

known as "The Bluff" alongside the Cape Fear River 4 miles south of the Lower Little River;

Whereas in 1754, the area known as Cumberland County was formed from lands carved from Bladen County and was named in honor of William Augustus, Duke of Cumberland, third son of George II, King of England, an area which reflected a mixture of ethnic and national backgrounds;

Whereas each municipality was individually chartered: Falcon in 1913; Fayetteville in 1762; Godwin in 1905; Hope Mills in 1891; Linden in 1913; Spring Lake in 1951; Stedman in 1913; and Wade in 1913;

Whereas on June 20, 1775, 13 months before the Declaration of Independence, a group of Cumberland County's active patriots signed "The Association" later called the "Liberty Point Resolves", a document that vowed to "Go forth and be ready to sacrifice our lives and fortunes to secure her freedom and safety"; a marker at the point lists the signers of "The Association";

Whereas the period of the American Revolution was a time of divided loyalties in Cumberland County, and a considerable portion of the population, especially Highland Scots, were staunchly loyal to the British Crown, among them was the famous Scottish heroine Flora McDonald;

Whereas African-American people, both slaves and free citizens, were represented in the early population of Cumberland County, and during the American Revolution several of the county's free African-Americans fought for the patriot cause; among the notables was the midwife Aunt Hannah Mallet (1755-1857) who died at the age of 102; she delivered hundreds of babies in her lifetime, and she typified the courage and vital role of the early 19th-century African-American community;

Whereas in 1783, the towns of Campbellton and Cross Creek merged to become Fayetteville, the first town in the United States named in honor of the Revolutionary War hero, Marquis de Lafayette;

Whereas in November 1789, the North Carolina General Assembly voted to adopt and ratify the United States Constitution at the Market House in Fayetteville, then known as the State House;

Whereas in 1789, the University of North Carolina, the first State university chartered in the United States, was chartered by the North Carolina General Assembly in Fayetteville, it being the first State university;

Whereas in 1793, the Fayetteville Independent Light Infantry Company was organized in Cumberland County; it has the distinction of being the oldest military unit in the South in continuous existence;

Whereas in 1816, the Fayetteville Observer was founded as a weekly newspaper; it is now published daily and is North Carolina's oldest newspaper still in publication;

Whereas in 1825, the Marquis de Lafayette visited the city named for him and stayed in the McRae family home that once stood on the site of the Historic Courthouse on Gillespie Street in Fayetteville;

Whereas in 1831, the Great Fire destroyed the State House (the Market House) and many other buildings and caused more damage than the 1871 Chicago fire or the 1906 San Francisco earthquake;

Whereas in 1865, General William T. Sherman brought the Union Army to Cumberland County, destroying the Confederate arsenal and effectively bringing the county back into the Union;

Whereas in 1867, 7 visionary African-American citizens of Cumberland County paid about \$136 for 2 lots on Gillespie Street and formed the self-perpetuating Board of Trustees of the Howard School for the education of African-American youth; this school later

became Fayetteville State University (FSU), which now offers 41 undergraduate programs, 22 graduate programs, and 1 doctoral program; FSU has 18 Central Intercollegiate Athletic Association (CIAA) and 2 National Collegiate Athletic Association (NCAA) championships;

Whereas in 1914, Babe Ruth, the New York Yankee great, hit his first homerun as a professional at the old ballpark on Gillespie Street in Cumberland County, and in doing so, the 19-year-old "babe" so amazed the crowd, that George Herman Ruth was forever known by the nickname, "Babe", bestowed upon him while playing in Cumberland County;

Whereas in 1918, Camp Bragg was established from lands ceded from Cumberland County; it is now known as Fort Bragg, home of the 18th Airborne Corps, the 82d Airborne Division, and the United States Army Special Operations Command;

Whereas Fort Bragg was named for North Carolina native Lt. General Braxton Bragg; Fort Bragg soldiers and their families continue to be an integral part of the history and heritage of Cumberland County;

Whereas in 1919, Pope Army Airfield was established and remained part of the Army Air Corps until 1947 when the United States Air Force was established; it was home to the 43d Airlift Wing and the 18th Air Support Operations Group; Pope airmen and their families continue to be an integral part of the history and heritage of Cumberland County;

