

MESSAGE FROM THE HOUSE
DURING ADJOURNMENT

Under authority of the order of the Senate of February 12, 2004, the Secretary of the Senate, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 523. An act to make technical corrections to law relating to Native Americans, and for other purposes.

H.R. 743. An act to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes.

Under the authority of the order of February 12, 2004, the enrolled bills were signed by the President Pro Tempore (Mr. STEVENS).

MEASURES PLACED ON THE
CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2095. A bill to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 23, 2004, she had presented to the President of the United States the following enrolled bill:

S. 523. An act to make technical corrections to law relating to Native Americans, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

From the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 741. A bill to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes (Rept. No. 108-226).

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. LUGAR:

S. 2096. A bill to promote a free press and open media through the National Endowment for Democracy and for other purposes; to the Committee on Foreign Relations.

By Mr. INOUE:

S. 2097. A bill to establish formally the United States Military Cancer Institute, to require the Institute to promote the health of members of the Armed Forces and their dependents by enhancing cancer research and treatment, to provide for a study of the epidemiological causes of cancer among various ethnic groups for cancer prevention and early detection efforts, and for other purposes; to the Committee on Armed Services.

By Mr. INOUE:

S. 2098. A bill to amend title XIX of the Social Security Act to provide 100 percent reimbursement for medical assistance provided to a Native Hawaiian through a federally-qualified health center or a Native Hawaiian health care system; to the Committee on Finance.

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

S. 2099. A bill to amend title 38, United States Code, to provide entitlement to educational assistance under the Montgomery GI Bill for members of the Selected Reserve who aggregate more than 2 years of active duty service in any five year period, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 2100. A bill to amend title 10 United States Code, to increase the amounts of educational assistance for members of the Selected Reserve, and for other purposes; to the Committee on Armed Services.

By Mr. LEVIN:

S. 2101. A bill to decrease the matching funds requirement and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan; to the Committee on Energy and Natural Resources.

By Mr. DEWINE (for himself and Mr. SCHUMER):

S. 2102. A bill to amend title 18, United States Code, to prohibit the sale of a firearm to a person who has been convicted of a felony in a foreign court, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

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

By Mr. NELSON of Florida:

S. Res. 305. A resolution designating February 14, 2004, as "National Donor Day"; to the Committee on the Judiciary.

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

S. Con. Res. 90. A concurrent resolution expressing the Sense of the Congress regarding negotiating, in the United States-Thailand Free Trade Agreement, access to the United States automobile industry; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 56

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 56, a bill to restore health care coverage to retired members of the uniformed services.

S. 333

At the request of Mr. BREAUX, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 333, a bill to promote elder justice, and for other purposes.

S. 427

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 427, a bill to amend the Homeland Security Act of 2002 to assist States and communities in preparing for and responding to threats to the agriculture of the United States.

S. 430

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 430, a bill to amend the Homeland Security Act of 2002 to enhance agricultural biosecurity in the United States through increased prevention, preparation, and response planning.

S. 596

At the request of Mr. ENSIGN, the names of the Senator from Ohio (Mr. DEWINE), the Senator from New Jersey (Mr. CORZINE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 604

At the request of Mr. BAYH, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 604, a bill to amend part D of title IV of the Social Security Act to provide grants to promote responsible fatherhood, and for other purposes.

S. 640

At the request of Mr. LEAHY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 640, a bill to amend subchapter III of chapter 83 and chapter 84 of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

S. 750

At the request of Mr. MCCAIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 750, a bill to amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

S. 846

At the request of Mr. SMITH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 846, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums on mortgage insurance, and for other purposes.

S. 983

At the request of Mr. CHAFEE, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 983, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1001

At the request of Mr. BIDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1001, a bill to make the protection of women and children who are affected

by a complex humanitarian emergency a priority of the United States Government, and for other purposes.

S. 1034

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1034, a bill to repeal the sunset date on the assault weapons ban, to ban the importation of large capacity ammunition feeding devices, and for other purposes.

