

LLEEA requires the Attorney General to appoint a Federal prosecutor to promote cooperation between Federal and local law enforcement. In addition, the bill recognizes that not all violence constitutes a hate crime, and provides that only those motivated by bias, with the intent to terrorize the victim, may be prosecuted as hate crimes.

LLEEA has been endorsed by more than 175 law enforcement, civil rights, and religious organizations, including attorneys general for 22 States, the National Sheriffs' Association, the International Association of Chiefs of Police; and the U.S. Conference of Mayors.

Nobody should live in fear because of who they are. Congress cannot continue to sit silently by while hatred spreads. And as Americans, it is time for us to send a message that we are prepared to confront this national plague and take another step closer to making Dr. King's dream a reality.

Mr. PRYOR. Mr. President, yesterday we celebrated the life and legacy of a great man, a bold leader who inspired courage, unity and compassion. He changed the path of America's conscience, and he left his mark on Arkansas in so many ways. Dr. King time and time again came to the aid of Arkansans and supported others who were making significant sacrifices for civil rights.

In May of 1958, Dr. King stood in the audience at Central High School to witness the graduation ceremony of Ernest Green from Little Rock Central High. Ernest was the first of the nine black teenagers who integrated Central High School in 1957. Ernest, along with Elizabeth Eckford, Gloria Ray Karlmark, Carlotta Walls LaNier, Minnijean Brown Trickey, Terrence Roberts, Jefferson Thomas, Thelma Mothershed Wair and Melba Pattillo Beals shaped history by valiantly attending a previously all-white school.

Of her experience, Melba Pattillo Beals recalls:

I had to become a warrior. I had to learn not how to dress the best but how to get from that door to the end of the hall without dying.

These students' selfless act of courage changed history for all Americans in a tale that continues to have immediacy today.

As a student of Central High, I can tell you the impact of the Little Rock Nine is felt in the halls and in the hearts of its student body and teachers today.

Central High was designated as a unit of the national park system in 1998. In 2002, over 24,000 people visited the historic site with estimates of a potential 60,000 visitors by 2007. Incidentally, 2007 will be the 50th anniversary of the 1957-1958 Little Rock desegregation crises.

Dr. King was a man of eloquent and powerful words, and he exemplified his principles of love, tolerance, reconciliation and equality. As we all know, he sacrificed his life to usher in oppor-

tunity and freedom for all individuals. I remind my colleagues that we must do more than quote the empowering words of Dr. King. We must do more walking and less talking. As we honor Dr. King, I must approach a subject that has been so heavy on my mind.

I am disappointed to learn that the \$267,000 that I requested for planning the National Park Service's Little Rock Central High School Visitors Center was not funded in the Interior Appropriations bill, as I and other members of the Arkansas congressional delegation had hoped it would be.

The conference report notes that Central High was authorized in 1998 and that the general management plan was completed in 2002 and recommended a visitor facility. But then it goes on to say generally that this project is not a construction priority.

I am putting my colleagues on notice that I am going to fight for funds for not only planning but building this visitors center in this year's budget, and I urge my colleagues to join me in supporting a proposal that will complete the Little Rock Central High Visitors Center in time for the 50th anniversary in 2007.

The Little Rock Nine brought us closer to realizing Dr. King's dream of "the promised land," but we are not there yet. The visitors center will remind us where we once were, but also how much farther we need to go if we are to truly open the doors of opportunity for all individuals. Join me in supporting a message that is as important today as it was in 1957. Join me in supporting Dr. King's teachings and the bravery of nine black children.

#### HONORING THE LIFE OF FORMER SENATOR PAUL SIMON

Mr. FEINGOLD. Mr. President, today I wish to commemorate the distinguished life and career of my friend and former colleague, Senator Paul Simon.

Paul will forever be remembered for the great respect he earned during his 40 years of public service, thanks to his sharp intellect and tremendous leadership. These traits were as much a signature for him as his famous bow tie.

Paul's life is a testament to the fact that public service truly can be a noble calling. His service to his constituents was an inspiration. His office often handled more cases than any other Senate office. During his tenure he held over 600 town meetings in his home State of Illinois. Senator Simon's dedication to those he represented made him a role model to many, including myself. That is why I am proud to have campaigned for Senator Simon during his 1988 run for the Democratic nomination for the presidency.

Paul Simon was dedicated to education. He played a vital role in improving literacy and supporting adult education. His hard work on making student loans more affordable allowed many Americans the chance to go to

college. He was also committed to helping working Americans and, throughout his long career, he never lost touch with their concerns.

Senator Simon's dedication to public service and the education of others continued after his retirement when he founded the Southern Illinois University Public Policy Institute.