Whereas on November 1, 1956, Methodist College was chartered as a senior coeducational liberal arts college; it has grown to more than 2,100 students who hail from 48 States and 30 countries, graduated 8,145 students, and awarded associate's, bachelor's, or master's degrees in 57 majors and concentrations; Methodist College NCAA Division III athletic teams have earned 24 national championship titles;

Whereas in 1961, Fayetteville Technical Community College (FTCC) was founded as the Fayetteville Area Industrial Education Center, with a faculty and staff of 9 people serving 50 students, and has since evolved into a comprehensive institution serving approximately 40,000 students annually, offering more than 121 programs;

Whereas Cumberland County's 6th courthouse, circa 1924, which is listed on the National Register of Historic Places, is being established and dedicated, pursuant to the county's 250th anniversary, as a gallery of early prominent members of the local bar and elected county officials; and

Whereas Cumberland County and the municipalities of Falcon, Fayetteville, Godwin, Hope Mills, Linden, Spring Lake, Stedman, and Wade, along with civic groups, private businesses and military partners, are joining together to celebrate 250 years of history, culture, and diversity; the celebration will take place March 26-28, 2004: Now, therefore, be it

*Resolved*, That the Senate commemorates the 250th Anniversary Celebration of the county of Cumberland, North Carolina, its municipalities, and other community partners.

#### NATIONAL HOUSING ACT AMENDMENT

Mr. FRIST. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 3724 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3724) to amend section 220 of the National Housing Act to make a technical correction to restore allowable increases in the maximum mortgage limits for FHA-insured mortgages for multifamily housing projects to cover increased costs of installing a solar energy system or residential energy conservation measures.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3724) was read the third time and passed.

#### SENATE BUSINESS

Mr. FRIST. Mr. President, this week the Senate completed action on S. Con. Res. 95, the fiscal year 2005 budget resolution, under the tremendous leadership of Chairman NICKLES. As we look over the last 4 days, we have had a very busy course with debating and disposing of 64 amendments to the budget resolution. There were 25 rollcall votes in relation to the amendments, including passage.

We had a long day of voting yesterday until the early hours of this morning with 19 votes, and Senator NICKLES guided the budget resolution to passage early this morning by a vote of 51 to 45.

In addition to that business, we were able to clear executive nominations. The Senate confirmed 17 nominations. Two of the nominations confirmed were district judges from Arizona and Mississippi. I am pleased we were able to clear these judicial nominations, and I look forward to continuing this process for the remaining nominations that are on the calendar.

Indeed, there are approximately 22 judges on the calendar, of which I believe 15 or so should move expeditiously. I will continue to work with the Democratic leader in scheduling these when we return from the recess. I understand the Democratic leader mentioned additional nominations, and I will be consulting with him on those as well. He mentioned them earlier today and last night, and we will be consulting on those nominations.

Late last night, as I mentioned earlier, the Senate confirmed the nomination of Mark McClellan to be Administrator of the Centers for Medicare and Medicaid Services.

Yesterday, the Senate also spoke with one voice with regard to a tragedy, the deadly attack yesterday against the people of Spain. Our condolences were expressed. We had a moment of silence yesterday to honor the people of Spain. In addition, we sponsored a resolution that condemned this

cowardly act. Our prayers continue to go out to the leaders and the people of Spain over what we know is a very difficult time.

In addition, we consider other matters that people do not see very much, and I won't go through all of them, but we passed S. 741, the animal drug bill that Senator SESSIONS sponsored that provides for new drugs on what are called minor animals.

We passed H.R. 3195 just this morning, a bill that extends Small Business Administration programs. That is Senator SNOWE's bill.

We passed H.R. 254, which are amendments to the U.S.-Mexico Agreement on the Border Environment Cooperation Commission and the North American Development Bank. Senator HUTCHISON was instrumental in clearing this bill.

The list goes on. I did want to reflect the amount of work we were able to pull through over the course of the week.

In addition, we were able to ratify the United States-Japan Tax Treaty reported by Chairman LUGAR and the Foreign Relations Committee. This is a very important treaty.

We just passed Senator ALEXANDER's S. 1881, the Medical Devices and Technical Correction Act.

Senator SPECTER secured passage of S. 2043, which designates a Federal building in Harrisburg, PA, as the "Ronald Reagan Federal Building."

