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HOW TO SAVE THE PERFORMING ARTS

(By Michael M. Kaiser)

The world of the performing arts is sick and needs attention. Several underlying problems currently affecting the ecology of the arts were in evidence long before the stock market collapse and Sept. 11, 2001. They need to be addressed, not simply accepted as an unsolvable result of the environment in which we live.

The arts world needs leadership. It needs concerted action. And it needs them fast. There are five key issues that must be addressed if we are to solve the problems arts organizations face today.

1. Such organizations must once again be willing to develop and implement large-scale, important projects that are risky and emerging. The arts world used to produce numerous big, daring projects each year; the construction of major arts facilities from Lincoln Center to the Kennedy Center, the production of large-scale dramatic works, such as "Nicholas Nickleby," the mounting of new Ring Cycles, even by small opera companies. It wasn't so long ago that Alvin Ailey or George Balanchine would create four or five or even six new works in a season. Now a choreographer is lucky to be able to produce one major work a year.

We have been scared into thinking small. And small thinking begets smaller revenue that begets even smaller institutions and reduced public excitement and involvement. No wonder so many arts organizations are announcing record deficits.

The Sondheim Celebration we mounted this summer at the Kennedy Center is one example of the kind of project I am hoping to see duplicated by others. We took a large but measured risk, and it paid off handsomely. The level of press coverage was phenomenal. The way the Kennedy Center is perceived has changed dramatically. We will never be the same institution again. We must all be thinking large and creatively at this time. That is what the arts are about.

2. If arts organizations, large and small, are going to take risks on meaningful projects and maximize their impact, they need entrepreneurial management better suited to the current climate in which they operate. Hundreds of millions of dollars are spent throughout the world each year training young performers, but only a small fraction of that amount is devoted to training the people who will employ and market these performers. While several universities mount arts management programs, they are not sufficient to fill all our needs. There is no shortage of great artists in this world, but there is a shortage of trained, skilled managers.

We are operating in a highly challenging environment, and only the most sophisticated managers will be able to acquire the support needed to help their organizations thrive. I hope serious arts funders will begin to pay far more attention to this need; otherwise, we will see a serious decline in arts institutions throughout the world.

3. As we train arts managers, we must actively focus on the needs of all kinds of arts organizations.

The arts world is moving close to becoming a virtual cartel of a few large mainstream organizations that survive and thrive. This would be catastrophic. A healthy arts ecology demands that we have large and small organizations, mainstream and edgy, and of all ethnic backgrounds. The theater world, for example, has lost many of its minority organizations in the past few years. Those that remain are terribly small compared with their white counterparts.

We who run large arts organizations have become so scared about keeping our organi-

zations solvent that we have forgotten we will have a healthy arts environment only if we support the smaller and diverse organizations that create great works, great artists and new audiences. The tradition that created the Alvin Ailey American Dance Theater, Ballet Hispanico and the now-defunct Crossroads Theater is close to evaporating.

4. The need for diversity in performers and performing institutions is equally strong with respect to audiences. Alvin Ailey said that "dance is for everyone." I know he meant that "art is for everyone." We are heading toward a world where only white, upper-middle-class people come to the theater, because only white, upper-middle-class children are being exposed to the theater. Public school arts education is virtually dead, not just in the United States but in most countries.

The Kennedy Center, like most arts organizations, has jumped into the breach. We spend \$15 million each year on arts education, working actively with 5 million children around the United States. But our efforts are not coordinated with those of other arts organizations, and the arts exposure enjoyed by virtually every child is episodic. For some children in some schools, the exposure is tremendous; other children may get no arts programming for years. We owe every child in this nation a chance to experience the joy of self-expression, the power of discipline and the self-fulfillment of achievement that come from the performing arts.

5. Finally, we must address the need to record the performances of merit that are mounted each day of the year.

The collapse of the recording industry, the lack of resources available to public broadcasting to record performances and the prohibitive costs of producing recordings and videos mean that it is easier to obtain a recording of Enrico Caruso than of most great opera singers today. We need the support of PBS, the unions and all artists to ensure that an entire generation of performances is not lost.

This is critical if we are to create the history of performance and creativity that inspires future generations and that allows for performances enjoyed by a few to be available to many. The Kennedy Center broadcasts on the Internet the daily free concerts we give on our Millennium Stage. But so many more performances in our halls and in theaters around the world go unrecorded.

