

EC-1605. A communication from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri (FRL 7467-4)" received on March 12, 2003; to the Committee on Environment and Public Works.

EC-1606. A communication from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities; New York (FRL 7464-8)" received on March 12, 2003; to the Committee on Environment and Public Works.

EC-1607. A communication from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Historic Area Remediation Site (HARS)-Specific Polychlorinated Biphenyl Worm Tissue Criteria (FRL 7467-6)" received on March 12, 2003; to the Committee on Environment and Public Works.

EC-1608. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Thirteenth Annual Report to Congress relative to the Health and Safety activities relating to the Department of Energy's Defense nuclear facilities during calendar year 2002, received on March 12, 2003; to the Committee on Governmental Affairs.

EC-1609. A communication from the Director, Office of Federal Housing Enterprise Oversight (OFHEO), transmitting, pursuant to law, the OFHEO's Fiscal Year 2002 Performance Report, received on March 12, 2003; to the Committee on Governmental Affairs.

EC-1610. A communication from the Director, Office of Management, Budget and Evaluation/Chief Financial Officer, transmitting, pursuant to law, the report relative to the Department of Energy's annual list of Government activities that are not inherently governmental in nature, after review and consultation with the Office of Management and Budget (OMB); to the Committee on Governmental Affairs.

EC-1611. A communication from the Special Counsel, Office of the Special Counsel, transmitting, pursuant to law, the Annual Report of the Office of Special Counsel for Fiscal Year 2002, received on March 12, 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-64. A resolution adopted by the City of Warren, State of Michigan relative to solid waste; to the Committee on Environment and Public Works.

POM-65. A resolution adopted by the Town of New Castle, State of New York relative to the decommissioning of the Indian Point Power Plants; to the Committee on Environment and Public Works.

POM-66. A resolution adopted by Urbana City Council, State of Illinois relative to opposition to a war against Iraq; to the Committee on Foreign Relations.

POM-67. A resolution adopted by the Town of Mansfield, State of Connecticut relative to opposition to the war against Iraq; to the Committee of Foreign Relations.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

Mr. MCCAIN. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Coast Guard nominations beginning Christine K. Alexander and ending Adam M. Ziegler, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2003.

Coast Guard nominations beginning Diane J. Hauser and ending Lisa H. Degroot, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2003.

Coast Guard nomination of Scott Aten. Coast Guard nominations beginning Paul S. Szwed and ending Darell Singleterry, which nominations were received by the Senate and appeared in the Congressional Record on February 25, 2003.

Coast Guard nomination of John P. Nolan. Coast Guard nomination of Christy L. Howard.

Coast Guard nominations beginning Bruce E. Graham and ending Bradford W. Youngkin, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 2003.

By Mr. MCCAIN for the Committee on Commerce, Science, and Transportation.

\*Ellen G. Engleman, of Indiana, to be Chairman of the National Transportation Safety Board for a term of two years.

\*Ellen G. Engleman, of Indiana, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2007.

\*Richard F. Healing, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2006.

\*Mark V. Rosenker, of Maryland, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2005.

\*Charles E. McQueary, of North Carolina, to be Under Secretary for Science and Technology, Department of Homeland Security.

\*Jeffrey Shane, of the District of Columbia, to be Under Secretary of Transportation for Policy.

\*Emil H. Frankel, of Connecticut, to be an Assistant Secretary of Transportation.

\*Robert A. Sturgell, of Maryland, to be Deputy Administrator of the Federal Aviation Administration.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

\*Foreign Service nominations beginning Lyle J. Sebranek and ending Margaret K. Ting, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2003.

