

IN MEMORIAM OF MARINE SERGEANT BRIAN MCGINNIS

Mr. President, I would like to set aside a few moments today to reflect on the life of Marine Sgt Brian McGinnis. Brian epitomized the best of our country's brave men and women who fought to free Iraq and to secure a new democracy in the Middle East. He exhibited unwavering courage, dutiful service to his country, and above all else, honor. In the way he lived his life—and how we remember him—Brian reminds each of us how good we can be.

A Delawarean who dreamed of becoming a marine from a young age, he wrote on his application to Caravel Academy that he wanted to attend the U.S. Naval Academy and become a Navy pilot. Brian's dream came true in 1998 in many respects when he joined the Marines. He subsequently was assigned to Marine Light Attack Helicopter Squadron 169 based out of Marine Corps Air Station at Camp Pendleton, CA.

Raised in St. Georges, DE, and in neighboring New Jersey, Brian attended Caravel Academy and graduated from William Penn High School in 1997. There he was a star wrestler and football player. It was at William Penn that he met his wife of 4 years, Megan Mahoney McGinnis. Megan describes her husband as a great person with a good heart—"the best there was!"

I rise today to commemorate Brian, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the

Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Phoenix, AZ, on May 19, 2003. Avtar Chiera, a Sikh American, was seriously wounded after being shot twice. The 52-year-old truck driver was shot after he parked his 18-wheeler. The suspects, who were riding in a red pickup truck, yelled hateful comments. The FBI and Phoenix police department are investigating the shooting as a hate crime.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through June 2, 2003. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is above the budget reso-

lution by \$1.769 billion in budget authority and by \$2.959 billion in outlays in 2003. Current level is at the revenue floor in 2003.

I ask unanimous consent to print my first report for 2003 in the RECORD.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, June 3, 2003.

Hon. DON NICKLES,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached tables show the effects of Congressional action on the 2003 budget and are current through June 2, 2003. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

This is my first report for the fiscal year. Sincerely,

DOUGLAS HOLTZ-EAKIN,  
Director.

Attachments.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2003, AS OF JUNE 2, 2003

(In billions of dollars)

	Budget resolution	Current level <sup>1</sup>	Current level over/under (-) resolution
On-budget:			
Budget authority .....	1,874.0	1,875.7	1.8
Outlays .....	1,826.1	1,829.1	3.0
Revenues .....	1,310.3	1,310.3	0
Off-budget:			
Social Security Outlays ...	366.3	366.3	0
Social Security Revenues	531.6	531.6	0

<sup>1</sup> Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2003, AS OF JUNE 2, 2003

(In millions of dollars)

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues .....	n.a.	n.a.	1,359,834
Permanents and other spending legislation .....	1,013,810	977,842	n.a.
Appropriation legislation .....	1,133,856	1,160,341	n.a.
Offsetting receipts .....	-369,104	-369,106	n.a.
Total, enacted in previous sessions .....	1,778,562	1,769,077	1,359,834
Enacted this session:			
Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11) .....	79,190	42,024	2
Postal Civil Service Retirement System Funding Reform Act of 2003 (P.L. 108-18) .....	3,479	3,479	0
Gila River Indian Community Judgment Fund Distribution Act of 2003 (P.L. 108-22) .....	1	1	0
Unemployment Compensation Amendments of 2003 (P.L. 108-26) .....	3,165	3,165	0
Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27) .....	11,347	11,347	-49,489
Entitlements and mandatories: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	97,182	60,016	-49,487
Total current level <sup>1</sup> .....	1,875,744	1,829,093	1,310,347
Total budget resolution .....	1,873,975	1,826,134	1,310,347
Current level over budget resolution .....	1,769	2,959	0
Current level under budget resolution .....	n.a.	n.a.	0

<sup>1</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

Note.—n.a. = not applicable; P.L. = Public Law.

Source: Congressional Budget Office.

**JOBS AND GROWTH TAX RELIEF  
RECONCILIATION TAX ACT, 2003**

**ADVANCE REFUNDING**

Mr. SMITH. Mr. President, I realize it cannot be considered as part of the pending legislation, but I ask Senator GRASSLEY to consider including a bill I have introduced, the Municipal Debt Refinancing Act, in future tax legislation. The Municipal Debt Refinancing Act would permit an additional advance refunding for bonds used to finance governmental facilities as part of the tax legislation to be considered by the Finance Committee. The Municipal Debt Refinancing Act would permit fiscally strapped State and local governments to take advantage of the current low market interest rates by refinancing their outstanding bonds an additional time. This proposal could translate into millions of dollars in savings for states and localities across the country. By requiring bond issuers to use the additional advance refunding authority within the next 2 years, the legislation also guarantees the maximum near-term benefit.

Individuals and corporations who borrow money are free to refinance these debts whenever the opportunity to borrow at a lower rate arises. State and local governments who issue tax-exempt bonds generally do not share this freedom. States and localities are permitted to "advance refund" outstanding bond issues only one time, or else they must wait until a pre-set date when interest rates have risen and the opportunity to garner savings has passed. But cost-saving refinancing opportunities typically occur only when market interest rates fall below the rate on the original bond issue. Issuers cannot effectively predict when this will happen. By providing an additional advance funding, your legislation would give issuers more flexibility to react to interest rate changes and manage their debt. This legislation would mean significant savings for State and local governments—many of which are in the midst of their worst fiscal crisis in memory—without raising taxes or increasing spending.

