

the Arms Export Control Act, the report of a license for the export of defense articles that are firearms sold commercially under a contract in the amount of \$1,000,000 or more to the Philippines; to the Committee on Foreign Relations.

EC-8519. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-8520. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to assistance to Eastern Europe under the Support for East European Democracy (SEED) Act; to the Committee on Foreign Relations.

EC-8521. A communication from the Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the report of the Office of Inspector General for the period from October 1, 2003 through March 31, 2004; to the Committee on Governmental Affairs.

EC-8522. A communication from the Chairman, Board of Directors, Corporation of Public Broadcasting, transmitting, pursuant to law, the report of the Office of Inspector General for the period from October 1, 2003 through March 31, 2004; to the Committee on Governmental Affairs.

EC-8523. A communication from the Deputy General Counsel, Department of the Treasury, transmitting, a draft of proposed legislation entitled the "Treasury Inspector General Consolidation Act of 2004"; to the Committee on Governmental Affairs.

EC-8524. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's competitive sourcing activities; to the Committee on Health, Education, Labor, and Pensions.

EC-8525. A communication from the Assistant Attorney General for Administration, Department of Justice, transmitting, pursuant to law, a report relative to the Department's commercial and inherently governmental activities; to the Committee on the Judiciary.

EC-8526. A communication from the Assistant Chief, Alcohol, Tobacco, Tax and Trade Bureau, Treasury Department, transmitting, pursuant to law, the report of a rule entitled "San Bernabe and San Lucas Viticultural Areas" (RIN1513-AA28) received on July 7, 2004; to the Committee on the Judiciary.

EC-8527. A communication from the Assistant Chief, Alcohol, Tobacco, Tax and Trade Bureau, Treasury Department, transmitting, pursuant to law, the report of a rule entitled "Establishment of Salado Creek Viticultural Area" (RIN1513-AA69) received on July 7, 2004; to the Committee on the Judiciary.

EC-8528. A communication from the Acting Under Secretary and Acting Director, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled "Changes to Representation of Others Before the United States Patent and Trademark Office" (RIN0651-AB55) received on July 7, 2004; to the Committee on the Judiciary.

EC-8529. A communication from the General Counsel, National Tropical Botanical Garden, transmitting, pursuant to law, the audit report for the Garden for calendar year 2003; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 894. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 976. A bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. 2610. A bill to implement the United States-Australia Free Trade Agreement.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GREGG (for himself and Mr. SUNUNU):

S. 2651. A bill to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. DAYTON, and Mr. LEVIN):

S. 2652. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the medicare program; read the first time.

By Mr. BIDEN (for himself, Mr. SPECTER, Mrs. FEINSTEIN, Mr. KYL, Mr. HOLLINGS, and Mr. ALLEN):

S. 2653. A bill to make it a criminal act to willfully use a weapon with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, and for other purposes; to the Committee on the Judiciary.

By Mr. DODD:

S. 2654. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH:

S. 2655. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of water and energy efficient appliances; to the Committee on Finance.

By Mr. GRAHAM of Florida (for himself and Mr. NELSON of Florida):

S. 2656. A bill to establish a National Commission on the Quincentennial of the discovery of Florida by Ponce de Leon; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Mr. AKAKA):

S. 2657. A bill to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DOMENICI (for himself, Mrs. FEINSTEIN, Mr. CRAIG, Mr. BINGAMAN, and Mr. DURBIN):

S. 2658. A bill to establish a Department of Energy National Laboratories water technology research and development program, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. STABENOW (for herself, Mr. LEVIN, and Mr. HATCH):

S. Res. 405. A resolution honoring former President Gerald R. Ford on the occasion of his 91st birthday and extending the best wishes of the Senate to former President Ford and his family; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1379

At the request of Mr. JOHNSON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1379, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2335

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2335, a bill to amend part A of title II of the Higher Education Act of 1965 to enhance teacher training and teacher preparation programs, and for other purposes.

S. 2338

At the request of Mr. BOND, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2338, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 2365

At the request of Mr. COLEMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2365, a bill to ensure that the total amount of funds awarded to a State under part A of title I of the Elementary and Secondary Act of 1965 for fiscal year 2004 is not less than the total amount of funds awarded to the State under such part for fiscal year 2003.

S. 2417

At the request of Mr. COLEMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2417, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish care for newborn children of women veterans receiving maternity care, and for other purposes.

S. 2426

At the request of Mr. NELSON of Nebraska, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2426, a bill to amend title XVIII of the Social Security Act to clarify the treatment of payment under the medicare program for clinical laboratory tests furnished by critical access hospitals.

