to S. Con. Res. 95, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

AMENDMENT NO. 2774

At the request of Mr. DASCHLE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 2774 proposed to S. Con. Res. 95, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

AMENDMENT NO. 2780

At the request of Mrs. CLINTON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of amendment No. 2780 proposed to S. Con. Res. 95, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

AMENDMENT NO. 2782

At the request of Mr. KENNEDY, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 2782 intended to be proposed to S. Con. Res. 95, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. LIEBERMAN):

S. 2194. A bill to amend part D of title IV of the Social Security Act to improve the collection of child support, and for other purposes; to the Committee on Finance.

Mr. CORNYN. Mr. President, I rise today to introduce a bill that is very close to my heart—the Child Support Improvement Act of 2004. I want to express my appreciation for the leadership of the Senator from Connecticut on these issues, and his willingness to co-sponsor this bill.

In my career, I have had the opportunity to see the significant problems facing our child support system from several different perspectives.

As a district judge in Texas, I ruled in divorce and custody cases. I saw the powerful emotions involved in these cases, where the best interests of children are fought over even as the relationships that brought them into this world fall apart.

And I had to make judgments in a large number of child support cases before Texas implemented the system for expediting these cases by establishing the masters program.

As a Supreme Court justice, I had the opportunity to write opinions that had a real and positive affect on child support.

As Attorney General, I saw the positive effects of enforced guidelines for child support, visitation, and income withholding. I worked to implement Federal mandates. And I saw that we had a deep hole to climb out of, a child support system that was in terrible shape.

My first priority was to improve customer service. I saw that more than $16 million in child support payments were collected but undistributed due to computer errors, leaving those most in need of assistance without their child support payments merely because of computer or administrative problems.

And the vast majority of the people calling the child support offices for assistance were automatically disconnected or received a busy signal. Only one in every seven phone calls was actually answered—one in seven.

We got to work fast. We focused on both the dead beat and the dead broke parents. We fixed the customer service system, establishing eight regional call centers and an interactive web site to provide case-specific information on a secure site for parents to access. We worked with community organizations to establish a dozen fatherhood programs. We got payments out the door more quickly, and we reduced undistributed collections. And I announced a top ten list of ''Texas' Most Wanted Child Support Evaders,'' those dead beat parents who willfully evaded arrest.

In the end, we collected more than $3 billion in child support. Some folks called it a miracle. I call it a good start.

I believe that this body has the responsibility to do more to help our child support system be more efficient, more responsive, and do more to improve the lives of children and families.

The proposal that I am introducing today, along with the distinguished Senator from Connecticut—who has a deep understanding of the issue and, like me, served his State as attorney general—features several long-needed reforms of our child support provisions.

It includes new distribution options for states to get more child support to families on TANF, and to pay more child support to families who were previously on TANF.

This bill also has several provisions based on my experience as Attorney General: 1. It encourages States to do more medical support enforcement, by giving states a funding incentive that will ultimately reduce our Federal Medicaid and S-CHIP costs. 2. It promotes early monitoring of child support orders, cutting red tape so that states have greater freedom to innovate and large arrearages never occur. 3. It focuses on reducing undistributed collections by directing more Federal resources toward finding solutions to this widespread problem. 4. It gets payments to custodial parents quickly, by urging States to use electronic payment methods. 5. And it allows States the option to send all non-IV-D child support payments to the State Disbursement Unit, reducing expenses, paperwork and confusion for employers and accelerating payments to families.

I believe that all of these reforms are necessary and important steps. They will lower costs, increase efficiency, and get children more of the help they need.

Even as we strive to improve our child support system, we cannot underestimate the social importance of the family as a component of our mission. As author Maggie Gallagher once wrote: ''When men and women fail to form stable marriages, the first result is a vast expansion of government attempts to cope with the terrible social needs that result. There is scarcely a dollar that state and federal government spends on social programs that is not driven in large part by family fragmentation: crime, poverty, drug abuse, teen pregnancy, school failure, and mental and physical health problems.''

I strongly believe that the family is the fundamental institution of our civilization. If fosters successful communities, happier homes, and healthier lives.

The family provides the foundation for raising each new generation of Americans. And when families are weakened, children suffer the most. Even the best child support system in the world cannot give the caring love and nurturing of family—which is why I believe we need to have a child support system that genuinely encourages parents to be an active part of their child's life.

We need a child support system that focuses on the dead beat and dead broke parents, that brings the worst evaders in, and that puts the family first. Let us in this body strive to do everything we can, as we hope for a brighter future for this nation and future generations of American children.

By Mr. CAMPBELL (for himself, Ms. COLLINS, and Ms. SNOWE):

S. 2196. A bill to amend title 38, United States Code, to clarify that per diem payments by the Department of Veterans Affairs for the care of Veterans in State homes shall not be used to offset payments that are made under the medicaid program for the purpose of assisting veterans; to the Committee on Finance.

Mr. CAMPBELL. Mr. President, today I am pleased to be joined by my colleagues Senators COLLINS and SNOWE to introduce legislation which will rectify a very serious problem affecting veterans in my State and around the Nation. The bill I am introducing will clarify the treatment of the per diem payments made by the Department of Veterans Affairs, VA, to

support State Veterans Homes across the country.

For several decades, Federal law has required that the VA pay a per diem amount to States to support quality care provided to eligible veterans at qualified State Veterans Homes. This VA per diem, currently about $56 per day for nursing home care and $27 per day for domiciliary care, is intended to assist States in providing the best possible care to those who served in our armed forces.

In Colorado and a number of other States, the availability of the VA per diem is threatened by interpretations of Medicaid rules by the Centers for Medicare and Medicaid Services, CMS. CMS would treat the VA per diem payments as third-party payments, requiring that the entire amount be offset against Medicaid payments. This interpretation would deny residents of State Veterans Homes who receive Medicaid in these states any benefit whatsoever of the VA per diem payments.

I believe this runs contrary to the intent of Congress in establishing the VA per diem payment system. State Veterans Homes are required to meet stringent and costly VA standards for care as a condition for receiving these per diem payments. These standards of care exceed those required by Medicaid, and the VA per diem makes it possible for State Veterans Homes to meet the higher VA standards. Most importantly, this per diem allows our veterans to receive high quality nursing care.

An insistence by CMS on its interpretation would jeopardize the funding balance for many Medicaid-certified State Veterans Homes across the country. The result of the CMS interpretation would be to force State Veterans Homes that do not currently offset the VA per diem payments against Medicaid funding to reduce their standard of care, defer construction of needed new facilities, and possibly close certain State Veterans Homes.

The legislation we are introducing today would simply clarify that the VA per diem payments cannot not be considered to be a third-party liability under Medicaid. It would build on other precedents where Congress wanted to make sure that benefits were received by their intentional recipients, not transferred to the Medicaid program. For example, federal law already includes exceptions for similar payments, such as those made under the Indian Health program.

