

entitled "Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons with Disabilities" (Doc. No. 96-198) received on July 27, 2001; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-165. A concurrent resolution adopted by the House of the Legislature of the State of Texas relative to jurors' compensation; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 104

Whereas, While jury service is a civic duty for many Americans, extended jury service can create significant financial hardship on jurors, and for many citizens the honor and privilege of serving on a jury becomes instead a burden that not only tends to limit participation in jury service but ultimately reduces the representativeness of juries in an increasingly diverse society; and

Whereas, Under current Texas law, jurors are entitled to reimbursement of expenses in an amount not less than \$6 nor more than \$50 for each day of jury service, with the actual amount being determined by the county commissioners court; the law also allows a presiding judge, under certain circumstances, to increase the daily reimbursement above the amount set by the commissioners court provided that reimbursement does not exceed the maximum allowable amount of \$50 per day, with the additional costs in these cases being shared equally by the parties involved; and

Whereas, Because jurors' compensation often falls at the lower end of this reimbursement schedule, jury duty participation may cause undue financial hardships on citizens who incur substantial traveling and other daily expenses when responding to a jury summons; and

Whereas, Furthermore, because Texas law does not require employers to pay employees for the time they take off work to perform jury service, the financial hardship falls most heavily on hourly wage earners who cannot afford the difference between the \$6 per day compensation and the amount of wages lost; and

Whereas, Consequently, minorities, young adults, and other lower-income individuals are significantly underrepresented on many Texas juries, which may potentially violate a constitutional requirement that juries represent a cross-section of the community; and

Whereas, While county commissioners courts may provide for juror compensation above the state minimum, courts in poorer communities may be hard pressed to do so, and even in those communities that do pay above the minimum, the higher compensation still does not offset the amount of wages a juror may forgo during an extended jury trial; additional incentives are needed to lessen or remove jurors' financial burdens and thus ensure greater public participation in jury service and safeguard constitutional guarantees; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas hereby respectfully request the Congress of the United States to pass legislation amending the Internal Revenue Code to give each person who serves on a jury under certain circumstances or in certain localities a \$40 tax credit per day of service and to give each person who is sum-

moned and appears, but does not serve, a one-time \$40 tax credit for that day; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-166. A concurrent resolution adopted by the House of the Legislature of the State of Texas relative to Canadian lumber, to the Committee on Finance.

House Concurrent Resolution 98

Whereas, Lumber is an important natural resource and a vital industry for both the United States and Texas; the U.S. and Texas timber industries' ability to compete in a global economy, however, is hampered by the continuing influx of Canadian lumber, which is heavily subsidized by the provincial governments; and

Whereas, Canadian softwood lumber producers obtain most of their timber supply from government-owned forests, and the provinces subsidize lumber production by selling timber to Canadian lumber companies at noncompetitive prices for a fraction of the timber's market value; and

Whereas, Artificially low provincial timber prices, minimum harvesting restrictions, and other practices that encourage overharvesting and overproduction have helped Canadian imports gain a 36 percent share of the U.S. softwood lumber market; and

Whereas, Highly subsidized Canadian lumber imports unfairly compete with U.S. lumber companies, jeopardizing thousands of jobs and driving down the market value of U.S. forestlands; and

Whereas, U.S. industry and labor groups, U.S. and Canadian environmental organizations, and Native American groups have called for an end to these subsidies in order to establish fair trade practices; and

Whereas, The United States must fully enforce trade laws to offset the subsidies and mitigate injury to the U.S. softwood lumber industry if the Canadian subsidies are not discontinued; and

Whereas, The only protection for U.S. timber growers against these unfair market conditions is the current United States-Canada Softwood Lumber Agreement, which is scheduled to expire on the last day of March 2001; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to:

(1) make the problem of subsidized Canadian lumber imports a top trade priority to be addressed immediately;

(2) take every possible action to end Canadian lumber subsidy practices through open and competitive sales of timber and logs in Canada for fair market value or, if Canada will not agree to end the subsidies immediately, provide that the subsidies be offset in the United States;

(3) encourage open and competitive timber sales at fair market prices; and

(4) if Canada does not agree to end subsidies for lumber:

(A) enforce vigorously, promptly, and fully the trade laws with regard to subsidized and dumped imports;

