

Denmark, received on April 30, 2003; to the Committee on Foreign Relations.

EC-2249. A communication from Chairman of the Subcommittee on Commerce, Justice, State and Judiciary, U.S. House of Representatives, transmitting, the report of a letter that is relative to China's Human Rights Record; to the Committee on Foreign Relations.

EC-2250. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Bureau of Prisons Emergencies - Interim Final Rule (1120-AB17)" received on April 28, 2003; to the Committee on the Judiciary.

EC-2251. A communication from the Director, Regulations & Forms Services Division, Bureau of Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Electronic Signature on Applications and Petitions for Immigration and Naturalization Benefits (1615-AA83)" received on April 30, 2003; to the Committee on the Judiciary.

EC-2252. A communication from the Chairman, United States Sentencing Commission, transmitting, pursuant to law, the report on amendments to sentencing guidelines, policy statements and official commentary, received on May 2, 2003; to the Committee on the Judiciary.

EC-2253. A communication from the Chairman, United States Sentencing Commission, transmitting, pursuant to law, the report entitled "Report to the Congress: Increased Penalties for Campaign Finance Offenses and Legislative Recommendations" received on May 2, 2003; to the Committee on the Judiciary.

EC-2254. A communication from the Chairman, United States Sentencing Commission, transmitting, pursuant to law, the report entitled "Report to Congress: Increased Penalties for Cyber Security Offenses" received on May 2, 2003; to the Committee on the Judiciary.

EC-2255. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled "Documentation of Nonimmigrant Under the Immigration and Nationality Act, as Amended—Victims of Severe Forms of Trafficking in Persons (22 CFR Parts 40 and 41)" received on May 2, 2003; to the Committee on the Judiciary.

EC-2256. A communication from the Acting Associate Attorney General, Department of Justice, transmitting pursuant to law, the report relative to the Department of Justice's 2002 annual report on certain activities pertaining to the Freedom of Information Act; to the Committee on the Judiciary.

EC-2257. A communication from the Attorneys General, transmitting, pursuant to law, the report relative to Foreign Intelligence Surveillance Court; to the Committee on the Judiciary.

EC-2258. A communication from the Director, Federal Judicial Center, transmitting, pursuant to law, the report entitled "Federal Judicial Center's annual report for the 2002 calendar year" received on April 30, 2003; to the Committee on the Judiciary.

EC-2259. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, the report relative to the Judicial Conference recommendations affecting dollar amounts in the Bankruptcy code; to the Committee on the Judiciary.

EC-2260. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the report of a document entitled "College Scholarship Fraud Prevention Act of 2000 - Second Annual Re-

port to Congress" received on May 1, 2003; to the Committee on the Judiciary.

EC-2261. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the report of a document entitled "2002 Wiretap Report" received on April 28, 2003; to the Committee on the Judiciary.

EC-2262. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report relative to the recharter of the Minnesota State Advisory Committee (SAC), received on April 16, 2003; to the Committee on the Judiciary.

EC-2263. A communication from the Secretary, Fish, Wildlife and 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; Final Designations and Nondesignations of Critical Habitat for 60 Plant Species From the Islands of Maui and Kahoolawe, Hawaii; Final Rule (1018-AH70)" received on May 5, 2003; to the Committee on Environment and Public Works.

EC-2264. A communication from the Assistant Secretary, Fish, Wildlife and Parks, Fish and Wildlife, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Designations or Nondesignations of Critical Habitat for 101 Plant Species From the Island of Oahu, Hawaii; Final Rule; to the Committee on Environment and Public Works.

EC-2265. A communication from the Assistant Secretary, Fish and Wildlife and 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; final Designations and Nondesignations of Critical Habitat for Five Plant Species From the Northwestern Hawaiian Islands; Final rule (1018-AH09)" received on May 5, 2003; to the Committee on Environment and Public Works.

EC-2266. 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 Implementation Plan; Illinois New Source Review Amendments (FRL 7481-3)" received on May 7, 2003; to the Committee on Environment and Public Works.