\*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

The following executive reports of treaties were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

[Treaty Doc. 107-19 Tax Convention with the United Kingdom (Exec. Rept. No. 108-2)]

#### TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF RATIFICATION

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital Gains, signed at London on July 24, 2001, together with an Exchange of Notes, as amended by the Protocol signed at Washington on July 19, 2002 (Treaty Doc. 107-19).*

[Treaty Doc. 107-20 Protocol Amending Tax Convention with Australia (Exec. Rept. No. 108-3)]

#### TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF RATIFICATION

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol Amending the Convention Between the Government of the United States of America and the Government of Australia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Canberra on September 27, 2001 (Treaty Doc. 107-20).*

[Treaty Doc. 108-3 Protocol Amending Tax Convention with Mexico (Exec. Rept. No. 108-4)]

#### TEXT OF COMMITTEE RECOMMENDED RESOLUTION OF RATIFICATION

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Second Additional Protocol That Modifies the Convention Between the Government of the United States of America and the Government of the United Mexican States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Mexico City on November 26, 2002 (Treaty Doc. 108-3).*

#### 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. VOINOVICH:

S. 610. A bill to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes; to the Committee on Governmental Affairs.

By Mr. REID (for himself, Mr. ENSIGN, Mr. ALLARD, Mr. MILLER, and Mr. CRAPO):

S. 611. A bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals; to the Committee on Finance.

By Mr. BENNETT:

S. 612. A bill to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona; to the Committee on Energy and Natural Resources.

By Mr. CAMPBELL (for himself and Mr. ALLARD):

S. 613. A bill to authorize the Secretary of Veterans Affairs to construct, lease, or modify major medical facilities at the site of the former Fitzsimons Army Medical Center, Aurora, Colorado; to the Committee on Veterans' Affairs.

By Ms. SNOWE (for herself, Mr. ROCKEFELLER, Mr. DEWINE, Mr. DODD, Ms. COLLINS, Ms. CANTWELL, Ms. LANDRIEU, Mrs. LINCOLN, and Mr. BINGAMAN):

S. 614. A bill to amend part B of title IV of the Social Security Act to create a grant program to promote joint activities among Federal, State, and local public child welfare and alcohol and drug abuse prevention and treatment agencies; to the Committee on Finance.

By Mr. SANTORUM (for himself and Mr. SPECTER):

S. 615. A bill to name the Department of Veterans Affairs outpatient clinic in Horsham, Pennsylvania, as the "Victor J. Saracini Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself, Mr. JEFFORDS, Mr. CHAFEE, Mr. KERRY, Mrs. HUTCHISON, Mr. REED, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. DORGAN, and Mr. LEAHY):

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; to the Committee on Environment and Public Works.

By Mr. LIEBERMAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. DURBIN, Ms. MIKULSKI, Mr. SCHUMER, Mr. KENNEDY, Mr. DODD, Ms. LANDRIEU, and Mr. KERRY):

S. 617. A bill to provide for full voting representation in Congress for the citizens of the District of Columbia, and for other purposes; to the Committee on Governmental Affairs.

By Mr. REID (for himself and Mr. ENSIGN):

S. 618. A bill to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K, and for other purposes; to the Committee on Indian Affairs.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 619. A bill to provide for the transfer to the Secretary of Energy of title to, and full responsibility for the possession, transportation, and disposal of, radioactive waste associated with the West Valley Demonstration project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. EDWARDS (for himself, Mr. LAUTENBERG, and Mr. LEVIN):

S. 620. A bill to amend title VII of the Higher Education Act of 1965 to provide for fire sprinkler systems, or other fire suppression or prevention technologies, in public and private college and university housing and dormitories, including fraternity and sorority housing and dormitories; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. JEFFORDS, Mrs. MURRAY, Mr. LEAHY, and Ms. CANTWELL):

S. 621. A bill to amend title XXI of the Social Security Act to allow qualifying States

to use allotments under the State children's health insurance program for expenditures under the medicaid program; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. KENNEDY, Mr. BAUCUS, Ms. SNOWE, Mr. DASCHLE, Mr. SMITH, Mr. KERRY, Mr. THOMAS, Mr. BINGAMAN, Mr. BUNNING, Mr. ROCKEFELLER, Mrs. LINCOLN, Mr. JEFFORDS, Mr. ENZI, Mr. SARBANES, Mr. DOMENICI, Mr. JOHNSON, Mr. ENSIGN, Mrs. MURRAY, Mr. HOLLINGS, Ms. STABENOW, Mr. CORZINE, Mr. BENNETT, Mr. SCHUMER, Mr. WARNER, Mr. REID, Mr. DEWINE, Mr. REED, Ms. COLLINS, Mr. MILLER, Mr. LUGAR, Mr. LIEBERMAN, Mr. LEAHY, Mr. CHAFEE, Mr. KOHL, Mr. GRAHAM of South Carolina, Mr. EDWARDS, Mr. MCCAIN, Mr. DORGAN, Mr. ROBERTS, Mr. DODD, Mr. DAYTON, Ms. CANTWELL, Mr. BREAUX, Mr. BIDEN, Ms. MIKULSKI, Mr. LEVIN, Ms. LANDRIEU, Mr. INOUE, Mr. HARKIN, Mr. DURBIN, Mrs. CLINTON, Mrs. BOXER, Mr. BAYH, and Mr. AKAKA):

