic violence complaint, law enforcement in California ask if there are any firearms present in the home and take temporary custody of any guns they find. Before returning the guns, law enforcement asks the California Department of Justice to run a NICS background check to determine whether the gun owner is prohibited from purchasing or possessing a firearm. The U.S. Department of Justice is challenging this practice, claiming that it is a misuse of the NICS background check system. The U.S. Justice Department wants law enforcement to stop performing these checks and immediately return guns to their owner.

The Brady Law contains nine categories of individuals prohibited from purchasing and possessing a firearm including felons and illegal immigrants. I believe that law enforcement in all 50 states and the District of Columbia should do everything within the law to insure that these potentially dangerous individuals do not gain access to firearms. The State of California is carrying out a common sense application of the law. As the Los Angeles Times said in a recent editorial, the Justice Department's threatened actions are reckless, and are contrary to both public safety and sensible public policy.

I ask unanimous consent that a copy of the Los Angeles Times editorial be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASHCROFT'S RUSSIAN ROULETTE

Last year, Atty. Gen. John Ashcroft tried but failed to get the U.S. Supreme Court to buy his theory that the 2nd Amendment allows pretty much anyone to buy pretty much any gun, a view the court has consistently if infrequently rejected.

Now Ashcroft has threatened California's top firearms control official with criminal charges if the state continues to use a federal databank to hunt down those making illegal gun purchases, as it has done for years. Ashcroft's latest decree is reckless and could emasculate this nation's gun laws, hamstringing police and put the public at risk.

Since 1998, firearms dealers across the country have used the Department of Justice's National Instant Criminal Background Check System, or NICS, to check, supposedly within 30 seconds, whether a customer is prohibited from owning a gun because of, for ex-

ample, a felony or a history of mental illness.

California also has used the system to check whether someone recently found by doctors to be mentally unstable—and therefore barred from purchasing a weapon—had earlier bought a firearm.

In addition, state law enforcement officials use this background check to determine whether police should return a weapon confiscated from an arrested person. The police are required to withhold a gun if, for example, they learn that the suspect had committed a crime in another state since he bought it.

These have been standard law enforcement practices in California for years.

Ashcroft wants to stop such practices, believing that a gun owner's right to privacy trumps public safety.

The federal Brady law, requiring the background check for handgun buyers, requires gun dealers to take one peek at an individual's criminal record. A buyer with a clean record takes the gun home. But if that same individual later commits a crime, is slapped with a restraining order or becomes mentally unstable, Ashcroft has decreed no one should know.

Ashcroft would force California law enforcement officials to play Russian roulette 7,000 times a year when they release a suspect for lack of evidence, spring a parolee from prison or discover that a judge has put a restraining order on a wife beater who has a firearm. Only, in this game, the bullets will be aimed at law-abiding citizens.

For the moment, California Atty. Gen. Bill Lockyer and his firearms division chief, Randy Rossi, are standing firm, as they should, vowing to continue using the NICS database to protect Californians despite Ashcroft's vague threats of prosecution. Pressure from Sen. Dianne Feinstein's (D-Calif.) office may have prompted staffers from Ashcroft's and Lockyer's offices to agree to talk Thursday by telephone in an effort to end this impasse.

A large part of Ashcroft's responsibility is protecting the public, not undercutting laws that would help him do that job.●

TRIBUTE TO GREENUP COUNTY HIGH SCHOOL VARSITY CHEERLEADING SQUAD

● Mr. BUNNING. Mr. President, I pay tribute to the Greenup County High School Varsity Cheerleading Squad. On February 9, the Greenup County High School Varsity Cheerleading Squad won the Universal Cheerleading Association's National Championship in Orlando, FL.

Greenup County High School has a long standing tradition of bringing home the national title. Over the years, Greenup County has been named National Champions 11 times, a feat that no other high school cheerleading program in the country has accomplished.

For the young women on this squad this is not just an trophy, it is an affirmation that with hard work and determination, anything is possible. To accomplish this goal the members not only have to juggle long practices and games, but they continue to achieve academic excellence. Not only are these young women excellent athletes and students but they pride themselves in giving back to their community for

support they have received by doing community service, fundraising, and public relations for their school system. The citizens of Greenup County, KY are fortunate to have the 2003 National Champions living and learning in their community. Their example of hard work and determination should be followed by all in the Commonwealth.