Our legislation recognizes that the States fund their State Veterans Homes in a variety of different manners. It preserves their flexibility to do so in a way that best serves their veterans, and ensures that no state is forced to lose the benefit of the VA per diem.

I urge my colleagues to support this legislation and move forward with a plan that will enable our State Veterans Nursing Homes to provide the high quality care that our veterans deserve.

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

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

S. 2196

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

SECTION 1. TREATMENT UNDER MEDICAID PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS PER DIEM PAYMENTS TO STATE HOMES FOR VETERANS.

Section 1741 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e) Payments to States pursuant to this section shall not be considered a liability of a third party for any purpose under section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(25)).''.

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 2197. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to clarify the status of certain communities in the western Alaska community development quota program; to the Committee on Commerce, Science, and Transportation.

Ms. MURKOWSKI. Mr. President, as residents of sparsely populated State with great natural resources but severe poverty in many of its rural areas, Alaskans have engaged in a variety of social and economic exercises intended to improve the living standard and expand economic opportunities for our most challenged communities.

I rise today to introduce a bill to ensure that one of the most successful of those exercises is allowed to continue. I am pleased to say the measure is also cosponsored by Alaska's senior senator.

The CDQ Community Preservation Act is intended to maintain the participation of all currently eligible communities along the shore of the Bering Sea in Alaska's Community Development Quota program. It is necessary because inconsistencies in statutory and regulatory provisions may require a reassessment of eligibility and the exclusion of some communities from the program. This was not the intent of the original program, nor of any subsequent changes to it. In order to clarify that fact, a legislative remedy is needed.

The Community Development Quota Program began in 1992, at the recommendation of the North Pacific Fishery Management Council, one of the regional councils formed under the Magnuson-Stevens Fishery Conservation and Management Act. Congress gave the program permanent status in the 1996 reauthorization of the Act.

The program presently includes 65 communities within a 50 nautical-mile radius of the Bering Sea, which have formed six regional non-profit associations to participate in the program. The regional associations range in size from one to 20 communities. Under the program, a portion of the regulated annual harvests of pollock, halibut, sablefish, Atka mackerel, Pacific cod, and crab is assigned to each association, which operate under combined Federal and State agency oversight. Almost all of an association's earnings must be invested in fishing-related projects in order to encourage a sustainable economic base for the region.

Typically, each association sells its share of the annual harvest quotas to established fishing companies in return for cash and agreements to provide job training and employment opportunities for residents of the region. The program has been remarkably successful.

Since 1992, approximately 9,000 jobs have been created for western Alaska residents with wages totaling more than $60 million. The CDQ program has also contributed to fisheries infrastructure development in western Alaska, as well as providing vessel loan programs; education, training and other CDQ-related benefits.

The CDQ program has its roots in the amazing success story of how our offshore fishery resources were Americanized after the passage of the original Magnuson Act in 1976. At the time, vast foreign fishing fleets were almost the only ones operating in the U.S. 200-mile Exclusive Economic Zone. American fishermen simply did not have either the vessels or the expertise to participate.

The Magnuson Act changed all that. It led to the adoption of what we called a ''fish and chips'' policy that provided for an exchange of fish allocations for technological and practical expertise. Within the next few years, harvesting fell almost exclusively to American vessels. Within a few years after that, processing almost became Americanized. Today, there are no foreign fishing or processing vessels operating in the 200-mile zone off Alaska, and the industry is worth billions of dollars each year.

The CDQ program helps bring some of the benefits of that great industry to local residents in one of the most impoverished areas of the entire country. It is a vital element in the effort to create and maintain a lasting economic base for the region's many poor communities, and truly deserves the support of this body.

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

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

S. 2197

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 ''CDQ Community Preservation Act''.

SEC. 2. WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA PROGRAM.

(a) ELIGIBLE COMMUNITIES.—Section 305(i)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)) is amended adding at the end the following:

''(E) A community shall be eligible to participate in the western Alaska community development quota program under subparagraph (A) if the community was—

''(i) listed in table 7 to part 679 of title 50, Code of Federal Regulations, as in effect on January 1, 2004; or

''(ii) approved by the National Marine Fisheries Service on April 19, 1999.''.

(b) CONFORMING AMENDMENT.—Such section is further amended, in paragraph (B), by striking ''To'' and inserting, ''Except as provided in subparagraph (E), to''.

By Mrs. BOXER:

S. 2198. A bill to provide for refinancing of consolidated student loans; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today, I am proud to introduce the Consolidated Student Loan Reduction Act of 2004.

A college education is becoming more and more crucial as American workers seek to compete in the global marketplace. Yet, the cost of a college education is rising each year, making it less accessible to low and moderate income individuals. While grants and scholarships are available, students have come to increasingly rely on student loans. Between 1992 and 2002, Federal student loans increased by 165 percent, and in 2003, $65 billion—or 70 percent of total Federal student aid—was in the form of loans. The average debt for a college graduate is $17,000, and it can exceed $100,000 for a graduate student.

Under Federal law, and in order to receive longer repayment terms, individuals may consolidate their student loans into one loan. The interest rate on the consolidated loan is fixed. So while current law gives individuals a longer time to repay their student debt, it does not allow them to take advantage of the low interest rates that prevail in the marketplace today. Graduates may refinance their houses at lower rates but cannot do the same with student loans.

My bill would change that and would permit individuals to refinance their consolidated Federal loans at the same interest rate as Federal Stafford loans, which fluctuate with the market and are generally below the prevailing market rate. Individuals could refinance anytime their consolidated loan rate exceeded 1 percent of the Stafford loan rate. And under my bill the borrower is not required to pay any fee or costs when they refinance.

There are many in Congress who have introduced legislation to make a college education more accessible and affordable to American students. I support many of those efforts. My modest bill is a step in this direction, and I encourage my colleagues to support this effort.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Ms. SNOWE, Mr. FEINGOLD, and Mrs. LINCOLN):

S. 2199. A bill to authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today along with Senator HUTCHISON, Senator SNOWE, Senator FEINGOLD and Senator LINCOLN to introduce the ''Family Abduction Prevention Act of 2004,'' a bill to help the thousands of children who are abducted by a family member each year.

Family abductions are the most common form of abduction yet they receive little attention and law enforcement often doesn't treat them as the serious crimes that they are.

The Family Abduction prevention Act of 2004 would provide grants to states for costs associated with family abduction prevention. Specifically, it would assist States with: costs associated with the extradition of individuals suspected of committing the crime of family abduction; costs borne by State and local law enforcement agencies to investigate cases of missing children; training for local and State law enforcement agencies in responding to family abductions; outreach and media campaigns to educate parents on the dangers of family abductions; and assistance to public schools to help with costs associated with flagging school records.