If we can take all these necessary steps, we will create an arts ecology that can withstand the horrors of terrorism, economic decline and social unrest. If we don't, even a healthy economic and social climate will not save us.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ELMO JOHNSON

• Mr. KOHL. Mr. President, it is my honor to rise today in recognition of an outstanding World War II veteran from Wisconsin, Mr. Elmo Johnson. Originally from Black River Falls, Mr. Johnson joined the Army in 1945 and was stationed near Guam at Saipan. A trumpet player since the age of 11, he played for the troops as part of the 285th AGF Band Unit. Mr. Johnson also organized a band called Swingmasters which performed at local Saipan clubs.

Later in his career, while stationed at Iwogima, Japan, he started to play Taps for his unit. Ever since returning from World War II, Mr. Johnson has

volunteered to play Taps at funerals for other Wisconsin veterans. He has been a member of the Black River Falls Miles-Hagen American Legion Post for over 50 years, and was named commander in 1946. Mr. Johnson has played Taps over 950 times, and I praise his goal of 1,000 farewells. His band, renamed "Elmo Johnson and the Johnny Brass Band," performs extensively throughout Western Wisconsin.

I would like to acknowledge the contributions Mr. Elmo Johnson and other brave veterans have made to the State of Wisconsin. We honor Mr. Johnson as he continues to demonstrate his generous spirit by sharing his musical gift around the State.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-392. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NMFS reduces the trip limit in the commercial hook-and-line fishery for king mackerel in the northern Florida west coast subzone to 500 lb (227 kg) of king mackerel per day in or from the exclusive economic zone (EEZ). This trip limit reduction is necessary to protect the Gulf king mackerel resource" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-393. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NMFS closes the commercial fishery for king mackerel in the exclusive economic zone (EEZ) in the northern Florida west coast subzone. This closure is necessary to protect the Gulf king mackerel resource" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-394. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure Notice for Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 4" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-395. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries, Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Framework Adjustment 35 Modification to the Northeast Multispecies Fishery Management Plan (RIN 0648-AQ50)" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-396. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: (Including 2 regulations) [CGD07-02-144] [CGD07-02-145] (RIN 2115-AE47)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-397. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Ports of Jacksonville and Canaveral, FL [CGD07-02-148] (RIN 2115-AA97)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-398. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Harlem River, NY (CGD01-02-135) (RIN 2115-AE47)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-399. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: Northeast Cape Fear River, Wilmington, NC (CGD05-02-014) (RIN 2115-AE47)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-400. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations: (Including 7 regulations) [CGD08-02-033] [CGD08-02-026] [CGD01-02-026] [CGD01-02-133] [CGD08-02-039] [CGD08-02-038] [CGD08-02-037] [CGD08-02-040] (RIN 2115-AE47)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-401. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Final rule to Implement Amendment 60 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (RIN 0648-AP79)" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-402. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NMFS is reallocating the projected unused amount of Pacific cod from vessels using pot and trawl gear to catcher/processor vessels using hook-and-line gear in the BSAI. These actions are necessary to allow the 2002 total allowable catch (TAC) of Pacific cod to be harvested" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-403. A communication from the Associate Assistant Administrator for Ocean Services and Coastal Zone Management, National Ocean Service/Center for Sponsored Coastal Ocean Research Coastal Ocean Program, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "General Grant Administration Terms and Conditions of the Coastal Ocean Program for FY2003 (RIN 0648-ZA92)" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-404. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Textiles Rules, 16 C.F.R. Part 303 (RIN 3084-0101)" received on December 17, 2002; to the Committee on Commerce, Science, and Transportation.

EC-405. A communication from the Trial Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Acceleration of Manufacturer's Remedy Program (RIN 2127-A127)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-406. A communication from the Trail Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Retention of Current Monetary Threshold for Reporting Rail Equipment Accidents/Incidents During Calendar Year 2003 and Until Further Amended (RIN 2130-AB57)" received on January 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC-407. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "National Parks Air Tour Management; Docket No. FAA-2001-8690 [10-25/12-2] (RIN 2120-AF46)" received on December 9, 2002; to the Committee on Commerce, Science, and Transportation.

