

the agency with chain of title questions to determine who the rightful heir is, causing further delays to getting the lands transferred.

Some disputes have been easier to handle than others, resulting in settlement through an administrative appeals process. The Federal agencies have been hampered by many administrative and legal obstacles. There have been court decisions and lawsuit settlements, new legislation creating new rights of changing rules midstream. Old cases have been reopened that have created new land patterns for adjudication and survey. The administrative appeals process was designed to be efficient, and immediately accessible to individuals who believe they have been adversely impacted by actions taken by the BLM. It too many instances this process has resulted in long delays that hinder the BLM from finalizing its work. In the meantime, the applicant suffers at the hands of a process that generally takes years just for a case to be reviewed for resolution.

This legislation will provide the BLM with broader authority for solving many of the problems associated with land claims affecting all disputes that occur in Alaska. When disputes arise over the adjudication of land claims, BLM needs to have full authority to work in a more collaborative environment with its clientele.

This legislation will provide the BLM the opportunity to caucus with its clients. It will allow for a process of negotiation to gain consensus on final resolution of land applications. What has been missing all these years is the flexibility for the Federal agencies to work in such a cooperative fashion. This new process is intended to be free of complicated rules that have plagued the agency to finding solutions. Resolution and closure must come quicker.

Mr. President, I give great credit to the management and the employees of the BLM Alaska for their efforts over the years to transfer the land. They have proven to be dedicated and committed public servants. I believe they have tried to do the right thing; they just need the tools and the resources. They want to close the books on the Alaska conveyance program once and for all, and this bill will help them achieve that goal by 2009.

In 1973 the Alaska Native Claims Appeal Board was established. The Board had jurisdiction over decisions made under the Alaska Native Claims Settlement Act. The Board consisted of four judges, and was able to decide a case within 3 to 6 months of the close of briefing. It usually had a small backlog. While the Board was able to act in a fairly responsive manner, there was criticism the Board did not correctly apply general Federal land law precedent and that some of their rulings were inconsistent with policy of the Department of the Interior. The Board was dissolved in 1981. The backlog of cases was not necessarily attributed to Native Corporation cases; most of the

backlog related to all other matters. This legislation will create a hearings and appeals process located in Alaska. Presently, there are almost 100 appeals of Alaska decisions pending before the Interior Board of Land Appeals. It usually takes this Board several years to rule on a case, sometimes as long as 3 to 5 years. The present process is broken. There should never be a process that controls the fate of someone's livelihood. Matters requiring resolution must not sit and languish for years without resolution. This practice is unacceptable and unreasonable.

Additionally, more than 20 cases are pending before Administrative Law judges at various Office of Hearings Appeals offices—Virginia, Minnesota and Utah. The cases currently in their hands are Native allotments and mining claims. Substantial delays have resulted from the slow pace of scheduling hearings in Alaska. Establishing an Alaska hearings unit to handle all Alaska appeals would significantly speed up the current process. Such a new process would be able to routinely issue decisions within 3 to 6 months of the close of briefing.

Challenges likely to emerge on land actions requiring judicial review will be handled by judges located in Alaska. Moreover, having judges located in Alaska, conducting Alaska business, would ensure an understanding of the special laws that are applicable to Alaska. In addition, this process would include all land transfer matters, not just claims under the Alaska Native Claims Settlement Act.

To achieve the acceleration of land conveyances, we must be able to count on a consistent level of funding. We do not want any aspect of the acceleration plan to be hampered. As I pointed out earlier, almost 90 million acres must be surveyed between now and 2009. The BLM is the single agency of the Federal Government that is charged with the authority and responsibility for surveys and land title record keeping. Official survey plats are the Government's record of the boundaries of an area and the description of such surveyed land is known as the legal land description. Land title or patents are based on such plats of survey. And, until the land is surveyed, the Alaska Natives, the State of Alaska and the Native Corporations will still be waiting way off into the future for this work to be finalized.

The Alaska Land Transfer Acceleration Act of 2003 imposes very strict provisions on the agency to complete land conveyances by 2009 to Alaska Natives, the State of Alaska and to the Native Corporations. Some might view this plan as ambitious. I view it as being long overdue.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 200—EX-PRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD ADOPT A CONFERENCE AGREEMENT ON THE CHILD TAX CREDIT AND ON TAX RELIEF FOR MILITARY PERSONNEL

Mr. JOHNSON (for himself, Mr. DASCHLE, Mrs. LINCOLN, Mr. BAUCUS, Mr. KENNEDY, Mr. GRAHAM of Florida, Ms. CANTWELL, Mr. CORZINE, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 200

Whereas the Department of the Treasury will begin sending refund checks to taxpayers reflecting the increase in the child tax credit from \$600 to \$1,000 for 2003;