Each year, over 200,000 children—78 percent of all abductions in the United States—are kidnapped by a family member, usually a non-custodial parent.

More than half of abducting parents have a history of domestic violence, substance abuse, or a criminal record.

Most State and local law enforcement agencies do not treat these abductions as serious crimes. Approximately 70 percent of law enforcement agencies do not have written guidelines on responding to family abduction and many are not informed about the Federal laws available to help in the search and recovery.

Many people believe that a child is not in grave danger if the abductor is a family member. Unfortunately, this is not true, and the assumptions can endanger a child's life. Research shows that the most common motive in family abduction cases is revenge against the other parent—not out of love for the child.

The effects of family abduction on children are very traumatic. Abducted children suffer from severe separation anxiety. To break emotional ties with the left-behind parent, some family abductors will coach a child into falsely ''disclosing'' abuse by the other parent to perpetuate their control during or after abduction. The child is often told that the other parent is dead or did not really love them.

As the child adapts to a fugitive's lifestyle, deception becomes a part of life. The child is taught to fear those that one would normally trust, such as police, doctors, teachers and counselors. Even after recovery, the child often has a difficult time into adulthood.

On Takeroot.org, a website devoted to victims of family abductions, Rebekah told the story of when her mother kidnapped her.

Her mother was diagnosed as manic and was verbally abusive to her children and husband. Rebekah's father was awarded full custody of her and her brothers. However, one weekend, when Rebekah was 4-years-old, her mother took her to Texas.

Her mother had all her moles and distinguishing marks removed from her body and she had fake birth certificates made for Rebekah and herself. As Rebekah grew up, she was told that her father didn't love her and that her siblings didn't want to see her. When the FBI finally found Rebekah, she didn't remember her father and felt very alone.

In addition, in many family abduction cases, children are given new identities at an age when they are still developing a sense of who they are. In extreme cases, the child's sexual identity is covered up to avoid detection.

Abducting parents often deprive their children of education and much-needed medical attention to avoid the risk of being tracked via school or medical records.

In extreme cases, the abducting parent leaves the child with strangers at an underground ''safe house'' where health, safety, and other basic needs are extremely compromised.

For example, in Lafayette, CA, two girls were abducted by their mother and moved from house to house under the control of a convicted child molester. Kelli Nunez absconded with her daughters, 6-year-old Anna and 4-year-old Emily in violation of court custody orders. Nunez drove her daughters cross-country, and then returned by plane to San Francisco, where she handed the children to someone holding a coded sign at the airport.

The person holding the sign belonged to an underground vigilante group called the California Family Law Center led by Florencio Maning, a convicted child molester. For six months, Maning orchestrated the concealment of the Nunez girls with help from other people. Luckily, police were able to track down the girls and they were successfully reunited with their father.

California has been the Nation's leader in fighting family abduction. In my State, we have a system that places the responsibility for the investigation and resolution of family abduction cases with the County District Attorney's Office. Each California County District Attorney's Office has an investigative unit that is focused on family abduction cases. Therefore, investigators only handle family abduction cases and become experts in the process.

However, most States lack the training and resources to effectively recover children who are kidnapped by a family

member. According to a study conducted by Plass, Finkelhor and Hotaling, 62 percent of parents surveyed said they were ''somewhat'' or ''very'' dissatisfied with police handling of their family abduction cases.

The ''Family Abduction Prevention Act of 2004'' would be an important first step in addressing this serious issue.

I urge my colleagues to quickly act on this important legislation.

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. 2199

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 ''Family Abduction Prevention Act of 2004''.

SEC. 2. FINDINGS.

Congress findings that—

(1) each year more than 203,000 children in the United States (approximately 78 percent of all abducted children) are abducted by a family member, usually a parent;

(2) more than half of the parents who abduct their children have a history of alcohol or substance abuse, a criminal record, or a history of violence;

(3) the most common motive for family abduction is revenge against the other parent, not protecting the child's safety;

(4) children who are abducted by family members suffer emotional, psychological, and often physical abuse at the hands of their abductors;

(5) children who are victims of family abductions are forced to leave behind family, friends, their homes, their neighborhoods, their schools, and all that is familiar to them;

(6) children who are victims of family abductions are often told that the parent who did not abduct the child has died, does not love them, or will harm them;

(7) children who are abducted by their parents or other family members are sometimes forced to live in fear of discovery and may be compelled to conceal their true identity, including their real names, family histories, and even their gender;

(8) children who are victims of family abductions are often denied the opportunity to attend school or to receive health and dental care;

(9) child psychologists and law enforcement authorities now classify family abduction as a form of child abuse;

(10) approximately 70 percent of local law enforcement agencies do not have written guidelines for what to do in the event of a family abduction or how to facilitate the recovery of an abducted child;

(11) the first few hours of a family abduction are crucial to recovering an abducted child, and valuable hours are lost when law enforcement is not prepared to employ the most effective techniques to locate and recover abducted children;

(12) when parents who may be inclined to abduct their own children receive counseling and education on the harm suffered by children under these circumstances, the incidence of family abductions is greatly reduced; and

(13) where practiced, the flagging of school records has proven to be an effective tool in assisting law enforcement authorities find abducted children.

SEC. 3. DEFINITIONS.

In this Act:

(1) FAMILY ABDUCTION.—The term ''family abduction'' means the taking, keeping, or concealing of a child or children by a parent, other family member, or person acting on behalf of the parent or family member, that prevents another individual from exercising lawful custody or visitation rights.

(2) FLAGGING.—The term ''flagging'' means the process of notifying law enforcement authorities of the name and address of any person requesting the school records of an abducted child.

(3) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(4) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, any territory or possession of the United States, and any Indian tribe.

SEC. 4. GRANTS TO STATES.

(a) MATCHING GRANTS.—The Attorney General shall make grants to States for projects involving—

(1) the extradition of individuals suspected of committing a family abduction back to the State from which the child was taken;

(2) the investigation by State and local law enforcement agencies of family abduction cases;

(3) the training of State and local law enforcement agencies in responding to family abductions and recovering abducted children, including the development of written guidelines and technical assistance;

(4) outreach and media campaigns to educate parents on the dangers of family abductions; and

(5) the flagging of school records.

(b) MATCHING REQUIREMENT.—Not less than 50 percent of the cost of a project for which a grant is made under this section shall be provided by non-Federal sources.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this Act, there are authorized to be appropriated to the Attorney General $500,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 and 2006.

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

S. 2200. A bill to extend nondiscriminatory treatment (normal trade relations treatment) to the products of Laos; to the Committee on Finance.