EC-408. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Wheelchair Lifts (RIN 2127-AD50)" received on January 2, 2003; to the Committee on Commerce, Science, and Transportation.

EC-409. A communication from the Administrator, Poultry Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading (RIN 0581-AC10)" received on January 2, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC-410. A communication from the Administrator, Cotton Program, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Regulations for Determining Price Quotations for Spot Cotton (RIN 0581-AC00)" received on December 20, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-411. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Temporary Suspension of a Provision, and Extension of Certain Deadlines Under the Raisin Diversion Program (Doc. No. FV03-989-21FR)" received on December 20, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-412. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to

law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Change to the Minimum Maturity Requirements for Fresh Grapefruit (Doc. No. FV02-905-2 FIR)" received on December 20, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-413. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Decrease in Desirable Carryout Used to Compute Trade Demand (Doc. No. FV02-989-6FIR)" received on December 20, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-414. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Fruit Fly; Addition of Regulated Area (Doc. No. 02-212-1)" received on January 2, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-415. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Great Britain with Regard to Foot-and-Mouth Disease (Doc. No. 01-018-4)" received on December 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-416. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agriculture Bioterrorism Act of 2002; Possession, Use, and Transfer of Biological Agents and Toxins (Doc. No. 02-088-1)" received on December 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-417. A communication from the Under Secretary of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Business Enterprise Grants and Television Demonstration Grants; Definition of 'rural and rural areas' and new types of 'eligible small and emerging private business enterprises' (RIN 0570-AA36)" received on December 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-418. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Re-engineering and Reinvention of the Direct Section 502 and 504 Single Family Housing (SFH) Programs (RIN 0575-AB99)" received on December 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-419. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Business and Industry Loans; Revisions to Definitions of Rural Area (RIN 0570-AA38)" received on December 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-420. A communication from the Acting Principal Associate Deputy Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Urea: Revocation of Tolerance Exemptions (FRL7284-3)" received on December 20, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-421. A communication from the Acting Principle Associate Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Urea: Exemption from the Requirement of a Tolerance (FRL 7284-2)" received on December 20, 2002; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-422. A communication from the Chairman, Office of the General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Bipartisan Campaign Reform Act of 2002 Reporting" received on December 18, 2002; to the Committee on Rules and Administration.

EC-423. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a document entitled "Small Entity Compliance Guide—Centralized Waste Treatment Effluent Limitations Guidelines and Pretreatment Standards" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-424. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a document entitled "Lead in Drinking Water Regulations Public Education Guidance" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-425. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Low Emission Vehicle Program (FRL7418-7)" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-426. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans for Mississippi; Infections Waste Incinerator Requirements (FRL7424-3)" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-427. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to Miscellaneous Regulations Within the North Carolina State Implementation Plan (FRL7425-2)" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-428. A communication from the Acting Principle Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors—Correction (FRL7424-2)" received on December 17, 2002; to the Committee on Environment and Public Works.

EC-429. A communication from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Material Control and Accounting Amendments (RIN3150-AG69)" received on December 20, 2002; to the Committee on Environment and Public Works.

EC-430. A communication from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Decommissioning Trust Provisions (RIN3150-AG52)" received on December 20, 2002; to the Committee on Environment and Public Works.

EC-431. A communication from the Assistant Secretary—Indian Affairs, Bureau of Indian Affairs, Department of the Interior,

transmitting, pursuant to law, the report of a rule entitled "Partial Distribution of Fiscal Year 2003 Indian Reservation Roads Funds (RIN1076-AE34)" received on January 6, 2003; to the Committee on Indian Affairs.

EC-432. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Inflation Adjustment to Size Standards (RIN3245-AE56)" received on January 11, 2003; to the Committee on Small Business and Entrepreneurship.

EC-433. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; Size Standards for Programs of Other Agencies (RIN3245-AE42)" received on January 11, 2003; to the Committee on Small Business and Entrepreneurship.

EC-434. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Travel Agencies; Economic Injury Disaster Loan Program (RIN3245-AE93)" received on January 11, 2003; to the Committee on Small Business and Entrepreneurship.

EC-435. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Inflation Adjustment to Size Standards (RIN3245-AE56)" received on December 17, 2002; to the Committee on Small Business and Entrepreneurship.