I was fortunate enough to serve with Senator Simon on both the Judiciary and Foreign Relations Committees. We worked together on many issues, but I will especially remember him for his commitment to campaign finance reform. His support during the early days of campaign finance reform was invaluable. I truly regret that he passed just 1 day before the Supreme Court's historic decision to uphold the Bipartisan Campaign Finance Reform Act.

During a time when many feel that political partisanship is on the rise, Paul Simon remains an example of decency and integrity. He was a mentor to me and so many others who were fortunate enough to have known and worked with him. He will be deeply missed. I will remain forever grateful for the work he did, for the example he set, and for his friendship, which I will always treasure.

#### BUDGET SCOREKEEPING REPORT

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

This report shows the effects of congressional action on the 2004 budget through December 9, 2003. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is below the budget resolution by \$2.1 billion in budget authority and by \$7.2 billion in outlays in 2004. Current level for revenues is \$227 million below the budget resolution in 2004.

Since my last report, dated November 21, 2003, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for 2004: Fourth continuing resolution, 2004, P.L. 108-135; An act to authorize salary adjustments for justices and judges of the United States, P.L. 108-167; Medicare Prescription Drug, Improvement and Modernization Act of 2003, P.L. 108-173; Flight 100—Century of Aviation Reauthorization Act, P.L. 108-176; Hometown Heroes Survivors Benefits Act of 2003, P.L. 108-182; Veterans Benefits Act of 2003, P.L. 108-183; Fifth continuing resolution, 2004, P.L. 108-185;

Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, P.L. 108-187; Compact of Free Association Amendments of 2003, P.L. 108-188; and, Mental Health Parity Reauthorization Act of 2003, P.L. 10-197.

I ask unanimous consent to print the following information in the RECORD.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, January 15, 2003.

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

DEAR MR. CHAIRMAN: The enclosed table show the effects of Congressional action on the 2004 budget and are current through December 9, 2003 (the last day that the Senate was in session). This report is submitted

under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

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

Since my last letter dated November 20, 2003, the Congress has cleared and the President has signed the following acts which changed budget authority, outlays, and revenues for 2004:

The fourth continuing resolution (Public Law 108-135);

An act to authorize salary adjustments for justices and judges of the United States (Public Law 108-167);

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173);

The Flight 100—Century of Aviation Reauthorization Act (Public Law 108-176);

The Hometown Heroes Survivors Benefits Act of 2003 (Public Law 108-182);

The Veterans Benefits Act of 2003 (Public Law 108-183);

The fifth continuing resolution (Public Law 108-185);

The Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (Public Law 108-187);

The Compact of Free Association Amendments of 2003 (Public Law 108-188); and

The Mental Health Parity Reauthorization Act of 2003 (Public Law 108-197).

In addition, a correction was made to the final scoring of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136). The estimates of budget authority and outlays were each decreased by \$14 million for fiscal year 2004.

The effects of these actions are detailed in table 2.

Sincerely,

ELIZABETH M. ROBINSON

(For Douglas Holtz-Eakin, Director).

Enclosures.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF DECEMBER 9, 2003

[In billions of dollars]

	Budget resolution	Current level <sup>1</sup>	Current level over/under (—) resolution
On-budget:			
Budget Authority .....	1,873.5	1,871.3	— 2.1
Outlays .....	1,897.0	1,889.7	— 7.2
Revenues .....	1,331.0	1,330.8	— 0.2
Off-budget:			
Social Security Outlays .....	380.4	380.4	0
Social Security Revenues .....	557.8	557.8	*

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

Note: \*—less than \$50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF DECEMBER 9, 2003

