

to be able to spend and invest the way they wish rather than send it to Washington, DC, and let Washington, DC, decide how to spend that money. That does give economic stimulus and creates jobs.

We will most likely examine in the Senate, under the leadership of Senator KAY BAILEY HUTCHISON of Texas, the marriage tax penalty. Once again, the complexities of the Tax Code, combined with peculiarities of our budget laws, have created a tax, a penalty for people who are married. Maybe a teacher and a policeman are married and they are paying more if they are married than if they were not married. It does not make sense. People do not understand it. We know these couples have been unfairly taxed. We will argue that it is unfair. I hope this inequity that we have made some progress in addressing in the past we can really permanently erase.

In the area of family—partial-birth abortion is something we have debated on this floor. We passed it in this body. It was vetoed by President Clinton in the past. We have passed it in the body, and the House has passed it in the past. Now we have to pull those two together in conference. The problem is, we can't appoint and can't fulfill appointment of the conferees until we have another debate on the floor of the Senate. I am working very hard to get that scheduled so we can go to conference, have a bill and send it to the President so we can finally, finally ban partial-birth abortion. We don't need to get into the issue right now, but it has been described by Members on both sides of the aisle as close to infanticide as you can get. Yet we still have not been able to come to agreement on both sides of the aisle about the conferees, go to conference, and send the bill to the President. We are going to bring this to closure sometime here in the next several weeks.

Senator MIKE DEWINE from Ohio and Senator LINDSEY GRAHAM—I can't come to this floor without them saying, What about our Unborn Victims of Violence Act? It is something we debated on this floor, we made the case for, and now is the time for us to complete our legislative activity so we truly can protect unborn victims of violence.

All of this is ambitious, but it is time to be bold and it is time to be ambitious. I think this body demonstrated this again for the most part in a bipartisan way over the last several months. But each of these issues that I have mentioned will be addressed on the floor of the Senate.

Yesterday an event happened. Again, I don't need to rehash that today, but the withdrawal of Miguel Estrada's nomination yesterday was a tragedy. It was a sad day for this body. At the end of the day I had the opportunity to call and talk to Miguel Estrada, and there is just simply nobody to my mind who is better qualified for the position for which he was nominated and who was more unjustly treated by this body.

These blocked judicial nominations are maybe the biggest challenges we have before us—unprecedented filibusters, unprecedented partisan filibusters on the floor of this Senate are unpardonable, I believe.

We are going to stay focused. We are going to do our very best to educate, to break these filibusters. I think one day the consequences of the minority blocking highly qualified nominees without good reason will come home to roost.

Other issues, reauthorization issues, and then I will close. I know it is late on this afternoon and we need to move on. But reauthorization I at least wanted to mention. There are many so I don't want to mention them all, but reauthorization of welfare, of the highway bill—again, a lot of discussion this week as we look forward to addressing these sorts of issues in the coming weeks.

There are a lot of opportunities. It is a huge responsibility for each of us in the coming weeks. But I am absolutely confident that by pulling together, by working as a team, by working across the aisle, we will be able to advance the mission I mentioned of moving America forward and to do it in a way that celebrates the freedoms we all enjoy.

We will be able to make meaningful progress in our Nation's economic life. We will be able to make meaningful progress in our Nation's moral life. We will be able to make meaningful progress in our Nation's civic life.

We are going to have a very busy and we are going to have a very productive fall.

#### SECTION 189 OF THE FAA CONFERENCE REPORT, H.R. 2115

Mr. COLEMAN. I would like to engage the Senator from Mississippi in a colloquy regarding section 189 of the conference report in order to clarify the intent of the conferees.

Mr. LOTT. I would be pleased to engage in a colloquy with the Senator from Minnesota.

Mr. COLEMAN. It is my understanding that this section is a very limited, temporary funding restriction that will not affect noise mitigation funding in any significant way. Federal airport improvement program monies from the "Noise set aside" have not normally supported noise mitigation projects below a Day-Night Average Sound Level (DNL) of less than 65. This is because under the FAA's system of ranking projects for the use of the noise set aside, projects to reduce higher levels of noise having funding priority and projects below 65 DNL have not normally ranked high enough to get such funding. I further understand that nothing in this section or any other provision of the FAA conference report would prohibit an airport from using either passenger facility charges, PFC, or other locally generated monies to fund noise mitigation projects below

a DNL of 65. It is also my understanding that the provision is not intended to change the FAA's current approach of not disapproving an airport's entire part 150 noise program, where there is only a portion or portions of the program that are problematic. The FAA would continue to be able to disapprove portions of a part 150 program, while approving other portions, as they do today. Furthermore, the provision would not affect noise set-aside funding that would not require part 150 approval, such as school soundproofing or noise mitigation for an airport expansion project in an FAA environmental record of decision.

Mr. LOTT. The Senator is correct. The intent of this provision is a narrow one and does not affect the use of non-AIP funds by any airport. Nothing in this section or any other provision of the FAA conference report would prohibit an airport from using either passenger facility charges, PFC, or other locally generated monies to fund noise mitigation projects below a DNL of less than 65. It is my understanding that the FAA agrees with this interpretation of the effect of the provision.

#### CHANGE OF VOTE

Mr. COLEMAN. Mr. President, with respect to rollcall vote No. 323, I was recorded as voting "nay." I ask unanimous consent to change my vote to "yea." This change will not affect the outcome of the vote.

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

#### COACHES AGAINST GUN VIOLENCE

Mr. LEVIN. Mr. President, I want to bring to the attention of my colleagues a new and innovative program created by the Alliance for Justice called Coaches Against Gun Violence.

This program asks high school coaches to dedicate one game or event each year to gun violence prevention. The dedication can take a variety of forms, including inviting a local speaker to talk about gun violence, recognizing a victim or his or her family, having a school assembly devoted to the issue, or distributing ribbons in remembrance of lives lost to gun violence.

Each year, millions of students take part in athletic activities. Coaches are leaders and mentors and have an enormous impact on the lives of many of their players. Harnessing this influence to educate students about the deadly effects of gun violence is an excellent idea.

According to statistics compiled by the Alliance for Justice, there are an estimated 3,400 firearm-related injuries and 1,000 deaths each year in Michigan. In 2000 alone, 133 Michiganders under the age of 20 were killed in incidents of gun violence, and 3,894 people under 20 years old were killed in firearm-related incidents in the United States. These statistics are sobering. The Coaches Against Gun Violence Program is a