S. 622. A bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Ms. COLLINS):

S. 623. A bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. LEVIN):

S. 624. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the Russian Federation, and for other purposes; to the Committee on Finance.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 625. A bill to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM (for himself and Mr. MILLER):

S. 626. A bill to reduce the amount of paperwork for special education teachers, to make mediation mandatory for all legal disputes related to individualized education programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KYL (for himself, Mr. SHELBY, and Mrs. FEINSTEIN):

S. 627. A bill to prevent the use of certain payments instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. STEVENS (for himself, Ms. MIKULSKI, Mr. BOND, and Ms. MURKOWSKI):

S. 628. A bill to require the construction at Arlington National Cemetery of a memorial to the crew of the Columbia Orbiter; ordered held at the desk.

By Mr. FEINGOLD:

S.J. Res. 9. A joint resolution requiring the President to report to Congress specific information relating to certain possible consequences of the use of United States Armed Forces against Iraq; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself and Mr. DASCHLE):

S. Res. 83. A resolution commending the service of Dr. Lloyd J. Ogilvie, the Chaplain of the United States Senate; considered and agreed to.

By Mr. LOTT (for himself and Mr. DODD):

S. Res. 84. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

By Mr. MILLER:

S. Res. 85. A resolution to amend paragraph 2 of rule XXII of the Standing Rules of the Senate; to the Committee on Rules and Administration.

By Mr. FRIST (for himself and Mr. DASCHLE):

S. Res. 86. A resolution to authorize testimony and legal representation in *W. Curtis Shain v. Hunter Bates, et al*; considered and agreed to.

By Mr. NELSON of Florida (for himself, Mr. GRAHAM of Florida, Mr. INHOFE, Mr. JEFFORDS, Mr. DASCHLE, Mr. CRAPO, Mr. KERRY, Ms. CANTWELL, Mr. LIEBERMAN, Mr. BINGAMAN, Mr. WARNER, Mrs. MURRAY, Mrs. HUTCHISON, Ms. MIKULSKI, Mr. SARBANES, Mr. LAUTENBERG, Mr. CHAFEE, Mr. DURBIN, Mr. LEAHY, Mr. LEVIN, Mr. HARKIN, Mr. VOINOVICH, Mr. HOLLINGS, Mrs. BOXER, Mrs. FEINSTEIN, Mr. AKAKA, Mr. CONRAD, Mr. ALLARD, Mr. DODD, and Mr. EDWARDS):

S. Res. 87. A resolution commemorating the Centennial Anniversary of the National Wildlife Refuge System; considered and agreed to.

By Mr. HATCH:

S. Res. 88. A resolution honoring the 80th birthday of James L. Buckley, former United States Senator for the state of New York; considered and agreed to.

By Mr. DAYTON (for himself and Mr. COLEMAN):

S. Res. 89. A resolution honoring the life of former Governor of Minnesota Orville L. Freeman, and expressing the deepest condolences of the Senate to his family on his death; considered and agreed to.

By Mr. LOTT (for himself and Mr. DODD):

S. Con. Res. 20. A concurrent resolution permitting the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman; considered and agreed to.

By Mr. BUNNING (for himself and Mrs. LINCOLN):

S. Con. Res. 21. A concurrent resolution expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis in recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NICKLES (for himself, Mr. BAYH, Mr. BUNNING, Mr. FITZGERALD, Mr. HAGEL, Mr. INHOFE, Mr. KYL, Mr. LUGAR, Mr. REED, and Mr. ROBERTS):

S. Con. Res. 22. A concurrent resolution expressing the sense of the Congress regarding