Mr. BAUCUS. Mr. President, 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. 2200

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

SECTION 1. EXTENSION OF NORMAL TRADE RELATIONS TO LAOS.

(a) FINDINGS.—Congress finds that—

(1) the Lao People's Democratic Republic is pursuing a broad policy of adopting market-based reforms to enhance its economic competitiveness and achieve an attractive climate for investment;

(2) extension of normal trade relations treatment would assist the Lao People's Democratic Republic in developing its economy based on free market principles and becoming competitive in the global marketplace;

(3) establishing normal commercial relations on a reciprocal basis with the Lao People's Democratic Republic will promote United States exports to the rapidly growing southeast Asian region and expand opportunities for United States business and investment in the Lao People's Democratic Republic economy;

(4) United States and Laotian commercial interests would benefit from the bilateral trade agreement between the United States and the Lao People's Democratic Republic, signed in 2003, providing for market access and the protection of intellectual property rights;

(5) the Lao People's Democratic Republic has taken cooperative steps with the United States in the global war on terrorism, combating the trafficking of narcotics, and the accounting for American servicemen and civilians still missing from the Vietnam war; and

(6) expanding bilateral trade relations that include a commercial agreement may promote further progress by the Lao People's Democratic Republic on human rights, religious tolerance, democratic rule, and transparency, and assist that country in adopting regional and world trading rules and principles.

(b) EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PRODUCTS OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.—

(1) HARMONIZED TARIFF SCHEDULE AMENDMENT.—General note 3(b) of the Harmonized Tariff Schedule of the United States is amended by striking ''Laos''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the effective date of a notice published in the Federal Register by the United States Trade Representative that a trade agreement obligating reciprocal most-favored-nation treatment between the Lao People's Democratic Republic and the United States has entered into force.

By Mrs. BOXER:

S. 2201. A bill to amend the Solid Waste Disposal Act to provide for secondary containment to prevent methyl tertiary butyl ether and petroleum contamination; to the Committee on Environment and Public Works.

Mrs. BOXER. Mr. President, today I am introducing legislation to prevent chemicals that leak from underground storage tanks from causing environmental and public health damage. My colleague in the House of Representatives, Mr. DINGELL, is introducing companion legislation.

Underground storage tanks can hold extremely toxic chemicals that can move rapidly through soil, contaminating the ground, aquifers, streams and other bodies of water. Underground storage tanks are located in urban and rural areas. When they leak, they present substantial risks to groundwater quality, human health, environmental quality, and economic growth.

There are approximately 700,000 underground storage tanks in the United States, and more than 430,000 confirmed releases from these tanks as of

mid-2003. By and large, MTBE contamination has come from leaking underground storage tanks. MTBE has contaminated water supplies in 43 States. Twenty-nine States have drinking water contamination. Estimates indicate that it will cost at least $29 billion to clean up MTBE contamination nationwide. Currently, the leaking underground storage tanks program and other laws ensure that responsible parties pay to clean up the damage caused by these leaking spills.

However, the best solution to leaking underground storage tanks is to prevent them from leaking in the first place with the use of secondary containment, such as double walls. There is already widespread support for this throughout the country. Twenty-one States already require secondary containment, either for all new or replaced tanks—such as in California, or for all new or replaced tanks in sensitive areas. In addition, two States are awaiting final passage or approval of such requirements, and one State requires tertiary, such as triple walls, containment. According to figures from the Petroleum Equipment Institute, 57 percent of all tanks installed from 2000 through 2003 were double walled.

But this is not fast enough in the face of the threats to our drinking and groundwater. Approximately 50 percent of the population relies on groundwater for their drinking water. In 2000, 42 States had MTBE detected in soil or groundwater at gasoline-contaminated leaking underground storage tank sites. The time to prevent contamination is now.

We must ensure the environmental health and safety of our water. I encourage my colleagues to support this bill.

By Mrs. FEINSTEIN (for herself, Mr. FEINGOLD, and Mrs. LINCOLN):

S. 2202. A bill to amend title 28, United States Code, to give district courts of the United States jurisdiction over competing State custody determinations, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today with Senator FEINGOLD and Senator LINCOLN to introduce the ''Bring Our Children Home Act,'' a bill to help the thousands of children who are abducted by family members and taken to a foreign country each year.

Despite an increasingly high level of Congressional and public concern regarding international parental abduction and the wrongful retention of American children abroad, the situation facing American children and their left-behind parents in these cases has not improved and continues to be a serious problem.

The Bring Our Children Home Act would help prevent both domestic and international family abductions. Specifically, the bill would:

Establish a right of action in Federal court for resolution of child custody disputes;

Give law enforcement the authority to detain any child who has been entered into the FBI's National Crime Information Center's database under any category of the Missing Person File for 24 hours or until a disposition can be made;

Amend the Foreign Assistance Act of 1961 to require information on each country's efforts to prohibit international child abduction;

Require federally-funded supervised visitation centers to provide services in child custody cases wherein a State court finds that there is a risk of abduction and orders supervised visitation as a preventive measure; and

Most importantly, it would provide a national registry of custody orders which would allow law enforcement the confidence to intervene in situations and aid a custodial parent to be reunited with their child, or to stop an abduction in progress. The National Center for Missing and Exploited Children is aware of cases in which law enforcement felt unable to intervene because parents represented conflicting orders. Such conflict has lead to international abductions that could have been prevented.

As of May 31, 2003, the U.S. Department of State's Office of Children's Issues was aware of 1060 international abduction cases, 904 open abduction cases and 156 access cases, initiated by U.S.-based parents seeking a child's return or access to a child currently in a foreign country. The actual number of children being kept abroad is higher than this, as these are open cases, not numbers of children. And new cases are reported every week.

As international marriages have increased in recent decades, so have accusations of international child abduction according to Karolina Walkin, a U.S. State Department spokeswoman.

In a 2001 Contra Costa Times article, parents complained that the Justice Department has little interest in their international abduction cases and the State Department was unwilling to disrupt diplomatic relations over abducted children. Written policy directs consular officers to remain neutral, no matter the circumstances.

A 2000 General Accounting Office report noted that the FBI has made limited use of the 1993 International Parental Kidnapping Crime Act. Despite at least 1,000 international parental abductions from the United States annually, the Bureau has prosecuted only 62 cases in 7 years.

The Bring Our Children Home Act requires the Department of Justice and Department of State to report to Congress on International Parental Kidnapping Crime Act warrants and extradition. We must make sure that we are utilizing the tools that we have available to recover abducted children.

The 1980 Hague Convention on the Civil Aspects of International Child Abduction is an international agreement among 54 nations, including the United States, that established civil procedures to follow when locating, accessing, or returning abducted children.

This legislation would provide additional support for left-behind parents and it would ease their ability to bring resolution to their case and their children home.