I am very proud of the accomplishments these young women have made. I would like to congratulate the members of the Greenup County High School Varsity Cheerleading Squad for their success. But also, I want to congratulate their peers, coaches, teachers, administrators, and parents for their support and sacrifices they've made to help the Greenup County High School Varsity Cheerleading Squad make their dreams a reality.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1446. A communication from the Deputy Congressional Liaison, Board of Governors of the Federal System, transmitting, pursuant to law, the report of a rule entitled "Equal Credit Opportunity; Regulation B (Doc. No. 1-1008)" received on March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1447. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the 2002 Wassenaar Arrangement List of Dual-Use Items: Revisions to Categories 2, 3, 4, 5, 6, 7, 8 and 9 of the Commerce Control List, General Software Note, and Reporting Requirements (0694-AC65)" received on March 3, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1448. A communication from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Designation and Nondesignations of Critical Habitat for 42 Plant Species From the Island of Molokai, Hawaii; Final Rule (RIN 1018-AH08)" received on March 3, 2003; to the Committee on Environment and Public Works.

EC-1449. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Textile Rules, 16 C.F.R. Part 303 (RIN 3084-0101)" received on March 3, 2003; to the Committee on Commerce, Science, and Transportation.

EC-1450. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Aliens and Nationality; Homeland Security; Reorganization of Regulations (1125-AA42)" received on March 5, 2003; to the Committee on the Judiciary.

EC-1451. A communication from the Chief, Regulations Unit, Internal Revenue Unit, Department for the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tax Shelter Regulations (RIN 1545-AX81,

1545-BB49, 1545-BB50, 1545-48, 1545-BB53, 1545-BB51, 1545-BB52, 1545-AW26, 1545-AX79)" received on March 3, 2003; to the Committee on Finance.

EC-1452. A communication from the Chief, Regulations Unit, Internal Revenue Unit, Department for the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transaction w/Significant Book-Tax Difference, Exceptions (RP-105734-03)" received on March 5, 2003; to the Committee on Finance.

EC-1453. A communication from the Chief, Regulations Unit, Internal Revenue Unit, Department for the Treasury, transmitting, pursuant to law, the report of a rule entitled "Exceptions from Loss Transactions (Rp-105737-03) (Rev. Proc. 2003-24)" received on March 3, 2003; to the Committee on Finance.

EC-1454. A communication from the Assistant Secretary for Fish & Wildlife & Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Gulf Sturgeon (1018-AI23)" received on March 3, 2003; to the Committee on Environment and Public Works.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. CAMPBELL for the Committee on Indian Affairs.

*Ross Owen Swimmer, of Oklahoma, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Mr. CORZINE (for himself and Mrs. MURRAY):

S. 574. A bill to amend part A of title IV of the Social Security Act to toll the 5-year limit for assistance under the temporary assistance to needy families program for recipients who live in a State that is experiencing significant increases in unemployment; to the Committee on Finance.

By Mr. INOUE:

S. 575. A bill to amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes; to the Committee on Indian Affairs.

By Mr. CONRAD (for himself, Mr. NICKLES, Mr. BREAUX, Mr. HATCH, Mr. DORGAN, Mr. KYL, Mrs. LINCOLN, Mr. COCHRAN, Ms. STABENOW, Mr. FITZGERALD, Mrs. CLINTON, Mr. REID, and Mr. SUNUNU):

S. 576. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. KENNEDY, Mr. GREGG, and Mr. SUNUNU):

S. 577. A bill to establish the Freedom's Way National Heritage Area in the States of

Massachusetts and New Hampshire, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUE (for himself, Mr. CAMPBELL, Mr. AKAKA, and Ms. CANTWELL):

S. 578. A bill to amend the Homeland Security Act of 2002 to include Indian tribes among the entities consulted with respect to activities carried out by the Secretary of Homeland Security, and for other purposes; to the Committee on Governmental Affairs.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, Mr. LOTT, Mr. ROCKEFELLER, and Mrs. HUTCHISON):

S. 579. A bill to reauthorize the National Transportation Safety Board, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. SANTORUM, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3, a bill to prohibit the procedure commonly known as partial-birth abortion.

S. 4

At the request of Mr. GREGG, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 4, a bill to improve access to a quality education for all students.

S. 128

At the request of Mr. FEINGOLD, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 128, a bill to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes.

S. 270

At the request of Mr. KENNEDY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 270, a bill to provide for additional weeks of temporary extended unemployment compensation, to provide for a program of temporary enhanced unemployment benefits, and for other purposes.

S. 338

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 338, a bill to protect the flying public's safety and security by requiring that the air traffic control system remain a Government function.

S. 473

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 473, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 480

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 480, a bill to