

During the listening session, Dr. Jill Stein, a physician and President of the Massachusetts Coalition for Healthy Communities, and Dr. Bill Bress, State Toxicologist for the Vermont Department of Health, detailed the serious and often life-threatening health effects of mercury exposure through consumption of contaminated fish. Nearly 10 percent of American women have high mercury blood levels above EPA's safe health threshold. Pregnant women who consume even small amounts of fish can inadvertently put their developing babies at risk of mental retardation, seizures, cerebral palsy, vision and hearing problems, abnormal gait and speech, and learning disabilities. EPA has estimated that 630,000 children are born at risk each year due to mercury exposure in the womb. This is twice EPA's previous estimate.

An astonishing 50 percent of Americans who eat fish regularly exceed the mercury health limit, and 10 percent exceed the limit by a factor of four. Adults are also susceptible to developing heart, kidney, and immune system disorders due to mercury consumption. Anglers and certain ethnic groups who eat large amounts of fish face two to five times these health risks. Clearly, dramatically curbing mercury pollution will improve all of our lives.

Dr. Steve Petron, Board Member of the National Wildlife Federation and Senior Ecosystems Scientist for CH2M Hill, demonstrated how toxic mercury pollution from power plants harms our Nation's aquatic wildlife. Those species that depend on fish for food are the most at risk. Because of this, loons, bald eagles, otters, amphibians, and other animals are already facing or could soon face decline. And lastly, Dr. Praveen Amar, Director of Science and Policy for the Northeast States for Coordinated Air Use Management, NESCAUM, represented State air quality regulators by stressing that mercury control technologies are available and affordable, and by expressing the need for smart Federal environmental laws to drive technology innovation and application. As a recent NESCAUM report found, "Where strong regulatory drivers exist, substantial technological improvements and steady reductions in control costs follow."

That's where Congress comes in. We are elected to serve the people of this Nation. Where people are becoming sick and are dying because of air pollution, something must be done. We must never knowingly allow such suffering to continue if we have the ability to act, and we do. Time and time again, mothers and fathers, doctors, scientists, and community members ask for our help.

At the bare minimum, we should be protecting current law. But to truly benefit the public good, we must pass tough legislation to force dirty power plants and other polluters to start behaving like good citizens. The air is not their toxic waste dump. It is not theirs to pollute for free, even though

this administration is encouraging them to think that way. If it belongs to anyone, the air belongs to those children who play outdoors, or those families who go fishing and take trips to our scenic national parks, or to the poorest of us who are unlucky enough to live next to a smokestack. The air belongs to all of us. We should treat it like the most precious resource we know. Americans from around the country have learned this important lesson. Congress and this administration must now do the same.

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 Enhancement 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.

In February 1999, Steve Garcia was returning to his home from a party wearing women's clothing and shoulder length hair. He died of a gunshot wound to the shoulder and because none of his jewelry was stolen, police suspect that he was targeted because of the way he was dressed.

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.

RETIREMENT OF TOM RYAN

Mr. SPECTER. Mr. President, March 1 marks a very special occasion—although it is with mixed feelings I report that Tom Ryan, the key Department of Labor Budget Analyst for employment and training programs is retiring following more than 32 years of a most distinguished career. As the members of the Appropriations Committee can attest, Mr. Ryan's work in this area has been extraordinary, in its breadth, its depth, and in its effectiveness. As needs arose and even when crisis has come to the lives of so many job seekers throughout our Nation, Mr. Ryan has been a pillar of strength in helping people as he worked tirelessly with us to ensure that funding for the right training opportunities were available when job seekers needed them.

On behalf of the members of the Appropriations Committee, I would like to take this opportunity to express our heartfelt thanks to Mr. Ryan for his vision which has so often guided us in formulating creative solutions to funding jobs training programs, in caring for the people we serve—many of those who are in critical need of assistance. The complexities of funding these programs during the challenging years of

fiscal austerity have been met with a determination to find solutions, and the countless people receiving job training and employment assistance are well-served, due in no small measure, to Mr. Ryan's efforts and his devotion to these endeavors. For these efforts and so many more, we extend our congratulations to Mr. Ryan and wish him an enjoyable and well-deserved retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO ERNIE MARX

• Mr. BUNNING. Mr. President, I take a moment today to pay tribute to Ernie Marx of Louisville, KY for his service to the people of Kentucky and his willingness to teach understanding and compassion to our Commonwealth's youth.

Mr. Marx is a survivor of the Holocaust and has used this tragic event in human history as an inspiration to educate the youth of our country about tolerance and respect. He has focused his efforts on middle and high school students, speaking about his experiences before hundreds of different groups.