EC-2267. 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, and Designation of Areas for Air Quality Planning Purposes, State of Illinois (FRL 7496-4)" received on May 7, 2003; to the Committee on Environment and Public Works.

EC-2268. 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; Emission Test Averaging (FRL 7487-5)" received on May 7, 2003; to the Committee on Environment and Public Works.

EC-2269. 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 Plan for Designation Facilities and Pollutants: Mississippi (FRL 7497-3)" received on May 7, 2003; to the Committee on Environment and Public Works.

EC-2270. A communication from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Clarification to Interim Standards and Practices for All Appropriate Inquiry Under CERLA (FRL 7496-2)" received on May 7, 2003; to the Committee on Environment and Public Works.

EC-2271. A communication from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills (FRL 7495-6)" received on May 7, 2003; to the Committee on Environment and Public Works.

## 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-91. A resolution from the Senate of the Legislature of the State of Louisiana relative to the Pledge of Allegiance; to the Committee on the Judiciary.

### SENATE CONCURRENT RESOLUTION No. 1

Whereas, one of the founding principles of the United States of America was the free exercise of religion and religious beliefs; and

Whereas, the First Amendment to the Constitution of the United States provides that Congress shall make no law establishing a religion, or prohibiting the free exercise of religion; and

Whereas, Article I, Section 8 of the Louisiana Constitution of 1974 similarly prohibits the enactment of law respecting an establishment of religion or prohibiting the free exercise of religion; and

Whereas, the Pledge of Allegiance was written in 1892 as a means of celebrating the quadricentennial celebration of Columbus Day in 1892 and as patriotic oath and salute to the flag; and

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

Whereas, the display of symbolic patriotism contained in the words of the Pledge of Allegiance is more critical today than ever before in our Nation's history and should be maintained; and

Whereas, while the United States does not have a provision for a national referendum, Congress may vote to place a national referendum on the ballot as a constitutional amendment to maintain the words "one nation under God" in the Pledge of Allegiance, thus allowing the true will of the people to be heard; Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to adopt and place on the ballot a national referendum to maintain the words "one nation under God" in the Pledge of Allegiance; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-92. A resolution adopted by the House of Representatives of the State of Delaware relative to immigrants in the U.S. Military; to the Committee on the Judiciary.

### HOUSE CONCURRENT RESOLUTION No. 20

Whereas, immigrants have a long history of service in the United States military, including service in major wars, including, but not limited to, World War I, World War II,

the Korean War, the Vietnam War, Operation Desert Storm, and the current war in Iraq; and

Whereas, the number of immigrants serving in the United States military has grown from 28,000 in 2000 to more than 37,000 today, and to date, immigrants comprise nearly 5 percent of all enlisted personnel on active duty in the United States Armed Forces and more than 20 percent of Congressional Medal of Honor recipients; and

Whereas, several immigrants have already lost their lives in Operation Iraqi Freedom, and service in the United States military, particularly in times of conflict, is the ultimate act of patriotism and duty served to the United States; and

Whereas, many immigrants on active duty are trying to become naturalized citizens and are required by law to be available at all times for military service but are only allowed to apply for United States citizenship after completing three years of service; and

Whereas, President George W. Bush recently issued an executive order conferring immediate eligibility for citizenship to immigrants serving on active duty in the United States Armed Forces to reward immigrants serving during the post-September 11 war on terrorism: Now, therefore, be it

*Resolved, by the House of Representatives of the 142nd General Assembly of the State of Delaware, the Senate concurring therein, That the Legislature of the State of Delaware urges the President and the Congress of the United States to amend federal selective service and immigration laws to grant the right of citizenship to any and all immigrants honorably discharged from the military; and be it further*

*Resolved, That the Clerk of the House transmit copies of this resolution to the President and Vice President of the United States, and to the members of Delaware's congressional delegation.*

POM-93. A resolution adopted by the Orange County Fire Authority Board of Directors of the State of California relative to first responders; to the Committee on the Judiciary.