Senator SHELBY assisted in passage of H.R. 3724.

So we had a very productive week by anyone's measure. I wanted to notice the hard work and efforts of all of my colleagues with respect to these legislative and executive accomplishments.

#### REMOVAL OF INJUNCTION OF SECRECY

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties, which I will send to the desk, and that were transmitted to the Senate on March 12, 2004, by the President of the United States. I further ask unanimous consent that the treaties be considered as having been read the first time; that they be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD. I now send that list to the desk.

The list is as follows:

Investment Protocol with Estonia (Treaty Doc. 108-17);

Additional Investment Protocol with the Czech Republic (Treaty Doc. 108-18);

Additional Investment Protocol with the Slovak Republic (Treaty Doc. 108-19);

Additional Investment Protocol with the Latvia (Treaty Doc. 108-20);

Additional Investment Protocol with Lithuania (Treaty Doc. 108-21); and

Additional Protocol Concerning Business and Economic Relations with Poland (Treaty Doc. 108-22).

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Protocol.

I have already forwarded to the Senate similar Protocols for Romania and Bulgaria and now forward simultaneously to the Senate Protocols for the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic. Each of these Protocols is the result of an understanding the United States reached with the European Commission and these six countries that will join the European Union (EU) on May 1, 2004, as well as with Bulgaria and Romania, which are expected to join the EU in 2007.

The understanding is designed to preserve U.S. bilateral investment treaties (BITs) with each of these countries after their accession to the EU by establishing a framework acceptable to the European Commission for avoiding or remedying present and possible future incompatibilities between their BIT obligations and their future obligations of EU membership. It expresses the U.S. intent to amend the U.S. BITS, including the BIT with Estonia, in order to eliminate incompatibilities between certain BIT obligations and EU law. It also establishes a framework for addressing any future incompatibilities that may arise as EU authority in the area of investment expands in the future, and endorses the principle of protecting existing U.S. investments from any future EU measures that may restrict foreign investment in the EU.

The United States has long championed the benefits of an open investment climate, both at home and abroad. It is the policy of the United States to welcome market-driven foreign investment and to permit capital to flow freely to seek its highest return. This Protocol preserves the U.S. BIT with Estonia, with which the United States has an expanding relationship, and the protections it affords U.S. investors even after Estonia joins the EU. Without it, the European Commission would likely require Estonia to terminate its U.S. BIT upon accession because of existing and possible future incompatibilities between our current BIT and EU law.

I recommend that the Senate consider this Protocol as soon as possible, and give its advice and consent to ratification at an early date.

GEORGE W. BUSH.  
THE WHITE HOUSE, March 12, 2004.

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Protocol.

I have already forwarded to the Senate similar Protocols for Romania and Bulgaria and now forward simultaneously to the Senate Protocols for the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic. Each of these Protocols is the result of an understanding the United States reached with the European Commission and these six countries that will join the European Union (EU) on May 1, 2004, as well as with Bulgaria and Romania, which are expected to join the EU in 2007.

The understanding is designed to preserve U.S. bilateral investment treaties (BITs) with each of these countries after their accession to the EU by establishing a framework acceptable to the European Commission for avoiding or remedying present and possible future incompatibilities between their BIT obligations and their future obligations of EU membership. It expresses the U.S. intent to amend the U.S. BITS, including the BIT with the Czech Republic, in order to eliminate incompatibilities between certain BIT obligations and EU law. It also establishes a framework for addressing any future incompatibilities that may arise as EU authority in the area of investment expands in the future, and endorses the principle of protecting existing U.S. investments from any future EU measures that may restrict foreign investment in the EU.

The United States has long championed the benefits of an open investment climate, both at home and abroad. It is the policy of the United States to welcome market-driven foreign investment and to permit capital to flow freely to seek its highest return. This Protocol preserves the U.S. BIT with the Czech Republic, with which the United States has an expanding relationship, and the protections it affords U.S. investors even after the Czech Republic joins the EU. Without it, the European Commission would likely require the Czech Republic to terminate its U.S. BIT upon accession because of existing and possible future incompatibilities between our current BIT and EU law.

I recommend that the Senate consider this Protocol as soon as possible, and give its advice and consent to ratification at an early date.

GEORGE W. BUSH.  
THE WHITE HOUSE, March 12, 2004.