For countries that are not party to the Hague Convention, it is a case- and country-specific matter. For example, in Saudi Arabia, a wife or child of a Saudi man may not leave the country without his prior written permission. There have been many cases in which adult female American citizens have been unable to leave Saudi Arabia because they have not been able to obtain the written permission of their male guardian, regardless of their constitutionally guaranteed rights as a U.S. citizen.

This legislation would require that the Department of State report to Congress on their progress in negotiating with countries who are not part of the Hague Convention, such as Saudi Arabia.

The ''Bring Our Children Home Act'' would be an important step in helping these families reunite. It gives law enforcement the tools they need to identify children illegally abducted by family members and return them home.

I urge my colleagues to support this legislation.

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. 2202

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 ''Bring Our Children Home Act''.

SEC. 2. JURISDICTION OVER COMPETING STATE CUSTODY ORDERS.

Section 1738A of title 28, United States Code, is amended by adding at the end the following:

''(i) If a court of 1 State makes a child custody determination in accordance with subsection (c) and if that determination is in conflict with a determination made by another State in accordance with subsection (c), a contestant for whom such a determination was made may bring an action in the district court of the United States the district of which includes the resident of such contestant to determine, on the basis of the best interests of the child involved, which determination shall prevail.''.

SEC. 3. NATIONAL REGISTRY OF CUSTODY ORDERS.

(a) IN GENERAL.—The Attorney General shall establish a national child custody and visitation registry in which shall be entered—

(1) certified copies of custody and visitation determinations made by courts throughout the United States (and foreign custody orders concerning children temporarily or permanently resident in the United States);

(2) information identifying pending proceedings in courts throughout the United States for initial, modification, or enforcement orders; and

(3) information identifying proceedings filed in any court in the United States pursuant to the Hague Convention on the Civil Aspects of International Child Abduction and the International Child Abduction Remedies Act, and resulting orders.

(b) COOPERATION.—The Attorney General shall seek the cooperation of Federal and State courts in each State, and the District of Columbia, in providing relevant information to the registry on an ongoing basis. The Attorney General shall provide such financial and technical assistance as necessary.

(c) ACCESS.—The registry shall be accessible to courts, law enforcement officials, custody contestants, and their legal representatives.

SEC. 4. DETENTION OF CHILDREN LISTED AS MISSING.

Law enforcement officers of any State or local government may hold, for not more than 24 hours or until a disposition can be made, any child listed under any category of the Missing Person File by the National Crime Information Center for the proper disposition of the child in accordance with the latest valid custody determination applicable to the child.

SEC. 5. INTERNATIONAL CHILD ABDUCTION REMEDIES.

(a) LEGAL ASSISTANCE FOR VICTIMS OF PARENTAL KIDNAPPING.—Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606) is amended by adding at the end the following:

''(f) LEGAL ASSISTANCE FOR VICTIMS OF PARENTAL KIDNAPPING GRANTS.—

''(1) FUNDING TO LEGAL SERVICES PROVIDERS.—The Central Authority shall establish a program to provide funding to legal services providers, including private attorneys, public officials acting pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, legal aid programs, and law school clinical programs, to provide direct legal or advocacy services on behalf of persons seeking remedies under the Convention, or other civil or criminal remedies in interstate or international parental kidnapping cases.

''(2) TRAINING AND TECHNICAL ASSISTANCE.—The Central Authority, directly or through grants, shall provide training and technical assistance to recipients of funds under paragraph (1) to improve their capacity to offer legal assistance described in paragraph (1).''.

(b) LEGAL SERVICES CORPORATION.—The Legal Services Corporation may use funds made available to the Corporation for programs to represent aliens in proceedings brought in the United States under the Convention—

(1) if the individuals to whom the representation is provided otherwise meet the criteria of the Corporation for eligible clients under the Legal Services Corporation Act; and

(2) whether or not such individuals are resident in the United States.

(c) EXEMPTION FROM COURT COSTS.—Section 8(b) of the International Child Abduction Remedies Act (42 U.S.C. 11607(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) by striking paragraph (1) and inserting the following: ''(1) No court costs may be assessed on a petitioner in connection with a petition seeking the return of, or rights of access to, a child located in the United States, pursuant to this Act.

''(2) Petitioners may be required to bear the costs of legal counsel or advisors, court costs incurred in connection with their petitions (other than petitions described in paragraph (1)) and travel costs for the return of the child involved and any accompanying persons, except as provided in paragraphs (3) and (4).''; and

(3) in paragraph (3), as so redesignated—

(A) by striking ''paragraph (3)'' and inserting ''paragraph (4)''; and

(B) by inserting ''(other than in connection with a petition described in paragraph (1))'' after ''or court costs''.

(d) RESPONSIBILITIES OF UNITED STATES CENTRAL AUTHORITY.—Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606) is amended by adding at the end the following:

''(f) TECHNICAL ASSISTANCE.—The United States Central Authority shall encourage the Chief Justice of every State and the District of Columbia to designate a single court, or a limited number of courts, in which cases brought under the Convention may be heard. The Central Authority may provide technical assistance (including computers and Internet access) as necessary to foster consolidation of jurisdiction and implementation of the Convention, consistent with the purposes of the Convention.

''(g) TRAINING.—The United States Central Authority shall provide or promote training of State court judges, lawyers, and law students on the civil and criminal laws pertaining to interstate and international parental kidnapping. To carry out this subsection, the United States Central Authority may make available funds under subsection (e) to State judicial educators, national, State, and local bar associations, and law schools. The United States Central Authority shall require recipients of such funds to report on the training programs they present, including the number of participants.''.

(e) FEDERAL JUDICIAL CENTER.—Section 620 of title 28, United States Code, is amended by adding at the end the following:

''(c) CONTINUING EDUCATION AND TRAINING PROGRAMS.—The Center shall include in its continuing education and training programs, including the training programs for newly appointed judges, information on the Hague Convention on the Civil Aspects of International Child Abduction, the International Child Abduction Remedies Act, the International Parental Kidnapping Crime Act, and other Federal statutes pertaining to parental kidnapping within the jurisdiction of the Federal courts, and shall prepare materials necessary to carry out this subsection.''.

SEC. 6. REPORTS RELATING TO INTERNATIONAL CHILD ABDUCTION.

(a) REPORT ON PROGRESS IN NEGOTIATING BILATERAL TREATIES WITH NON-HAGUE CONVENTION COUNTRIES.—The Secretary of State shall prepare and submit to the Congress an annual report on progress made by the United States in negotiating and entering into bilateral treaties (or other international agreements) relating to international child abduction with countries that are not contracting parties to the Hague Convention on the Civil Aspects of International Child Abduction.