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues .....	n.a.	n.a.	1,466,370
Permanents and other spending legislation <sup>1</sup> .....	1,081,649	1,054,550	n.a.
Appropriation legislation .....	0	345,754	n.a.
Offsetting receipts .....	— 366,436	— 366,436	n.a.
Total, enacted in previous sessions .....	715,213	1,033,868	1,466,370
Enacted this session:			
Authorizing Legislation:			
American 5-Cent Coin Design Continuity Act of 2003 (P.L. 108-15) .....	— 1	— 1	0
Postal Civil Service Retirement System Funding Reform Act of 2003 (P.L. 108-18) .....	2,746	2,746	0
Clean Diamond Trade Act (P.L. 108-19) .....	0	0	*
Prosecutorial Remedies and Other Tools To End Exploitation of Children Today Act (P.L. 108-21) .....	0	0	*
Unemployment Compensation Amendments of 2003 (P.L. 108-26) .....	4,730	4,730	145
Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27) .....	13,312	13,312	— 135,370
Veterans' Memorial Preservation and Recognition Act of 2003 (P.L. 108-29) .....	0	0	*
Welfare Reform Extension Act of 2003 (P.L. 108-40) .....	99	108	0
Burmese Freedom and Democracy Act (P.L. 108-61) .....	0	0	— 10
Smithsonian Facilities Authorization Act (P.L. 108-72) .....	1	1	0
Family Farmer Bankruptcy Relief Act of 2003 (P.L. 108-73) .....	0	0	*
An act to amend Title XXI of the Social Security Act (P.L. 108-74) .....	1,325	100	0
Chile Free Trade Agreement Implementation Act (P.L. 108-77) .....	0	0	— 5
Singapore Free Trade Agreement Implementation Act (P.L. 108-78) .....	0	0	— 55
First continuing resolution, 2004 (P.L. 108-84) .....	— 2,222	1	— 2
Surface Transportation Extension Act of 2003 (P.L. 108-88) .....	6,405	0	0
An act to extend the Temporary Assistance for Needy Families block grant program (P.L. 108-89) .....	15	— 36	33
An act to amend chapter 84 of title 5 of the United States Code (P.L. 108-92) .....	1	1	0
An act to amend the Immigration and Nationality Act (P.L. 108-99) .....	0	0	2
Check Clearing Act for the 21st Century (P.L. 108-100) .....	0	0	*
An act to amend Title 44 of the United States Code (P.L. 108-102) .....	0	0	*
Second continuing resolution, 2004 (P.L. 108-104) .....	1	0	*
Partial-Birth Abortion Act of 2003 (P.L. 108-105) .....	0	0	*
Third continuing resolution, 2004 (P.L. 108-107) .....	0	0	— 1
Military Family Tax Relief Act of 2003 (P.L. 108-121) .....	— 599	— 599	— 169
An act to amend Title XXI of the Social Security Act (P.L. 108-127) .....	0	9	0
District of Columbia Military Retirement Equity Act of 2003 (P.L. 108-133) .....	1	1	1
An act to reauthorize certain school lunch and child nutrition programs (P.L. 108-134) .....	7	7	0
Fourth continuing resolution, 2004 (P.L. 108-135) .....	0	0	— 5
National Defense Authorization Act for Fiscal Year 2004 (P.L. 108-136) .....	4,404	946	4
An act to authorize salary adjustments for justices and judges of the United States (P.L. 108-167) .....	3	3	0
Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (P.L. 108-173) .....	4,800	3,800	— 167
Flight 100—Century of Aviation Reauthorization Act (P.L. 108-176) .....	19	— 2	1
Hometown Heroes Survivors Benefits Act of 2003 (P.L. 108-182) .....	10	10	0
Veterans Benefits Act of 2003 (P.L. 108-183) .....	— 77	— 77	0
Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (P.L. 108-187) .....	0	0	3
Compact of Free Association Amendments Act of 2003 (P.L. 108-188) .....	28	28	0
Mental Health Parity Reauthorization Act of 2003 (P.L. 108-197) .....	0	0	— 2
Total, authorizing legislation .....	35,008	25,088	— 135,597
Appropriation Acts:			
Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11) .....	215	27,349	0
Legislative Branch Appropriations (P.L. 108-83) .....	3,539	3,066	0
Defense Appropriations (P.L. 108-87) .....	368,694	251,486	0

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF DECEMBER 9, 2003—

Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Homeland Security Appropriations (P.L. 108-90) .....	30,216	18,192	0
Emergency Supplemental Appropriations Act for Defense and Reconstruction of Iraq and Afghanistan (P.L. 108-106) .....	3,555	1,133	0
Interior Appropriations (P.L. 108-108) .....	19,673	13,202	0
Military Construction Appropriations (P.L. 108-132) .....	9,316	12,567	0
Energy and Water Appropriations (P.L. 108-137) .....	27,328	18,143	0
Total, appropriation acts .....	462,536	335,138	0
Continuing Resolution Authority:			
Continuing Resolution, 2004 (P.L. 108-185) .....	300,166	157,548	0
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	358,395	338,102	n.a.
Total Current Level <sup>1,2</sup> .....	1,871,318	1,889,744	1,330,773
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	n.a.	n.a.	n.a.
Current Level Under Budget Resolution .....	2,141	7,229	227

<sup>1</sup> Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following items: outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108-69); outlays of \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108-83); budget authority of \$400 million and outlays of \$67 million provided in the Interior Appropriations Act, 2004 (P.L. 108-108); and budget authority of \$83,992 million and outlays of \$35,970 million provided in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (P.L. 108-106).