POM-94. A resolution adopted by the Senate of the State of Kansas relative to the Pledge of Allegiance; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 1827

Whereas, this nation was founded by people seeking a place where they could practice their religion freely; and

Whereas, the first settlers found themselves in a strange and strenuous land which required them to call upon the strength of their God and to place themselves in his trust; and

Whereas, our founding fathers, in creating our national constitution, assured the freedom of choice in one's practice of religion. However, our national leaders in times of stress have called upon our belief and trust in a superior being to see this nation through difficult times, and have acknowledged the continuous presence of our God by inscribing on our currency the reassuring phrase "In God we trust" and by including the phrase "one Nation under God" in our pledge of allegiance; and

Whereas, the strength of a nation can be measured in its citizens' desire for domestic tranquility and in their abiding belief in a supreme being. Accordingly, it is urged upon the Congress of the United States that this basic requirement of a great nation be recognized by amending our constitution as follows: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the

following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several states within seven years after the date of its submission for ratification:

Section 1. The first amendment to the Constitution of the United States shall not be construed to prohibit the recitation of the Pledge of Allegiance to the Flag, which shall be, 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.'

Section 2. The first amendment to the Constitution of the United States shall not be construed to prohibit the recitation or use of the national motto, which shall be, 'In God we trust'"; and

Whereas, we urge Congress to pass this Constitutional Amendment and to send it on to the individual states for their approval: Now, therefore, be it

*Resolved by the Senate of the State of Kansas, That we memorialize the Congress of the United States to seek a constitutional amendment to protect the pledge of allegiance and our national motto; and be it further*

*Resolved, That the Secretary of the Senate be directed to provide an enrolled copy of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to each member of the Kansas Congressional Delegation.*

POM-95. A resolution adopted by the House of Representatives of the State of Delaware relative to Free Trade; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 12

Whereas, the United States should promote the values of freedom, democracy, and a commitment to open markets and the free exchange of both goods and ideas at home and abroad; and

Whereas, the Republic of China on Taiwan shares these values with the United States and has struggled throughout the past 50 years to create what is today an open and thriving democracy; and

Whereas, the United States must continue to support the growth of democracy and ongoing market opening in Taiwan if this relationship is to evolve and reflect the changing nature of the global system in the 21st Century; and

Whereas, despite the fact that Taiwan only recently became a member of the World Trade Organization and that it has no formal trade agreement with the United States, Taiwan has nevertheless emerged as the United States' eighth largest trading partner; and

Whereas, American business and workers have benefited greatly from this dynamic trade relationship, most recently in the computer and electronics sector; and

Whereas, Taiwan is a gateway to other Pacific Rim markets for United States exports, helping to preserve peace and stability within the entire region; and

Whereas, United States agricultural procedures have been particularly under represented in the list of United States exports to the region, despite the importance of the markets for growers of corn, wheat, and soybeans; and

Whereas, a free trade agreement would not only help Taiwan's economy dramatically expand its already growing entrepreneurial class, but it would also serve an important political function; and

Whereas, the United States needs to support partner countries that are lowering trade barriers; and

Whereas, Taiwan has emerged the past two decades as one of the United States' most important allies in Asia and throughout the world; and

Whereas, in the interest of supporting, preserving and protecting the democratic fabric of the government of Taiwan, it is made clear that the United States supports the withdrawal of missiles deployed as a threat against Taiwan by the People's Republic of China; and

Whereas, it is in the interest of the United States to encourage the development of both these institutions; and

Whereas, the United States has an obligation to its allies and its own citizens to encourage economic growth, market opening, and the destruction of trade barriers as a means of raising living standards across the board; and

Whereas, a free trade agreement with Taiwan would be a positive step toward accomplishing all of these goals: Now therefore, be it

*Resolved by the House of Representatives of the 142nd General Assembly of the State of Delaware, the Senate concurring therein, That the Bush Administration be encouraged to support a free trade agreement between the United States and Taiwan; and be it further*