(B) explore all options to stop unfairly traded imports; and

(C) limit injury to the U.S. lumber industry; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to

the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all members of the Texas delegation to the congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-167. A concurrent resolution adopted by the House of the Legislature of the State of Texas relative to enacting the Railroad Retirement and Survivors' Improvement Act of 2001; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 210

Whereas, The Railroad Retirement and Survivors' Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including 20 members from the Texas delegation to the congress; and

Whereas, Even though more than 80 United States senators signed letters of support for this legislation in 2000, the bill never came up for a vote in the full senate; and

Whereas, An identical bill addressing railroad retirement reform is now before the 107th Congress to modernize the financing of the railroad retirement system for its 748,000 beneficiaries nationwide, including more than 38,000 in Texas; and

Whereas, The act provides tax relief to freight railroads, Amtrak, and commuter lines; it also provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

Whereas, Railroad management and labor and retiree organizations have agreed to support this legislation; and

Whereas, No outside contributions from taxpayers are needed to implement the changes called for in this legislation as all costs relating to the reforms will come from within the railroad industry, including a full share by active employees; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to enact the Railroad Retirement and Survivors' Improvement Act of 2001; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-168. A concurrent resolution adopted by the Senate of the Legislature of the State of Texas relative to the development of an agreement or treaty with Mexico to address health issues; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION 21

Whereas, Border health conditions not only pose an immediate risk to those who live along either side of the United States-Mexico border, but also are a health concern for all of the United States, and unaddressed health concerns in this region will only continue to worsen as the border population and its mobility increase, thereby escalating the risks to other areas of exposure and transmission of disease; and

Whereas, While the State of Texas has attempted to address many of the health issues facing the border population in Texas, binational cooperation at the federal level is essential to addressing these health concerns; and

Whereas, In 1999, the Texas Legislature called for an in-depth study of the public health infrastructure and barriers to a cooperative effort between Texas and Mexico; results of the study indicate that differences in technology and limitations on the exchange of technology, disparities in methods of collecting data and confidentiality provisions that restrict information sharing, and cultural differences that affect interaction between local and state health departments all combine to inhibit collaboration on health issues of mutual concern; and

Whereas, An example of the consequences of such barriers to cooperation occurred in 1999, when an outbreak of dengue fever in South Texas was traced back to Mexican cities and was thought to have been brought from Nuevo Laredo, Mexico, to Laredo, Texas; and

Whereas, Despite the implications for an outbreak across the border, Mexican health officials were limited in their ability to confirm cases of the mosquito-borne illness, and provisions in the Mexican Constitution restricted them from sharing the results of tests performed on Mexican citizens with Texas' health officials; and

Whereas, Similar instances have occurred where incidences of tuberculosis, salmonella, and malaria around the United States were found to have started in the Texas-Mexico border region; and

Whereas, It is in the interest of the United States to control the spread of diseases, beginning in the places where they originate, and poverty and poor health conditions along the United States-Mexico border region provide a large incubation ground for diseases; however, the efforts of one state or country alone will not address conditions that are present on both sides of the border, or legal issues that create incompatibilities between approaches, making a cooperative binational effort vitally important; and

Whereas, The United States and Mexico have worked in concert in forming NAFTA and related side agreements that address environmental infrastructure issues, creating the Border Environment Cooperation Commission and establishing the North American Development Bank; the success of these joint ventures suggests that forming similar international agreements to improve the public health infrastructure and finding ways to address the exchange of technology and information will improve the quality of life for residents of the border region as well as reduce the public health risks in the spread of disease; and

Whereas, Establishing an agreement between the United States and Mexico will show a commitment to the issue of public health and acknowledge that the spread of disease is an international problem without boundaries; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas hereby urge the Congress of the United States to initiate the development of an agreement or treaty with Mexico to address health issues of mutual concern; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

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. HATCH (for himself and Mrs. FEINSTEIN):

S. 1272. A bill to assist United States veterans who were treated as slave laborers while held as prisoners of war by Japan during World War II, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN:

S. 1273. A bill to amend the Public Health Service Act to provide for rural health services outreach, rural health network planning and implementation, and small health care provider quality improvement grant programs, and telehomecare demonstration projects; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. FRIST, Mr. DODD, Mr. HUTCHINSON, Mr. JEFFORDS, Ms. COLLINS, Mr. BINGAMAN, Mr. EDWARDS, Mrs. MURRAY, and Mr. SESSIONS):