(b) REPORT ON HUMAN RIGHTS PRACTICES.—(1) Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(A) in paragraph (7), by striking ''and'' at the end and inserting a semicolon;

(B) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(9) the status of efforts in each country to prohibit international child abduction, including—

''(A) efforts to expedite the return of children to the country of their habitual residence; and

''(B) the extent to which the country respects the rights of custody and of access under the laws of other countries.''.

(2) Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the sixth sentence the following: ''Each report under this section shall include information on the status of efforts in each country to prohibit international child abduction, including efforts to expedite the return of children to the country of their habitual residence and the extent to which the country respects the rights of custody and of access under the laws of other countries.''.

(c) REPORT ON ENFORCEMENT OF SECTION 1204 OF TITLE 18, UNITED STATES CODE.—The Attorney General, in consultation with the Secretary of State, shall prepare and submit to the Congress an annual report that contains a description of the status of each case involving a request during the preceding year for extradition to the United States of an individual alleged to have violated section 1204 of title 18, United States Code.

SEC. 7. SUPPORT FOR UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT.

From amounts made available to carry out this section, the Attorney General shall support, directly or through grants and contracts, the adoption and implementation by the States of the Uniform Child Custody Jurisdiction and Enforcement Act, as adopted by the National Conference of Commissioners on Uniform State Laws (in this section referred to as the ''UCCJEA''). The support provided under this section shall include the following activities:

(1) Activities to promote the adoption of the UCCJEA by States that have not yet adopted it.

(2) Activities to provide training to lawyers and to judges and other appropriate public officials to ensure that the UCCJEA is implemented effectively and uniformly throughout the United States.

(3) Activities to provide guidance and funding to States to facilitate and expedite the enforcement by those States of the custody and visitation provisions of the UCCJEA.

SEC. 8. FEDERAL JUDICIAL CENTER EDUCATION PROGRAMS ON PARENTAL KIDNAPPING.

The Federal Judicial Center, in fulfilling its function to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government and other persons (as specified in section 620(b)(3) of title 28, United States Code), shall ensure that those programs include education, training, and materials on the Hague Convention on the Civil Aspects of International Child Abduction, the International Child Abduction Remedies Act, the International Parental Kidnapping Crime Act, and such other international and Federal laws relating to parental kidnapping as are within the jurisdiction of the Federal courts.

SEC. 9. USE OF SUPERVISED VISITATION CENTERS UNDER THE SAFE HAVENS FOR CHILDREN PILOT PROGRAM IN SITUATIONS INVOLVING THE RISK OF PARENTAL KIDNAPPING.

Section 1301(a) of the Violence Against Women Act of 2000 (42 U.S.C. 10420(a)) is amended by striking ''or stalking'' and inserting ''stalking, or the risk of parental kidnapping''.

By Mr. CORZINE:

S. 2203. A bill to provide assistance to combat HIV/AIDS in India, and for other purposes; to the Committee on Foreign Relations.

Mr. CORZINE. Mr. President, today I am introducing legislation to make India eligible for assistance under the Emergency Plan for AIDS Relief.

India is facing a critical moment. An estimated 4.58 million people are infected with the HIV virus in India and HIV/AIDS has been reported in almost all the states and union territories of the country. The epidemic is spreading rapidly from urban to rural areas and from high-risk groups to the general population. Given India's size and the mobility of its population, there is a serious threat of catastrophe.

India's political leaders, public health officials, non-governmental organizations, and medical and scientific communities have taken important steps to combat HIV/AIDS. India, the world's largest democracy, has skilled governmental and civil society actors who are committed to a new awareness of the AIDS crisis and strategic approaches to combating the disease. But significant gaps remain in the Indian health care system's ability to address the full scope of the crisis. These gaps require immediate and sustained U.S. engagement and contribution of resources.

We must continue to expand the list of eligible countries in recognition of the global nature of this pandemic. We must also accelerate assistance to African and Caribbean countries already included as focus countries. Finally, we must increase overall funding to combat HIV/AIDS. India is but one example of the enormity of the HIV/AIDS epidemic. But it is also an example of the opportunities for America to reach out and find partners in combating this scourge. It is not true that programs to fight AIDS cannot absorb more resources. There is critical and urgent work to be done and committed professionals ready to do it. They just need our help.

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. 2203

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The Government of India has estimated that 4,580,000 people in India are infected with the human immunodeficiency virus (''HIV'') and cases of individuals with the acquired immune deficiency syndrome (''AIDS'') have been reported in almost all the states and union territories of India.

(2) The effort to combat the HIV and AIDS epidemic in India has reached a critical point, as the epidemic is spreading rapidly from urban to rural areas and from high-risk groups to the general population.

(3) Political leaders, public health officials, non-governmental organizations, and medical and scientific communities in India have taken important steps to combat HIV and AIDS in that country, but assistance from the United States is urgently needed to enhance such efforts.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the addition of India as a country for which the Coordinator of United States Government Activities to Combat HIV/AIDS Globally has responsibilities under section 1(f)(2)(B)(ii)(VII) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)(B)(ii)(VII)) should not decrease the amount of funding the Coordinator makes available for assistance to any other such country;

(2) the United States should continue to increase the number of countries eligible to receive assistance from the United States to combat HIV and AIDS; and

(3) the United States should increase the total amount of assistance available to combat HIV and AIDS.

SEC. 3. ASSISTANCE TO COMBAT HIV/AIDS IN INDIA.

Section 1(f)(2)(B)(ii)(VII) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)(B)(ii)(VII)) is further amended by inserting ''India,'' after ''Haiti,''.

By Mr. HATCH (for himself, Mr. SCHUMER, Mr. CORNYN, and Mrs. FEINSTEIN):

S. 2204. A bill to provide criminal penalties for false information and hoaxes relating to terrorism; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, since the September 11th attacks against our Nation, each of us is more conscious of our individual safety and security. No example hit closer to home than when anthrax-infected letters made their way into Senators' offices. Senators, Representatives and staffers were forced to vacate offices, advised to take strong antibiotics, and faced with the uncertainty of whether they contracted a life-threatening disease.

In response to this vulnerability that is now inherent in our everyday lives, Congress has beefed up law enforcement and intelligence tools to combat terrorism better. The key to fighting terrorism is to target those planning terrorist acts and capture them before they can realize their horrific goals. Our law enforcement communities have utilized the new tools we have provided them to respond in a dedicated and professional way to these new challenges.

Unfortunately, we are beginning to see a number of instances where cruel and depraved individuals have engaged in terrorist hoaxes. For example, people have sent letters containing powder or sugar and a note stating that the recipient has now been infected by anthrax. These hoaxes are more than a bad joke. They require a substantial and costly response—evacuation of buildings, emergency medical tests or treatment, and laboratory action. Hoaxes like these, which mimic terrorist acts, undermine public confidence by spreading panic and fear, and drain valuable resources from Federal, State, and local government agencies which must respond to the hoax.