S. 2563

At the request of Mr. KOHL, the names of the Senator from Ohio (Mr.

DEWINE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2563, a bill to require imported explosives to be marked in the same manner as domestically manufactured explosives.

S. 2575

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2575, a bill to direct the Secretary of Agriculture to conduct research, monitoring, management, treatment, and outreach activities relating to sudden oak death syndrome and to convene regular meetings of, or conduct regular consultations with, Federal, State, tribal, and local government officials to provide recommendations on how to carry out those activities.

S. 2603

At the request of Mr. SMITH, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2603, a bill to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.

S. 2609

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2609, a bill to amend the Farm Security and Rural Investment Act of 2002 to extend and improve national dairy market loss payments.

S. 2628

At the request of Mr. AKAKA, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2628, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 2634

At the request of Mr. SMITH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2634, an act to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers, and for other purposes.

S.J. RES. 41

At the request of Mr. CAMPBELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S.J. Res. 41, a joint resolution commemorating the opening of the National Museum of the American Indian.

S. CON. RES. 90

At the request of Mr. LEVIN, the name of the Senator from Vermont

(Mr. LEAHY) was added as a cosponsor of S. Con. Res. 90, a concurrent resolution expressing the Sense of the Congress regarding negotiating, in the United States-Thailand Free Trade Agreement, access to the United States automobile industry.

S. CON. RES. 106

At the request of Mr. CAMPBELL, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Oregon (Mr. SMITH) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. Con. Res. 106, a concurrent resolution urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004.

S. CON. RES. 110

At the request of Mr. CAMPBELL, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Con. Res. 110, a concurrent resolution expressing the sense of Congress in support of the ongoing work of the Organization for Security and Cooperation in Europe (OSCE) in combating anti-Semitism, racism, xenophobia, discrimination, intolerance, and related violence.

S. CON. RES. 119

At the request of Mr. CAMPBELL, the names of the Senator from Oklahoma (Mr. NICKLES), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Florida (Mr. GRAHAM), the Senator from Illinois (Mr. FITZGERALD), the Senator from Idaho (Mr. CRAPO), the Senator from California (Mrs. FEINSTEIN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Con. Res. 119, a concurrent resolution recognizing that prevention of suicide is a compelling national priority.

S. CON. RES. 124

At the request of Mr. CORZINE, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Iowa (Mr. HARKIN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Con. Res. 124, a concurrent resolution declaring genocide in Darfur, Sudan.

At the request of Mr. BROWNBACK, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Con. Res. 124, *supra*.

S. RES. 389

At the request of Mr. CAMPBELL, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. Res. 389, a resolution expressing the sense of the Senate with respect to prostate cancer information.

S. RES. 401

At the request of Mr. BIDEN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Res. 401, a resolution designating the week of November 7 through November 13, 2004, as "National Veterans Awareness Week" to emphasize the need to develop educational programs

regarding the contributions of veterans to the country.

S. RES. 403

At the request of Mr. BAYH, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Washington (Ms. CANTWELL) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. Res. 403, a resolution encouraging increased involvement in service activities to assist senior citizens.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. DAYTON, and Mr. LEVIN):

S. 2652. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the medicare program; read the first time.

Mr. DURBIN. Mr. President, those who are following the business of the Senate understand that just a few moments ago, we had a vote on the floor of the Senate on the proposed constitutional amendment dealing with same-sex marriage. The final vote, I think, was indicative of the feeling of this body. There were 48 who supported going forward with the debate on this amendment and 50 Senators who opposed it. Of course, 48 Senators does not meet the threshold requirement for approving a constitutional amendment, which is 67 Senators. So that gap of 19 Senators suggests this Senate does not believe it is appropriate for us to move forward on that type of constitutional amendment.

Many of the colleagues on both sides of the aisle spoke to this issue over the last several days and expressed their heartfelt feelings of the underlying issue of same-sex marriage and about the question of whether we should amend the Constitution. The vote today is, I think, a good indication that this is an issue whose time has not come. There is no issue in controversy which requires us to amend the Constitution of the United States of America.

One might ask, if this issue fell so far short, 19 votes short, of what it needed, why did we consider it? For obvious reasons. This debate was not about changing the Constitution. This debate was about changing the subject in the Presidential campaign.

It is understood that if you ask most American families what is important to them the politicians are worried about, they will talk about the obvious things: My job, the fact that my paycheck does not cover the necessities of my family, the cost of health insurance, the availability of quality health care, whether my retirement savings are going to be protected; I am concerned as well about the situation in Iraq; I would like to know when we will stop losing our soldiers, and what do we have ahead of us in terms of Iraq and the \$1.5 billion which American