Mr. GRASSLEY. I appreciate the Senator's work in this important area. It is true that permitting States and localities to advance refund governmental bonds one additional time would provide important financial flexibility at a critical time. State and local governments across the country are facing unprecedented fiscal crisis. Being able to refinance debt at a lower rate will clearly translate into important savings for our Nation's cities, counties and states.

I assure the Senator this proposal will receive serious and thorough consideration by the Finance Committee, which I chair, as we address tax legislation in the future.

**ANDREW HARIG**

Mr. BAUCUS. Mr. President, I rise today to thank Mr. Andrew Harig for his hard work on the Senate Finance Committee.

Andy was on the staff of the Finance Committee throughout most of the 107th Congress. He was an integral part of the international trade policy team which, among other things, worked

hard to win passage of the implementing legislation for the U.S.-Jordan Free Trade Agreement and the Trade Act of 2002.

In my estimation, last Congress was the most productive in at least a decade on important international trade legislation. Last year, we finally built a new bipartisan consensus that ended a deadlock that had frozen progress on most new trade agreements for nearly a decade, finally made some real progress on integrating labor and environmental issues into trade negotiations, and revamped the U.S. programs for workers who lose their jobs because of trade.

In the press, the credit for these achievements was given to Senator GRASSLEY, Representative THOMAS, myself, and other Members of Congress. But as is always the case, the achievements on trade could not have been made were it not for the contributions of people like Andy who toil behind the scenes. Without their efforts there would be no legislation passed.

In Andy's case, he cheerfully undertook one of the most thankless tasks on the Finance Committee's list of responsibilities—passage of the Miscellaneous Tariff Bill. This legislation is made up of literally dozens of smaller bills that suspend collection of tariffs on products not made in the United States and address other Customs issues.

Passage of this legislation requires a seemingly endless effort to analyze the hundreds of bills submitted and eliminate those that are controversial or have too great a budgetary impact. It requires coordinating with a half dozen administrative agencies, the U.S. International Trade Commission, the other House of Congress, and, of course, 100 Senate offices.

As I said, it is a largely thankless task, but one that is critical to hundreds of American companies and thousands of American workers. Andy Harig was the lead staff person on this legislation for the majority and—together with his counterpart on the other side of the aisle, Carrie Clarke—he did the lion's share of this work.

Unfortunately, the Senate was not able to pass this important legislation last year, but Senator GRASSLEY and I continue to work on the bill, and I hope we can eventually win passage of it—either as a free standing bill or as part of other legislation.

But whether we succeed or not, the Senate, the business community and I all owe Andrew Harig thanks for his efforts on the Miscellaneous Tariff Bill and other international trade legislation.

Andy has decided to leave the Senate to pursue an opportunity in the private sector. I wish him all the best. Of course, the Senate will continue to work after Andy leaves, but I think it will be a bit poorer for the loss of another hard-working staff person. Good-bye, Andy, and good luck.

**HONORING IOWA STUDENTS WHO  
PARTICIPATED IN THE WE THE  
PEOPLE: THE CITIZEN AND THE  
CONSTITUTION NATIONAL  
FINALS**

Mr. GRASSLEY. Mr. President, I will take a moment to congratulate the individuals from Central Academy in Des Moines, IA who participated in the We the People: The Citizen and the Constitution national finals in Washington, DC. This event is the culmination of extensive study by students throughout the country of the American system of constitutional democracy. The students from Central Academy won the State competition in West Des Moines and thus were given the distinction of representing Iowa in the national finals. I had the opportunity to meet with these students when they were in Washington and I am certainly proud to have had them representing the great State of Iowa. I am also pleased that my staff member, Aaron McKay, was able to be involved in this program as a judge for both the Iowa competition and the national finals as well as acting as a mentor for the team going into the finals. The We the People: The Citizen and the Constitution program, run by the Center for Civic Education with the help of Federal funding, provides an outstanding curriculum that promotes civic competence and responsibility among elementary and secondary students. Students take away a solid understanding of the origin of American constitutional democracy as well as the contemporary relevance of our founding documents and ideals. In short, it produces better citizens. In fact, I would like to personally recognize the Central Academy students who participated in this program, Alexander Body, Alec Davis, Ainslee Ericson, Joanna Grillas, Brian Haroldson, Daren Ho, Meryl Houser, Jonathon Kent, Michael Larking, Conrad Lee, Kyle McCord, Jasmine McDowell, Eleanor Neumann, Timothy Smith, Akili Thomas, Sarah Wang, Kyle Wilkinson, Jay Williams and their teacher, Harvey Kimble. They can all be very proud of their knowledge and accomplishments. I look forward to next year's competition.

**ADDITIONAL STATEMENTS**

**ON THE RETIREMENT OF DR.  
KAREN J. HARSHMAN**

• Mrs. BOXER. I am very pleased to take a few moments to recognize the many important accomplishments of Dr. Karen J. Harshman as she retires as superintendent of the Fontana Unified School District. Dr. Harshman has led Fontana schools through a period of unprecedented growth and during a time of increased demands on schools, and has done so with great success.

Dr. Harshman began her career in education as a substitute teacher. Since that early assignment, she has been a teacher, coordinator, principal, director, and assistant superintendent. She also serves as an instructor at local college campuses, guiding new teachers and administrators as they learn the educational ropes.

Since 1994, Dr. Harshman has led the Fontana Unified School District as its