EC-436. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocations of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on December 17, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-437. A communication from the White House Liaison, Institute of Education Sciences, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner for Education Sciences, received on December 17, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-438. A communication from the Director, Regulations Policy and Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Aluminum in Large and Small Volume Parenterals Used in Total Parenteral Nutrition; Amendment; Delay of Effective Date (RIN0910-AA74)" received on January 2, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-439. A communication from the Director of Benefits and Plan Administrator, CoBank, transmitting, pursuant to law, the report of the CoBank, ACB Retirement Plan year ending December 31, 2001, received on December 19, 2002; to the Committee on Governmental Affairs.

EC-440. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Inspector General's Semiannual Report for the National Labor Relations Board, received on December 17, 2002; to the Committee on Governmental Affairs.

EC-441. A communication from the Chairman, U.S. Consumer Product Safety Commission, transmitting, pursuant to law, the

Inspector General's Semiannual Report for the period April 1 through September 30, 2002, received on December 17, 2002; to the Committee on Governmental Affairs.

EC-442. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Inspector General's Semiannual report for the Period of April 1, 2002, through September 30, 2002 for the Farm Credit Administration, received on December 17, 2002; to the Committee on Governmental Affairs.

EC-443. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002 for the Office of Personnel Management; to the Committee on Governmental Affairs.

EC-444. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002 for the National Credit Union Administration, received on January 2, 2003; to the Committee on Governmental Affairs.

EC-445. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002 for the Department of the Treasury; to the Committee on Governmental Affairs.

EC-446. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002 for Tax Administration; to the Committee on Governmental Affairs.

EC-447. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the Semiannual report of the Inspector General of the Small Business Administration (SBA), received on January 2, 2003; to the Committee on Governmental Affairs.

EC-448. A communication from the Chief Executive Officer, National Community Service, transmitting, pursuant to law, the Semiannual report of the Inspector General for the period of April 1, 2002 through September 30, 2002; to the Committee on Governmental Affairs.

EC-449. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the report that the Trade Representative's internal controls, taken as a whole, provide reasonable assurance that the objectives of the Federal Managers' Financial Integrity Act have been achieved, received on January 2, 2003; to the Committee on Governmental Affairs.

EC-450. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Management Response for the period of April 1, 2002 to September 30, 2002; to the Committee on Governmental Affairs.

EC-451. A communication from the Federal Co-Chairman, Appalachian Regional Commission, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002, received on January 2, 2003; to the Committee on Governmental Affairs.

EC-452. A communication from the Secretary of Energy, transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002 for the Department of Energy, received on January 2, 2003; to the Committee on Governmental Affairs.

EC-453. A communication from the Chairman, Broadcasting Board of Governors,

transmitting, pursuant to law, the Inspector General's Semiannual Report for the period of April 1, 2002 to September 30, 2002; to the Committee on Governmental Affairs.

EC-454. A communication from the Assistant Secretary—Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the report entitled "Department of the Interior Year 2002 Fair Act Inventory of Commercial Activities" received on January 6, 2003; to the Committee on Governmental Affairs.

EC-455. A communication from the Director, Bureau of the Census, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Geographically Updated Population Certification Program (RIN0607-AA37)" received on December 17, 2002; to the Committee on Governmental Affairs.

EC-456. A communication from the Secretary to the Council, Council of the District of Columbia, transmitting, the report of a resolution entitled "Sense of the Council on Criteria for Use of War Powers Against Iraq Emergency Resolution of 2002" received on December 17, 2002; to the Committee on Governmental Affairs.

EC-457. A communication from the Regulatory Contact, National Archives and Records Administration, transmitting, pursuant to law, the report of rule entitled "Expanding Transfer Options for Electronic Records" received on January 2, 2003; to the Committee on Governmental Affairs.

EC-458. A communication from the Deputy Associate Administration, Office of Acquisition Policy, General Service Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-10 (FAC2001-10)" received on December 17, 2002; to the Committee on Governmental Affairs.

EC-459. A communication from the Director, Employment Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Excepted Service—Schedule A Authority for Chinese, Japanese, and Hindu Interpreters (RIN 3206-AJ53)" received on December 17, 2002; to the Committee on Governmental Affairs.