S. 1298

At the request of Mr. AKAKA, the names of the Senator from Hawaii (Mr. INOUE), the Senator from Illinois (Mr. FITZGERALD) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 1298, a bill to amend the Farm Security and Rural Investment Act of 2002 to ensure the humane slaughter of non-ambulatory livestock, and for other purposes.

S. 1431

At the request of Mr. LAUTENBERG, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 1431, a bill to reauthorize the assault weapons ban, and for other purposes.

S. 1485

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1485, a bill to amend the Fair Labor Standards Act of 1938 to protect the rights of employees to receive overtime compensation.

S. 1615

At the request of Mr. DASCHLE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1615, a bill to amend title 37, United States Code, to make permanent the rates of hostile fire and imminent danger special pay and family separation allowance for members of the uniformed services as increased by the Emergency Wartime Supplemental Appropriations Act, 2003.

S. 1630

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1630, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral services, and for other purposes.

S. 1700

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1700, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the

performance of counsel in State capital cases, and for other purposes.

S. 1913

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1913, a bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes.

S. 1916

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1916, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 1925

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1925, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

S. 1963

At the request of Mr. SPECTER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1963, a bill to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services.

S. 1980

At the request of Mr. GRAHAM of Florida, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1980, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes.

S. 1998

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1998, a bill to amend title 49, United States Code, to preserve the essential air service program.

S. 2011

At the request of Mr. HAGEL, the names of the Senator from Hawaii (Mr. INOUE), the Senator from Hawaii (Mr. AKAKA) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 2011, a bill to convert certain temporary Federal district judgeships to permanent judgeships, and for other purposes.

S. 2032

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2032, a bill to provide assistance and security for women and children in Afghanistan and for other purposes.

S. 2061

At the request of Mr. FRIST, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2061, a bill to improve women's health access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services.

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 2061, *supra*.

S. 2063

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2063, a bill to require the Secretary of Veterans Affairs to carry out a demonstration project on priorities in the scheduling of appointments of veterans for health care through the Department of Veterans Affairs, and for other purposes.

S. 2068

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2068, a bill to enhance and improve benefits for members of the National Guard and Reserves who serve extended periods on active duty, and for other purposes.

S. 2076

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 2076, a bill to amend title XI of the Social Security Act to provide direct congressional access to the office of the Chief Actuary in the Centers for Medicare & Medicaid Services.

S. 2077

At the request of Mr. CRAIG, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 2077, a bill to amend title XIX of the Social Security Act to permit additional States to enter into long-term care partnerships under the Medicaid Program in order to promote the use of long-term care insurance.

S. 2090

At the request of Mr. DASCHLE, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2090, a bill to amend the Worker Adjustment and Retraining Notification Act to provide protections for employees relating to the offshoring of jobs.

S.J. RES. 19

At the request of Mr. SPECTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 19, a joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy.

S.J. RES. 26

At the request of Mr. ALLARD, the name of the Senator from Illinois (Mr.

FITZGERALD) was added as a cosponsor of S.J. Res. 26, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. CON. RES. 8

At the request of Ms. COLLINS, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution designating the second week in May each year as "National Visiting Nurse Association Week".

S. CON. RES. 72

At the request of Mr. DASCHLE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 72, a concurrent resolution commemorating the 60th anniversary of the establishment of the United States Cadet Nurse Corps and voicing the appreciation of Congress regarding the service of the members of the United States Cadet Nurse Corps during World War II.

S. CON. RES. 81

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS), the Senator from Iowa (Mr. GRASSLEY) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. Con. Res. 81, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

S. RES. 298

At the request of Mr. CAMPBELL, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. Res. 298, a resolution designating May 2004 as "National Cystic Fibrosis Awareness Month".

S. RES. 299

At the request of Mr. CAMPBELL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Res. 299, a resolution recognizing, and supporting efforts to enhance the public awareness of, the social problem of child abuse and neglect.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 2096. A bill to promote a free press and open media through the National Endowment for Democracy and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise today to introduce the International Free Press and Open Media Act of 2004.