*Resolved, That the United States policy should include the pursuit of some initiative in the World Trade Organization which will give Taiwan meaningful participation in a manner that is consistent with the organization's requirements; and be it further*

*Resolved, That a copy of this resolution be sent to the President of the United States, the United States Secretary of State, the Secretary of Health, Education, and Welfare, the Speaker of the United States House of Representatives, the President of the United States Senate, the Government of Taiwan, the World Trade Organization, and the members of Delaware's congressional delegation.*

POM-96. A joint resolution adopted by the Senate of the Commonwealth of Virginia relative to nitrogen reduction technology; to the Committee on Environment and Public Works.

#### SENATE JOINT RESOLUTION NO. 424

Whereas, the Chesapeake Bay and its tributaries are national treasures that play a vital role in many sectors of Virginia's economy including the commercial seafood, recreational fishing, and tourism industries; and

Whereas, while significant progress has been made in restoring the Chesapeake Bay and its tributaries, they remain in a significantly degraded condition; and

Whereas, nitrogen pollution, the most serious problem facing water quality in the Bay today, results in excessive algae growth that clouds water, depletes oxygen, and severely impacts vital bay grasses, young fish, and crabs; and

Whereas, the Commonwealth is a signatory to the Chesapeake 2000 Agreement, in which Virginia pledged to significantly reduce nitrogen pollution sufficient to remove the Chesapeake Bay from the United States Environmental Protection Agency's impaired waters list by 2010; and

Whereas, upgrading sewage treatment plants, which currently contribute 61 million pounds of nitrogen annually to the Bay, is one of the most cost-effective steps that can be taken to significantly reduce nitrogen pollution; and

Whereas, sewage treatment plants in Virginia discharge up to 25 milligrams of nitrogen per liter of wastewater, while current technology allows the nitrogen content of treated wastewater to be reduced to only three milligrams per liter; and

Whereas, United States Senators of Virginia and the United States House of Representatives from the 1st, 3rd, 4th, 6th, 8th, 10th, and 11th Virginia Congressional Districts have introduced legislation to provide cost-share grant funding to allow Bay watershed sewage treatment plants to substantially reduce their nitrogen pollution by installing NRT: Now, therefore, be it

*Resolved by the Senate, the House of Delegates concurring,* That the Congress of the United States be urged to adopt legislation in support of funding for nitrogen reduction technology (NRT) in the 108th Congress; and be it further

*Resolved,* That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-97. A resolution adopted by the Chemung County Legislature of the State of New York relative to the Transportation Equity Act for the 21st Century; to the Committee on Environment and Public Works.

POM-98. A resolution adopted by the House of Representatives of the State of Michigan relative to the Funding of Transportation Initiatives by the Federal Government; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, for several decades, Michigan has sent much more federal highway tax money to Washington than it has received in return. This imbalance has helped our nation build the country's highway infrastructure. With the national infrastructure largely completed, the continuation of the imbalance has created a serious challenge for Michigan and other "donor states"; and

Whereas, Michigan, which typically loses between \$150 million and \$400 million each year by sending more to Washington than it receives, is severely hampered. The unfair practice of contributing hundreds of millions of dollars beyond the amount we receive to fund projects in other parts of the country makes it far more difficult for Michigan to maintain the quality of its highways. The loss of funding also represents a serious loss of economic activity; and

Whereas, the chairman of the House Transportation and Infrastructure Committee and the chairman of the Senate Environment and Public Works Committee in Congress have proposed a major change in how federal highway funds are distributed. They have called for a funding formula that would guarantee that all states receive a minimum of 95 percent of what they each contribute to the federal highway program; and

Whereas, the potential impact for Michigan of a guarantee of at least 95 percent of this funding would be very significant. Even as the economy calls for more careful public expenditures, this proposed policy change would help Michigan and bring greater fairness to the issue of transportation spending. Citizens, visitors, and businesses of this state would benefit enormously from this long overdue policy: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That we memorialize the Congress of the United States to enact legislation to provide that all states receive a minimum of 95 percent of transportation funds sent to the federal government and to urge Congress to make the return of transportation money to the states a higher priority within existing federal revenues; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United