EC-460. A communication from the Director, Regulations Policy and Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Health Claims; D-tagatose and Dental Caries (Doc. No. 02P-0177)" received on December 17, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-461. A communication from the Director, Office of Workers' Compensation Programs, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Performance of Functions Under this Chapter; Claims for Compensation Under the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended, 20 C.F.R. Parts 1 and 30 (RIN1215-AB32)" received on January 2, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-462. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Occupational Injury and Illness Recording and Reporting—Delay of Effective Dates (RIN1218-AC06)" received on December 17, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-463. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the report relative to steps taken over the past 2 years to expand the Corporation's activities in sub-Saharan

Africa, received on December 17, 2002; to the Committee on Foreign Relations.

EC-464. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report relative to international agreements other than treaties entered into by the United States under the Case-Zablocki Act; to the Committee on Foreign Relations.

EC-465. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report relative to Presidential Determination on Suspension of Limitations Under the Jerusalem Embassy Act, received on January 2, 2002; to the Committee on Foreign Relations.

EC-466. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2003-7 (RP-153821-02)" received on January 6, 2003; to the Committee on Finance.

EC-467. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual EP/EO letter ruling revenue procedure (Rev. Proc. 2003-4)" received on January 6, 2003; to the Committee on Finance.

EC-468. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual EP/EO user fee revenue procedure (Rev. Proc. 2003-8)" received on January 6, 2003; to the Committee on Finance.

EC-469. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice (Notice 2003-7)" received on January 6, 2003; to the Committee on Finance.

EC-470. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual EP/EO technical advice revenue procedure (Rev. Proc. 2003-5)" received on January 6, 2003; to the Committee on Finance.

EC-471. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Doyle, Dane, Bernbach, Inc. v. Commissioner" received on January 6, 2003; to the Committee on Finance.

EC-472. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deemed IRAs as added to the Code by Section 602 of EGTRRA (Rev. Proc. 2003-13)" received on January 6, 2003; to the Committee on Finance.

EC-473. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2003-4—LIFO Recapture Installment Payments under 1363 (NOT-159961-02)" received on January 6, 2003; to the Committee on Finance.

EC-474. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Costa Rican Soak-Up Tax Revenue Ruling (Rev. Rul. 2003-8)" received on January 6, 2003; to the Committee on Finance.

EC-475. A communication from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, the report relative to

the Department of Defense's purchases from foreign entities, received on December 17, 2002; to the Committee on Armed Services.

EC-476. A communication from the Secretary of the Navy, transmitting, pursuant to law, the report relative to the Authority to Limit the Competition for a Foreign Military Sales Contract for Diesel Submarines for Taiwan Based on the Public Interest Exception to the Requirement for full and Open Competition; to the Committee on Armed Services.

EC-477. A communication from the Assistant Secretary of the Navy, Installations and Environment, transmitting, pursuant to law, the report relative to the notification to study certain functions performed by military and civilian personnel in the Department of the Navy for possible performance by private contractors; to the Committee on Armed Services.

## 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. DAYTON:

S. 176. A bill to amend title XVIII of the Social Security Act to establish a program to provide for medicare reimbursement for health care services provided to certain medicare-eligible veterans in facilities of the Department of Veterans Affairs; to the Committee on Finance.

By Mr. DAYTON:

S. 177. A bill to amend title 38, United States Code, to improve benefits under the Montgomery GI Bill by establishing an enhanced educational assistance program and by repealing the requirement for reduction in pay for participation in the program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself and Mr. DEWINE):

S. 178. A bill to amend title XVIII of the Social Security Act to provide adequate coverage for immunosuppressive drugs furnished to beneficiaries under the medicare program that have received an organ transplant; to the Committee on Finance.

By Mr. CORZINE:

S. 179. A bill to amend title 23, United States Code, to provide for a prohibition on use of mobile telephones while operating a motor vehicle; to the Committee on Environment and Public Works.

By Mr. DEWINE (for himself and Mr. VOINOVICH):

S. 180. A bill to establish the National Aviation Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself and Mr. MCCAIN):

S. 181. A bill to require a review of accounting treatment of stock option plans, and the establishment of an appropriate stock option accounting principle within 1 year; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 182. A bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits from stock option compensation expenses are allowed only to the extent such expenses are included in a corporation's financial statements; to the Committee on Finance.

By Mr. LEVIN (for himself, Mr. NELSON of Florida, Mr. CORZINE, and Mr. BIDEN):