<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

Notes:—n.a. = not applicable; P.L. = Public Law; \* = less than \$500,000.

SOURCE: Congressional Budget Office.

### 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 early May 2003, Jessica Mercado, a Latina transgender woman was found dead in her apartment. According to police reports, Mercado was stabbed twice in the neck in her New Haven, CT apartment which was then set on fire in a possible attempt to cover up the crime.

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

### TROUBLING PRE-ELECTION DEVELOPMENTS IN UKRAINE

Mr. CAMPBELL. Mr. President, as co-chairman of the Helsinki Commission and the sponsor of the 2002 Senate-passed resolution urging the Ukrainian Government to ensure a democratic, transparent and fair election process in advance of their parliamentary elections, I find recent developments relating to upcoming presidential elections in Ukraine deeply troubling.

Ten months before these critical elections, a constitutional amendment is making its way through the Ukrainian parliament designed to ensure that the current, corruption riddled powers-that-be retain their grip on power, neutralizing the leader of the biggest democratic fraction in parliament and Ukraine's most popular politician, Victor Yushchenko. The amendment calls for abbreviating the presidential term for the October 2004 elections to 2 years, with the election of a president

by the parliament in 2006, notwithstanding opinion polls indicating that the overwhelming majority of Ukrainians support preserving direct presidential elections. This amendment had been approved by Ukraine's Constitutional Court in a decision which has led many observers both within and outside of Ukraine to question the independence of the court. The court's decision a few weeks ago to allow President Kuchma to run for a third term, despite the 1996 constitution's 2-term limit, has only raised more questions.

Media repression continues, including the issuance of directives sent to media by the presidential administration on what and how issues and events should be covered, especially in the electronic media. A recent Freedom House report concludes that:

The current state of affairs of Ukraine's media raises serious questions as to whether a fair and balanced electoral contest can be held.

Newspapers critical of the authorities are subjected to various methods of repression, including attacks against journalists, arrests of publishers, "special attention" via tax inspections, administrative controls over distribution and pressure on advertisers.

At the same time, administrative measures are being taken to prevent lawful political activity, the most stark example of which was the disruption—instigated by the authorities—of a national congress of the Yushchenko-led Our Ukraine bloc in Donetsk last November. Most recently, a presidential decree dismissed the elected Our Ukraine mayor of Mukachevo, despite a ruling by the Supreme Court which confirmed that he had been elected in a legitimate way. In a telling twist, an acting mayor from the political party led by the head of the presidential administration, Victor Medvedchuk, has been installed.

As co-chairman of the Helsinki Commission, I share the concern of colleagues on both sides of the aisle that the presidential elections in Ukraine scheduled for October be free, fair, open and transparent and conducted in a manner consistent with Ukraine's

freely undertaken commitments as a member of the Organization for Security and Cooperation in Europe—OSCE. The Helsinki Commission, consistent with our mandate to monitor and encourage compliance with OSCE agreements by all participating states, will continue to follow the situation in Ukraine closely.

I ask unanimous consent that the text of a recent Washington Post editorial on troubling pre-election developments in Ukraine be printed in the RECORD.

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

[From the Washington Post, Jan. 12, 2004]

#### A RESOLUTION FOR UKRAINE

According to Secretary of State Colin L. Powell, the Bush administration's first foreign policy resolution for 2004 is "to expand freedom." And not only in Iraq and the Middle East: In an op-ed article published in the New York Times, Mr. Powell promised to support "the consolidation of freedom in many new but often fragile democracies . . . in Latin America, Europe, Asia and Africa." We hope that support will extend beyond the rhetoric that too often has substituted for genuine democratic advocacy during President Bush's first three years—and that it will be applied even where the United States has interests that make toleration of autocracy tempting.

One region where such U.S. engagement, or its absence, might prove decisive is the band of former Soviet republics to the west and south of Russia. Several are struggling democracies; others are ruled by autocrats. Almost all are under threat from Moscow's resurgent imperialism. As the tiny state of Georgia recently demonstrated, democracy is the best defense against Russian President Vladimir Putin's attempts to create a Kremlin-dominated sphere of influence. Countries that have held free and fair elections have tended to gravitate toward strengthening their independence and seeking good relations with the West, while unstable autocrats are more likely to yield to Mr. Putin.

The country closes to a tipping point may be Ukraine. Like Russia, Ukraine has an electoral democracy tainted by corruption and strong-arm tactics and an economy warped by clans of oligarchs. Much of its population, however, aspires to integration with the West. President Leonid Kuchma has been linked to corruption and serious human rights violations. In recent months he has