Whereas over 6,500,000 working families earning between \$10,500 and \$26,625, which include over 12,000,000 children, will not receive an increase in the child tax credit or a refund check;

Whereas nearly 150,000 United States soldiers are in Iraq sacrificing their lives to ensure freedom for Iraqi citizens;

Whereas of the 300,000 soldiers in combat zones throughout the world, 192,000 will have an earned income below \$26,625;

Whereas many military families, which include 1,000,000 children, will not be eligible for the child tax credit unless the Senate Amendment to H.R. 1308 is enacted; and

Whereas many military personnel serving in combat zones and many working families would be eligible for the child tax credit under the Senate Amendment to H.R. 1308: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the committee of conference between the Senate and House of Representatives on H.R. 1308 should agree to a conference report before the August recess;

(2) any conference report on H.R. 1308 should contain the provisions in the Senate Amendment to H.R. 1308 concerning the refundability of the child tax credit;

(3) any conference report on H.R. 1308 should contain the provisions in the Senate Amendment to H.R. 1308 concerning the availability of the child tax credit for military families;

(4) any conference report on H.R. 1308 should contain the provisions in the Armed Forces Tax Fairness Act of 2003; and

(5) any conference report on H.R. 1308 should contain provisions to fully offset its cost.

### SENATE RESOLUTION 201—DESIGNATING THE MONTH OF SEPTEMBER 2003 AS "NATIONAL PROSTATE CANCER AWARENESS MONTH"

Mr. SESSIONS (for himself, Mr. REID, Mr. SHELBY, Mr. KERRY, Mr. BROWNBACK, Ms. CANTWELL, Mr. HATCH, Mrs. BOXER, Ms. COLLINS, Mr. LIEBERMAN, Mr. INHOFE, Mr. BREAUX, Mr. DEWINE, Mrs. LINCOLN, Mr. CRAIG, Mr. MILLER, Ms. SNOWE, Mr. BAYH, Mr. CRAPO, Mr. DOMENICI, Mr. ROBERTS, Mr. NELSON of Florida, Mr. GRASSLEY, Mr. DODD, Mr. SMITH, Mr. DURBIN, Mr. BUNNING, Mrs. FEINSTEIN, Mr. HAGEL, Ms. MIKULSKI, Mr. VOINOVICH, Mr. EDWARDS, Mr. CAMPBELL, Mr. INOUE, Mr.

FEINGOLD, Mr. SCHUMER, Ms. LANDRIEU, Mr. DORGAN, Mr. LAUTENBERG, Ms. STABENOW, and Mrs. CLINTON) submitted the following resolution; which was considered and agreed to:

## S. RES. 201

Whereas countless families in the United States have a family member living with prostate cancer;

Whereas in the United States, 1 man in 6 will be diagnosed with prostate cancer in his lifetime;

Whereas between 1993 and 2003, prostate cancer has been the most commonly diagnosed nonskin cancer and the second most common cancer killer of men in the United States;

Whereas the American Cancer Society estimates that in the United States, 220,900 men will be diagnosed with prostate cancer and 28,900 men will die of prostate cancer in 2003;

Whereas 30 percent of new cases of prostate cancer occur in men under the age of 65;

Whereas in the United States, as the population ages, the occurrence of prostate cancer will also increase;

Whereas African Americans suffer from a prostate cancer incidence rate that is up to 60-percent higher than White males and are more than twice as likely as White males to die of the disease;

Whereas in the United States, a man with 1 family member diagnosed with prostate cancer has double the risk of developing prostate cancer, a man with 2 such family members has 5 times the risk, and a man with 3 such family members has a 97-percent risk of developing the disease;

Whereas screening by both digital rectal examination (DRE) and prostate specific antigen blood test (PSA) can diagnose the disease in earlier and more treatable stages, thus reducing prostate cancer mortality;

Whereas developing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating the people of the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting families: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of September 2003 as "National Prostate Cancer Awareness Month";

(2) declares that the Federal Government has a responsibility—

(A) to raise awareness about the importance of screening methods and the treatment of prostate cancer;

(B) to increase research funding that is commensurate with the burden of the disease so that the causes of, and improved screening, treatments, and a cure for, prostate cancer may be discovered; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) requests the President to issue a proclamation calling upon the people of the United States, interested groups, and affected persons to promote awareness of prostate cancer, to take an active role in the fight to end the devastating effects of prostate cancer on individuals, their families, and the economy, and to observe the month of September 2003 with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 61—AUTHORIZING AND REQUESTING THE PRESIDENT TO ISSUE A PROCLAMATION TO COMMEMORATE THE 200TH ANNIVERSARY OF THE BIRTH OF CONSTANTINO BRUMIDI