S. 1274. A bill to amend the Public Health Service Act to provide programs for the prevention, treatment, and rehabilitation of stroke; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST (for himself, Mr. KENNEDY, Mr. JEFFORDS, Mr. HUTCHINSON, Mr. DODD, Ms. COLLINS, Mr. BINGAMAN, Mr. FEINGOLD, Mrs. MURRAY, Mr. EDWARDS, and Mr. CORZINE):

S. 1275. A bill to amend the Public Health Service Act to provide grants for public access defibrillation programs and public access defibrillation demonstration projects, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 1276. A bill to provide for the establishment of a new counterintelligence polygraph program for the Department of Energy, and for other purposes; to the Committee on Armed Services.

By Mr. DOMENICI (for himself and Mr. LUGAR):

S. 1277. A bill to authorize the Secretary of Energy to guarantee loans to facilitate nuclear nonproliferation programs and activities of the Government of the Russian Federation, and for other purposes; to the Committee on Foreign Relations.

By Mrs. LINCOLN (for herself, Ms. SNOWE, Mr. DURBIN, Mr. BREAUX, and Ms. LANDRIEU):

S. 1278. A bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit; to the Committee on Finance.

By Mr. BREAUX:

S. 1279. A bill to amend the Internal Revenue Code of 1986 to modify the active business definition under section 355; to the Committee on Finance.

By Mr. CLELAND:

S. 1280. A bill to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. KENNEDY (for himself and Mr. FRIST):

S. 1281. A bill to amend the Public Health Service Act to reauthorize and strengthen the health centers program and the National Health Service Corps, and to establish the Healthy Communities Access Program, which will help coordinate services for the uninsured and underinsured, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 1282. A bill to amend the Internal Revenue Code of 1986 to exclude from gross in-

come of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations; to the Committee on Finance.

By Mr. JOHNSON:

S. 1283. A bill to establish a program for the delivery of mental health services by telehealth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. DASCHLE, Mr. AKAKA, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUE, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LEAHY, Mr. LEVIN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REED, Mr. REID, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH of Oregon, Ms. STABENOW, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. WYDEN):

S. 1284. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORZINE:

S. 1285. A bill to provide the President with flexibility to set strategic nuclear delivery system levels to meet United States national security goals; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DODD:

S. Res. 142. A resolution expressing the sense of the Senate that the United States should be an active participant in the United Nations World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance; to the Committee on Foreign Relations.

By Mr. BIDEN (for himself, Mr. CONRAD, Mr. GRAHAM, Mr. LEVIN, Mr. SANTORUM, Mr. AKAKA, Mr. BREAUX, Mr. KENNEDY, Mr. COCHRAN, Mr. DODD, Mr. NELSON of Florida, Mr. BAUCUS, Mr. BAYH, Mr. BUNNING, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DASCHLE, Mr. KERRY, Mr. INOUE, Ms. LANDRIEU, Mr. LEAHY, Mr. MILLER, Mr. MURKOWSKI, Mr. REID, Mr. SARBANES, Mr. BINGAMAN, Mr. BYRD, Mr. DAYTON, Mr. DURBIN, Mr. KOHL, Mr. LIEBERMAN, Mr. MCCAIN, Mr. ROCKEFELLER, Mr. BROWNBACK, Mrs. LINCOLN, Mr. WARNER, Ms. STABENOW, Mr. DOMENICI, Mr. VOINOVICH, Mrs. BOXER, Mr. CHAFEE, Mr. DEWINE, Mr. GRASSLEY, Mr. HAGEL, Mr. INHOPE, Ms. SNOWE, Mr. THURMOND, Ms. COLLINS, Mr. CARPER, Mr. STEVENS, Mr. ENSIGN, Mr. ROBERTS, Mr. SMITH of New Hampshire, and Mr. BOND):

S. Res. 143. A resolution expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week of November 11 through November 17, 2001, as "National Veterans Awareness Week"; to the Committee on the Judiciary.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 144. A resolution commending James W. Ziglar for his service to the United States Senate; considered and agreed to.