This legislation will provide greater focus on, and more coordination of, initiatives to develop free, fair, legally protected, and self-sustaining press and media in the world.

A free press is enshrined as a cornerstone of democracy in the First Amendment to the United States Con-

stitution. The Universal Declaration of Human Rights, passed by the United Nations in 1948, also proscribes free press and media.

The United States government through various agencies and programs has long been involved in helping to train journalists around the world, and establish newspapers, magazines, and radio and television stations.

These programs, however, are not centralized in one bureau or agency. Many are orphans to other assistance programs. They are effective in training journalists, but they stop short of ensuring that the media in a developing country has the necessary legal protections, follows basic rules of fairness and equal access, and can sustain itself financially.

In addition, these existing media programs are not established in ways to leverage federal government spending with the assistance of America's vibrant media sector. There is a strong desire by our finest journalism schools, newspapers, broadcasters, and marketing and advertising enterprises to help build free press and open media in the world. We also need to engage all the new media, like Internet companies and wireless forms of communications.

To better organize and focus these efforts, this legislation directs the Secretary of State to provide funding to the National Endowment for Democracy for the work a free press institute. For more than 20 years the National Endowment for Democracy has been leading American efforts to help build the required democratic institutions of a free society. The President's proposed 2005 budget wisely doubles the funding for the work of the Endowment.

It is important to note that the National Endowment for Democracy and its four existing institutes—representing the two major political parties, business, and labor—have established a reputation in the world for integrity and transparency. They are ambassadors of the best traditions of American democracy, and they have provided continuity to democratization efforts, even as administrations and policies have changed.

Having served on the board of the Endowment for a number of years, as have some of my colleagues, I can attest that the independence of the NED is central to the success of its initiatives to help develop a free press in the world. This bill seeks to employ the uniquely independent organization of the NED to accomplish a mission that complements public diplomacy, but is separate from it. The U.S. government maintains important public diplomacy programs, where the goal is to communicate American views to the world. But developing a free press in emerging democracies goes beyond advocacy of American views. It requires us to have a tolerance for criticism, to take into account cultural differences, and to commit to long-term projects. The NED is suited to this mission.

A fully successful U.S. foreign policy requires that we make progress in building democratic institutions internationally, especially free and open media. Societies that are built on the foundation of a free press are far less likely to abuse human rights or threaten American security.

I look forward to the support of my colleagues on this legislation, and hope for speedy consideration.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2096

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Free Press and Open Media Act of 2004".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) It is in the national interest of the United States to promote the development of free press and open media around the world, as such development increases the national security of the United States.

(2) A free press and open media, including traditional forms of communications such as print media, television, and radio programming, and films and entertainment media, as well as emerging forms of communication such as media transmitted on the Internet and by wireless transmissions, are among the foundations of democratic institutions in an open society that respects human rights.

(3) A free press and open media can best be achieved if the press and media—

(A) are located in a country that—

(i) has legal protections to ensure that the press and media are independent of government control or subversion and are able to deliver information without impediment; and

(ii) has journalists, editors, publishers, producers, and business executives who are practiced in the basic concepts of fairness and equal access in a civil society; and

(B) are able to be financially self-sufficient through subscription fees, advertising revenues, donations, or other funding mechanisms.

(4) Private sector groups in the United States, including businesses and nongovernmental organizations, have carried out a variety of activities to promote free press and open media in foreign countries.

(5) There is a need to establish an entity—

(A) to address issues related to the development of a free press and open media; and

(B) to bring together individuals and institutions to organize and focus greater attention on the establishment of new, and the enhancement of existing, free media programs throughout the world.

(6) The National Endowment for Democracy (in this section referred to as the "NED") is a nonprofit, federally funded, grantmaking, nongovernmental organization recognized by Congress in the National Endowment for Democracy Act (22 U.S.C. 4411 et seq.).

(7) The NED has historically provided support and coordination of the activities of private sector groups and nongovernmental organizations that promote democratic institutions.

(8) The NED has received strong bipartisan support from Presidents and Congress since it was established in 1983.