Under current Federal law, it is a felony to perpetrate certain hoaxes, such as saying there is a bomb on an airplane. It is also illegal to communicate a threat using the facilities of interstate commerce that could cause personal injury to someone. However, because hoaxes related to anthrax or other Federal crimes do not always contain specific threats, they may not be covered by current federal law. The Congressional Research Service has noted that this is a gap within the current Federal code.

Clearly, there is a need for tough legislation to reflect the seriousness of this type of crime. This is why Senators SCHUMER, CORNYN, FEINSTEIN and I are introducing the Stop Terrorist and Military Hoaxes Act of 2004. The legislation criminalizes conduct that conveys false or misleading information under circumstances where such information may reasonably be believed. The bill covers hoaxes related to biological, chemical, or nuclear weapons and other federal crimes that do not contain specific or express threats.

In addition, this bill criminalizes intentionally false statements concerning the death, injury, capture or disappearance of a member of the United States Armed Forces. During the recent liberation of Iraq, there were several cruel hoaxes played on family members of those who were risking their very lives in the service of our country. Family members sacrifice alongside service men and women who place their lives in danger in the service of our country. Those family members deserve to be treated with respect and should be free from these cruel deceptions. This bill makes sure that these malicious pranks can be punished appropriately.

America is engaged in a war on terrorisms. In addition to protecting our citizens from terrorist acts, we also need to take measures to ensure that our law enforcement resources are not needlessly wasted by responding to these offensive and expensive terrorist hoaxes. I urge my colleagues to support this measure.

By Mr. LEVIN:

S. 2205. A bill to authorize the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of Ukraine, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, today I introduce a bill to grant normal trade treatment to the products of Ukraine. My brother, Congressman SANDER LEVIN, has introduced an identical bill in the House. We introduced similar bills in the 107th Congress. It is our hope that enactment of this legislation, which builds upon and improves our previous legislative efforts, will help build stronger ties between the United States and Ukraine.

Roughly three decades ago, the Jackson-Vanik amendment was included in the Trade Act of 1974. While relatively small in number of words, this provision helped open up an entire society by exposing the repressive tactics of the Soviet Union. By focusing attention on the emigration restrictions that the Soviet Union placed on its

Jewish citizens, the Jackson-Vanik amendment reiterated American concern about the wide-scale human rights abuses occurring in the Soviet Union. In the process, the Jackson-Vanik amendment played a vital role in changing Soviet society.

The values that for nearly thirty years governed our relations with the Soviet Union, democracy, freedom and the rule of law, remain fundamental values to our nation. This bill seeks to address those concerns while recognizing the anachronistic nature of applying Jackson-Vanik to Ukraine. In addition, this bill provides Congress with a meaningful and effective tool to ensure that U.S. interests are fully addressed in World Trade Organization negotiations for Ukraine.

Ukraine does allow its citizens the right and opportunity to emigrate. Ukraine has been certified as meeting the Jackson-Vanik requirements on an annual basis since 1992 when a bilateral trade agreement went into effect. It is now time for the United States recognize this reality by eliminating the Jackson-Vanik restrictions and granting Ukraine normal trading status on a permanent basis. Our bill does this while addressing traditional Jackson-Vanik issues such as emigration, religious freedom, restoration of property, and human rights. These are the issues that led to the creation of the Jackson-Vanik amendment, and we should not ignore them at this time.

Ukraine has taken some steps toward the creation of democratic institutions and a free-market economy, but much more remains to be done. The way in which Ukraine's October 2004 presidential elections are conducted will go a long way toward determining the future path this important strategic partner and ally will take.

The world is closely watching the process and conduct of this year's presidential elections in Ukraine. Free and fair elections, regardless of their final outcome, will be an important step toward Ukraine's rapproachment with the community of nations. This election will be vital for the process by which it is conducted. Thus far, there remains reason for concern.

In Ukraine, there are many working to promote free and fair elections; however, the staff of many civic and nongovernmental organizations are being harassed, intimidated and even physically harmed. In addition, members of the media are facing similarly hostile and life threatening situations. Just this month, Ukrainian affiliates of Radio Free Europe and Radio Liberty have been taken off the air, arrested and had their stations raided. Such actions are inexcusable and not in keeping with the fundamental values of freedom, openness and the rule of law. It is my hope that the October 2004 elections will aid Ukraine's transformation from a nation where fear undermines public discourse into a nation where all facets of society can freely engage in the market-place of ideas without fear of recrimination. The Ukrainian people deserve no less.

Jackson-Vanik no longer applies to Ukraine and should be waived. But we need to utilize other ways to address the many problems facing Ukraine. I also hope that this legislation will remind Ukraine of the benefits it can and will accrue when it rightfully assumes its place among those nations that are guided by democracy, transparency and the rule of law.

By Mr. SHELBY:

S.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by the Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

Mr. SHELBY. Mr. President, as we continue to debate the Federal Government's fiscal year 2005 budget, I can think of no better time to discuss the need for a balanced budget amendment to the Constitution. It is for that reason that I stand before you today—to introduce a balanced budget amendment to the Constitution.

This is the same amendment that I have introduced in every Congress since the 97th Congress. Throughout my entire tenure in Congress, during the good economic times and the bad, I have devoted much time and attention to this idea because I believe that one of the most important things the Federal Government can do to enhance the lives of all Americans and future generations is to balance the Federal budget.

Our Founding Fathers, wise men indeed, had great concerns regarding the capability of those in government to operate within budgetary constraints. Alexander Hamilton once wrote that ''. . . . . there is a general propensity in those who govern, founded in the constitution of man, to shift the burden from the present to a future day.'' Thomas Jefferson commented on the moral significance of this ''shifting of the burden from the present to the future.'' He said: ''the question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts and morally bound to pay them ourselves.''

I completely agree with these sentiments. History has shown that Hamilton was correct. Those who govern have, in fact, saddled future generations with the responsibility of paying for their debts. Over the past 30 years, annual deficits have become routine and the Federal Government has built up massive debt. Furthermore, Jefferson's assessment of the significance of this is also correct: intergenerational debt shifting is morally wrong.

Over the years, we have witnessed countless ''budget summits'' and ''bipartisan budget deals,'' and we have heard, time and again, the promises of ''deficit reduction.'' But despite all of these charades, the Federal budget remains severely out of balance today. The truth is, it will never be balanced as long as the President and the Congress are allowed to shortchange the welfare of future generations to pay for current consumption. This is evidenced by the fact that I stood in this same place, introducing this same legislation during both the 106th and the 107th Congresses while the Federal budget was actually in balance. But alas, I stand here today with an enormous Federal deficit and a ballooning Federal debt.