Mr. LOTT submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

## S. CON. RES. 61

Whereas Constantino Brumidi, born in Rome, Italy, on July 26, 1805, landed at New York Harbor on September 18, 1852, as a political exile, making his flight from Italy to the United States because of his love for liberty;

Whereas Constantino Brumidi's love for his adopted country led him to seek citizenship 2 years after his arrival;

Whereas in 1855, Constantino Brumidi began his artistic work in the Capitol, and spent more than 25 years of his life painting, decorating, and beautifying the corridors, committee rooms, and Rotunda of the Capitol;

Whereas Constantino Brumidi created many magnificent paintings and decorations, depicting the history, inventions, values, and ideals of the United States, thus enhancing the dignity and beauty of the Capitol and inspiring millions of visitors;

Whereas in 1865, Constantino Brumidi painted, in just 11 months, his masterpiece "The Apotheosis of Washington" in the canopy of the eye of the Capitol dome;

Whereas in 1871, Constantino Brumidi created the first tribute to an African-American in the Capitol when he placed the figure of Crispus Attucks at the center of his painting of the Boston Massacre;

Whereas in 1877, at the age of 72, Constantino Brumidi began his last work, the fresco frieze encircling the top of the Rotunda, and 3 years later fell from a slipped scaffolding and was never able to return to work;

Whereas Constantino Brumidi died as a result of this experience 3 months later in February 1880;

Whereas Constantino Brumidi has been called "the Michelangelo of the Capitol" by historians; and

Whereas the year 2005 marks the 200th anniversary of the birth of Constantino Brumidi, as well as the 150th anniversary of the beginning of his artistic career in the Capitol and the 125th anniversary of his death: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the President is authorized and requested to issue a proclamation commemorating the 200th anniversary of the birth of Constantino Brumidi and calling upon the people of the United States, State and local governments, and interested organizations to commemorate this anniversary with appropriate ceremonies, activities, and programs.

Mr. LOTT. Mr. President, Saturday, July 26, marks the 198th anniversary of the birth of Constantino Brumidi, the great artist who has been called the Michelangelo of the Capitol. When, in 2 years, the 200th anniversary of Brumidi's birth is at hand, I believe the President should issue a proclamation commemorating Brumidi's life. Today, I am introducing a resolution authorizing such a proclamation.

Constantino Brumidi was born in Rome in 1805 and immigrated to America in 1852. He began his artistic work

in the Capitol in 1855 and, for the next 25 years, he labored to produce some of the most bold and moving frescoes and murals the world has ever seen. His paintings and decorations depict the history, inventions, values and ideals of the United States immeasurably enhancing the dignity and beauty of the Capitol. He designed and decorated on House and Senate committee rooms in the Capitol, as well as the Senate Reception Room, the Office of the Vice President and the President's Room. In 1856, Brumidi began creating designs for Senate corridors based on a loggia by Raphael in the Vatican, carefully integrating American motifs into a classical framework.

He was very proud of becoming an American citizen and is reported to have said: "I no longer wish for fame and fortune. My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on Earth in which there is liberty." He did not live long enough to finish his work; but he lived long enough to make the Capitol incredibly beautiful.

The man who labored a quarter century to make the Halls of Congress so magnificent deserves the recognition of the American people. Through this resolution, I believe we will provide appropriate recognition.

SENATE CONCURRENT RESOLUTION 62—HONORING THE SERVICE AND SACRIFICE OF KOREAN WAR VETERANS

Mr. DASCHLE (for himself, Mr. HAGEL, and Mr. LEVIN) submitted the following concurrent resolution; which was considered and agreed to:

Whereas Sunday, July 27, 2003, marks the 50th anniversary of the armistice ending the Korean War;

Whereas nearly 1,800,000 members of the United States Armed Forces answered their Nation's call to duty and served in Korea during the Korean War;

Whereas, during the 3-year period of the Korean War, more than 36,500 Americans died and more than 100,000 were wounded in some of the bloodiest, most horrific fighting in the history of warfare;

Whereas the bloodshed and sacrifice of these soldiers made possible the development of a democratic, prosperous, and peaceful Republic of Korea;

Whereas our troops in Korea were at the forefront of a long and difficult struggle against Communism and oppression that ultimately brought freedom to millions of people around the world;

Whereas the Korean War accelerated the final desegregation of the United States Armed Forces and stands as a milestone along the road to racial equality; and

Whereas it has taken decades for the people of this Nation to understand and appreciate the significance of the Korean War and the lasting accomplishments of those who fought in the war, leaving these veterans without the recognition and respect they so rightfully deserve: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) declares its appreciation for the significant and enduring accomplishments of our Nation's Korean War veterans;