One such event was on Tuesday, April 29, 2003, when Mr. Marx spoke at the annual Yom HaShoah commemoration at Fort Knox, KY. Yom HaShoah, or Holocaust Remembrance Day, is an important day of reflection for Americans and people throughout the world. His own message to our soldiers at Fort Knox was about hate and tolerance. He told the soldiers that they can prevent a Holocaust, saying, "You are our hope and are fight for our freedom."

This fall Mr. Marx led his 54th trip to Washington, DC to educate children and citizens about the Holocaust. He brings these groups, primarily students, to visit the Holocaust Museum and teaches them about tolerance and understanding. I am certain he will continue to lead these trips in the tradition of the Holocaust Museum's mission of education.

From Atherton High School in Louisville, KY to the Henry County Middle School in New Castle, KY, Ernie Marx has had a profound impact on the youth of the Louisville region. I would like to honor his dedication, leadership and commitment to the people of Kentucky. •

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3783. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-6390. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report of actions taken by the President of the United States under Presidential Determination 2004-08 relating to the Russian Federation; to the Committee on Armed Services.

EC-6391. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, four quarterly Selected Acquisition Reports for the quarter ending September 30, 2003; to the Committee on Armed Services.

EC-6392. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the report of the Office of Inspector General for the period from April 1, 2003 through September 30, 2003, along with the classified Annex to the Semiannual Report on intelligence-related or classified and sensitive subjects; to the Committee on Governmental Affairs.

EC-6393. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Cooperative Threat Reduction Act of 1993 with respect to Ukraine; to the Committee on Foreign Relations.

EC-6394. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Trade Act of 2002; to the Committee on Finance.

EC-6395. A communication from the President of the United States, transmitting, pursuant to law, a report relative to United States assistance for the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Relations.

EC-6396. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Authorization for Use of Military Force Against Iraq Resolution; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of February 12, 2004, the following reports of committees were submitted on February 18, 2004:

By Mr. GREGG, 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. ROBERTS (for himself and Mr. BROWNBACK):

S. 2103. A bill to amend the Internal Revenue Code of 1986 to limit the deduction for charitable contributions of patents and similar property; to the Committee on Finance.

By Mr. SCHUMER:

S. 2104. A bill to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building"; to the Committee on Governmental Affairs.

By Mr. LAUTENBERG (for himself and Mr. CORZINE):

S. 2105. A bill to improve the Federal shore protection program; to the Committee on Environment and Public Works.

By Mr. BUNNING (for himself, Mr. MILLER, Mr. ALEXANDER, and Mr. HATCH):

S. 2106. A bill to amend the Internal Revenue Code of 1986 to provide capital gains treatment for certain self-created musical works; to the Committee on Finance.

By Mr. DEWINE (for himself, Mr. LEAHY, and Mr. DOMENICI):

S. 2107. A bill to authorize an annual appropriations of \$10,000,000 for mental health costs through fiscal year 2009; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. KENNEDY, Mr. LIEBERMAN, and Ms. CANTWELL):

S. 2108. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers receive information about the nutritional content of restaurant food and vending machine food; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. WARNER, Mr. SCHUMER, Mr. DEWINE, Mr. LEVIN, Mr. CHAFEE, Mr. DODD, Mr. JEFFORDS, Mrs. BOXER, Mrs. CLINTON, Mr. REED, and Mr. LAUTENBERG):

S. 2109. A bill to provide for a 10-year extension of the assault weapons ban; to the Committee on the Judiciary.

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

S. 2110. A bill to amend the Internal Revenue Code of 1986 to extend the Highway Trust Fund provisions through March 31, 2004, and to add the volumetric ethanol excise tax credit (VEETC), and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 98

At the request of Mr. ALLARD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 98, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States, to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 469

At the request of Mr. KOHL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 469, a bill to amend chapter 44 of title 18, United States Code, to require ballistics testing of all firearms manufactured and all firearms in custody of Federal agencies.

S. 557

At the request of Ms. COLLINS, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 557, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 595

At the request of Mr. HATCH, the name of the Senator from Wyoming

(Mr. ENZI) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 664

At the request of Mr. HATCH, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses.

S. 736

At the request of Mr. ENSIGN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 736, a bill to amend the Animal Welfare Act to strengthen enforcement of provisions relating to animal fighting, and for other purposes.

S. 1010

At the request of Mr. HARKIN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1010, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities.

S. 1034

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) 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. 1272

At the request of Mr. CORZINE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1272, a bill to amend the Occupational Safety and Health Act of 1970 to modify the provisions relating to citations and penalties.

S. 1277

At the request of Mr. BIDEN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1277, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement discipline, accountability, and due process laws.

S. 1298

At the request of Mr. AKAKA, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1298, a bill to amend the