A balanced budget amendment to the Constitution is the only certain mechanism to break the cycle of deficit spending and ensure that the Government does not continue to saddle our children and grandchildren with the current generation's debts.

A permanently balanced budget would have a considerable impact in the everyday lives of the American people. A balanced budget would dramatically lower interest rates thereby saving money for anyone with a home mortgage, a student loan, a car loan, credit card debt, or any other interest rate sensitive payment responsibility. Simply by balancing its books, the Federal Government would put real money into the hands of hard working people. Moreover, if the government demand for capital is reduced, more money would be available for private sector use, which in turn, would generate substantial economic growth and create thousands of new jobs.

More money in the pockets of Americans and more job creation by the economy can become a reality with a simple step—a balanced budget amendment.

On the other hand, without a balanced budget amendment, the Government will continue to waste the taxpayers' money on unnecessary interest payments. In fiscal year 2003, the Federal Government spent more than $318 billion just to pay the interest on the national debt. That is more than the amount spent on all education, job training, and crime programs combined.

We might as well be taking these hard-earned tax dollars and pouring them down the drain. I believe that this money could be better spent on improving education, developing new medical technologies, finding a cure for cancer, or even returning it to the people who earned it in the first place. But instead, about 15 percent of the Federal budget is being wasted on interest payments because advocates of big government continue to block all efforts to balance the budget.

A balanced budget amendment to the Constitution can be the solution to this perpetual problem. A balanced budget amendment will put us on a path to paying off our national debt, which is currently more than $7 trillion. This amendment will help ensure that taxpayers' money will no longer be wasted on interest payments.

Opponents of a balanced budget amendment treat it as if it is something extraordinary. They are right, a balanced Federal budget would be extraordinary. And I believe that adopting an amendment that would require the Federal Government to do what every American already has to do—balance their checkbook—is exactly what this country needs to prove that Washington is serious about accomplishing this extraordinary feat. A balanced budget amendment is simply a promise to the American people that the Government will spend their hard-earned tax dollars responsibly. I think that we owe our constituents and future generations of Americans that much.

We do not need any more budget deals or false promises from Washington to reduce the deficit. What we need is a hammer to force Congress and the President to agree on a balanced budget, not just this year, but forever. A constitutional amendment to balance the Federal budget is the only hammer forceful enough to make that happen.

I urge my colleagues to join with me in supporting this important legislation.

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.J. RES. 29

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, to be valid only if ratified by the legislatures of three-fourths of the several States within 7 years of the date of final passage of this joint resolution:

''ARTICLE—

''SECTION 1. The total amount of money expended by the United States in any fiscal year shall not exceed the total amount of revenue received by the United States during such fiscal year, except revenue received from the issuance of bonds, notes, or other obligations of the United States.

''SECTION 2. The total amount of money expended by the United States in any fiscal year shall not exceed the amount equal to 20 per centum of the gross national product of the United States during the last calendar year ending before the beginning of such fiscal year.

''SECTION 3. Sections 1 and 2 of this Article shall not apply during any fiscal year during any part of which the United States is at war as declared by the Congress under section 8 of Article I of the Constitution.

''SECTION 4. Sections 1 and 2 of this Article may be suspended by a concurrent resolution approved by a three-fifths vote of the Members of each House of the Congress. Any suspension of sections 1 and 2 of this Article under this section shall be effective only during the fiscal year during which such suspension is approved.

''SECTION 5. This Article shall take effect on the first day of the first fiscal year beginning after the date of the adoption of this Article.

''SECTION 6. The Congress shall have power to enforce this Article by appropriate legislation.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 318—EXPRESSING THE SENSE OF THE SENATE THAT THE POSTAGE STAMP SHOULD BE ISSUED IN COMMEMORATION OF DIWALI, A FESTIVAL CELEBRATED BY PEOPLE OF INDIAN ORIGIN

Mr. LAUTENBERG (for himself and Mr. CORZINE) submitted the following resolution; which was referred to the Committee on Government Affairs:

Mr. LAUTENBERG. Mr. President, I rise today to submit a resolution expressing the Sense of the Senate that the Citizens' Stamp Advisory Commission should issue a postage stamp honoring Diwali.

Diwali, known colloquially as the ''festival of light,'' is celebrated annually in Indian communities worldwide. Diwali marks the beginning of the Hindu New Year and signifies the renewal of life for all. Traditionally lasting five days, it is common practice for celebrants to light small oil lamps, called diyas, and place them around the home and pray for health, knowledge, and peace. Light represents the triumph of good over evil, and signifies optimism for the future.

Christmas, Kwanzaa, Hanukkah, and Eid have already been recognized on United States postage stamps. It would be appropriate to add Diwali to this distinguished list. It is a holiday about community, family, and hope for the future—qualities the Senate should highlight and embrace.

S. RES. 318

Resolved, That it is the sense of the Senate that—

(1) a postage stamp should be issued by the United States Postal Service in commemoration of Diwali, a festival celebrated by people of Indian origin; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

SENATE RESOLUTION 319—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE DEADLY TERRORIST ATTACKS AGAINST THE PEOPLE OF SPAIN THAT OCCURRED ON MARCH 11, 2004

Mr. FRIST (for himself, Mr. DASCHLE, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRAHAM of South Carolina, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 319

Expressing the sense of the Senate with respect to the deadly terrorist attacks against the people of Spain that occurred on March 11, 2004.

Whereas on March 11, 2004, terrorists detonated a total of 10 bombs at 6 train stations in and around Madrid, Spain during morning rush hour, killing more than 190 people and injuring more than 1,200 others;

Whereas these attacks constitute the worst acts of terrorism ever experienced in Spain;

Whereas no organization has claimed responsibility for the terrorist attacks;

Whereas the terrorist organization known as ETA, which has been responsible for the deaths of more than 800 people during its decades long campaign to establish an independent Basque State, is a prime suspect as the perpetrator of these cowardly acts of terrorism against innocent people;

Whereas officials in Spain initiated another line of investigation to identify the perpetrators of the terrorist attacks after a van was found with detonators and an Arabic-language tape of Koranic verses;

Whereas President Jose Maria Aznar has stated that ''we shall not forget'', bravely declared that Spain would not change its policies because of terrorist pressure, and declared three days of national mourning;

Whereas the President of the European Parliament has stated that the terrorist attacks are ''a declaration of war on democracy'', Pope John Paul II has described the attacks as ''despicable'', and the United Nations Secretary General Kofi Annan expressed profound shock and indignation over this ''senseless killing of innocent people''; and

Whereas President George W. Bush has already called President Aznar to offer his condolences and to assure him that ''the United States stands resolutely with Spain in the fight against terrorism in all its forms and against the particular threat that Spain faces from the evil of ETA terrorism'': Now, therefore, be it