States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-99. A resolution adopted by the House of Representatives of the State of Michigan relative to reauthorization of the Transportation Equity Act; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION NO. 23

Whereas, the Interstate Traveler Project is an elevated maglev (magnetic levitation) rail mass transit system that is based upon a conduit cluster concept powered by hydrogen and solar power. The project promises to provide travelers with a clean, quiet, safe, reliable mode of transportation. The intent of the project is to create the world's first switchable maglev rail network that will provide inter-urban/inter-city pedestrian, automobile, and light freight transit services. The project will simultaneously produce, store, and distribute hydrogen, which will not only serve as an alternative energy resource, but also will give Michigan's automakers the incentive to produce hydrogen internal combustion engines, fuel cell cars, and the manufacturing opportunity to build maglev rail cars; and

Whereas, by fully integrating with the interstate highway system, existing transportation infrastructure, and mass transit systems, the Interstate Traveler Project seeks to reduce traffic congestion and air pollution while improving traffic safety and efficiency. The Interstate Traveler Project substations will utilize the existing interstate highway system's entrances and exits, providing a seamless link of private automobiles, pedestrian traffic, existing municipal bus routes, and tax services. These substations will also support the hydrogen distribution system, as well as fiber optics, water, electricity, and other utilities. Although the Interstate Traveler Project is ideally suited for the interstate highway system, it may also be integrated with existing and abandoned railroad right-of-ways or along other appropriate lands; and

Whereas, the Interstate Traveler Project is consistent with the 2003 State-of-the-Union address which called on Congress to appropriate \$1.2 billion for hydrogen fuel cell technology: Now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize Congress to enact legislation to support research, development, and construction of the Interstate Traveler Project through the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21) and/or other related federal programs; and be it further

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

POM-100. A joint resolution adopted by the Legislature of the State of Washington relative to veterans with disabilities; to the Committee on Veterans' Affairs.

#### SENATE JOINT MEMORIAL 8008

Whereas, many American service members have sacrificed their lives for the United States; and

Whereas, many of these service members have retired from active duty and 28 percent of the retirees were found to be disabled; and

Whereas, those retired disabled service members are required by law to have their retirement income reduced dollar for dollar to pay their disability compensation; and

Whereas, retired veterans make up approximately ten percent of all veterans liv-

ing in this state and the retired disabled veterans make up approximately 36.6 percent of the retired veteran population of this state; and

Whereas, concurrent receipt of both the retired pay and the disability compensation pay would add financially to the welfare of this state as well as the veterans: Now, therefore,

Your Memorialists respectfully pray that the President, in acting upon the recommendations of the National Service Organizations, fund the enacted law for all disabled retired veterans. Your Memorialists further pray that Congress and the President affirm the debt owed these veterans and pass a budget to furnish the veterans their concurrent receipt: Be it

*Resolved,* That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Secretary of the United States Department of Veterans Affairs, the Secretary of the United States Department of Defense, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-101. A resolution adopted by the Department of Veteran's Affairs of the State of Alabama relative to recouping cost incurred from "Operation Iraqi Freedom" from the Country of Iraq; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTS, from the Select Committee on Intelligence, without amendment:

S. 1025. An original bill to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 108-44).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH for the Committee on the Judiciary.

John G. Roberts, Jr., of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Carolyn B. Kuhl, of California, to be United States Circuit Judge for the Ninth Circuit.

Consuelo Maria Callahan, of California, to be United States Circuit Judge for the Ninth Circuit.

S. Maurice Hicks, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

William Emil Moschella, of Virginia, to be an Assistant Attorney General.

Leonardo M. Rapadas, of Guam, to be United States Attorney for the District of Guam and concurrently United States Attorney for the District of the Northern Mariana Islands for the term of four years.

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

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first