

implementation of the first best practice guideline for the industry with in the first 6 months of 2004.

The memorandum of understanding recommends the continued development and implementation of transparent procedures. I would again call for a date certain to ensure the decisionmaking process set by ICANN is transparent, predictable and timely for all parties involved in the decisions ICANN influences. Established procedures for a transparent decisionmaking process should be established by the end of this year to ensure ICANN has this as a top priority and as a signal to ensure the industry and constituents involved in ICANN can begin to plan for a process that will be applied equally across all parties and in a predictable fashion.

One concern that has been noted through our congressional oversight hearing is that parties with contractual obligations to ICANN are disadvantaged in providing services that non-ICANN contracted parties are free to offer. There is reason for this discrepancy to exist in an open market. ICANN should take into consideration the entire global Internet industry when making decisions. Disadvantaging contracted parties should be a thing of ICANN's past and new service level agreements should be negotiated with all ICANN participants that allow the rights of a registry and root zone operator to independently determine functionality, pricing and operations of existing services and sue services as part of their new agreement with the Department of Commerce.

The decisionmaking process needs visible criteria and independent arbitration procedures to ensure no party is being unjustly prosecuted by decisions made at the hands of the ICANN board. Ensuring that ICANN is considered a decisionmaker in global economic commerce hinges on their ability to reach agreements with the other international bodies. They have been required in previous memorandums of understanding to reach agreements with the other country code operators. I would call on the Department of Commerce to put a target date in place for ICANN to reach an agreement with a majority of the other country code operators.

The new leadership of both ICANN and at the National Telecommunications Information Administration should be able to take a fresh look at the challenges that lie before ICANN and its partners and bring a more orderly and professionally accountable way of doing business that encourages competition, innovation and stability for the global internet structure.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the

Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Boston, MA. On November 16, 2002, a 31-year-old Pakistani man was physically assaulted at a convenience store where he was working. Three men, believing the store clerk was from Afghanistan and associated with the September 11, 2001 terrorist attacks on America, shouted racial slurs at the man and then proceeded to kick, punch and throw things at him. The trio were later charged with a hate crime violation.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### IRAQ SECURITY AND STABILIZATION FUND ACT

Mrs. FEINSTEIN. Mr. President, I have joined with Senators BIDEN, KERRY and CORZINE to introduce legislation that will provide us with the necessary financial footing to appropriately execute our obligations in Iraq and Afghanistan.

In 1998, following nearly 30 years of deficits and a 17-fold increase in Federal debt from \$365.8 billion to \$6.4 trillion, bipartisan cooperation brought the budget back into balance once again. For the first time in more than a generation, some of the funds which would have gone to pay interest on the debt were instead spent actually paying down the debt.

Now, deficits and interest costs are growing once again. Net interest payments on the Federal debt will increase sharply, from approximately \$170 billion in 2003 to more than \$300 billion by 2012.

We face a host of new challenges, particularly the war on terror, the war in Iraq, and the threat of North Korea. This has necessarily led to a shift in government spending toward improving our defense and homeland security capabilities. Yet many of the challenges predating September 11 are still with us: improving education, updating infrastructure, and preparing for the retirement of the baby-boom generation, which will severely strain the Social Security and Medicare trust funds.

The Congressional Budget Office predicts that the Federal deficit for fiscal year 2004 will top \$500 billion. A portion of every dollar we spend from this day forward until the end of September 2004 will be borrowed money—money that our children and grandchildren will have to repay.

It is no secret that if citizens wish to receive services or undertake activities as a Nation, they have the right to levy

a tax upon themselves to achieve those ends. We have somehow lost this sense of obligation and have concluded that providing for our national defense or for the education of children requires no more than charging the costs to a government credit card. This must stop.

We are spending our way into economic oblivion. The President has decided that the best way to reelection is to cut taxes and leave spending alone. He refuses to make the tough decisions. So, with my colleagues in the Senate, I will help him. If the President wishes to engage our troops in Iraq, a decision that I agreed with and continue to support, then he must agree to pay for it.

By seeking a modest increase in the tax rate that affects those making more than \$310,000 in taxable income we can pay for the President's most recent supplemental request. This bill generates precisely \$87 billion—enough to cover a portion of the cost of the war in Iraq and an even smaller part of our obligation in Afghanistan.

This bill is a first step toward putting our fiscal house in order. It would pay for the President's supplemental spending request and it does not revoke the 2001 reduction in the top income tax rate. Nor would it affect any other element of the 2001 tax package. It would merely temporarily raise the marginal income tax rate on the richest in our society. These individuals would continue to benefit from the other aspects of the 2001 and 2003 tax cuts, many of which predominantly accrued to them.

Nearly a decade ago, thanks to the commitment of Senators from both parties and all ideological persuasions, we were able to put in motion a successful plan to balance the Federal budget, and laid the groundwork for an unprecedented period of economic growth and prosperity.

I believe this bill moves us back to this path and represents our understanding that we have an obligation as a society to raise money from time to time to pay for those activities we deem important to our national well-being.

#### ADDITIONAL STATEMENTS

##### HONORING THE 55TH ANNIVERSARY OF BLACK HILLS NATIONAL CEMETERY

• Mr. JOHNSON. Mr. President, today I wish to express our Nation's gratitude for the respectful services provided by Black Hills National Cemetery near Sturgis, SD. This year marks the 55th anniversary of the cemetery, and comes at a time when all Americans have been painfully reminded that our freedom is preserved by brave men and women in uniform who are willing to risk their lives in service to our Nation.

In the summer of 1862, thousands of soldiers had already died in a terrible