

Agency Task Force on Harmful Algal Blooms and Hypoxia by making it permanent. The bill would direct this Task Force to develop a response and prediction action plan to protect environmental and public health from the harmful impacts of harmful algal blooms. Through this plan, task force members would review prediction techniques, develop innovative response measures, and include incentive-based partnership approaches.

The bill would also authorize the task force and the Department of Commerce to develop local and regional assessments at the request of coastal States, Indian tribes, and local governments, so they could obtain technical assistance in addressing their local hypoxia and harmful algal bloom outbreaks. The regional plans will help avoid a one-size-fits-all approach to prediction and response, since local and regional variations in the types of land use, landscape geology, and community input should be taken into account. By tailoring mitigation and management measures to each location, the overall approach can be made more effective.

As for the Great Lakes, S. 247 would direct this task force to conduct a scientific assessment of Great Lakes harmful algal blooms, and it would direct them to conduct a scientific assessment of hypoxia in U.S. coastal waters, including the Great Lakes, not less than once every 5 years. This amendment would authorize funding levels for these assessments at \$2 million for fiscal years 2004 through 2006.

Overall, this bill would authorize \$26 million in fiscal year 2004, and \$26.5 million in fiscal year 2005, and \$27 million in fiscal year 2006. These funding levels reflect modest increases in some of the research and monitoring programs authorized in the 1998 bill and provide funding for the new assessments and implementation of their recommendations.

This reauthorization facilitates the continuation and expansion of collaborative, science-based research efforts that can help us better understand how to predict and mitigate harmful algal blooms and hypoxia events. The nation is well-served by legislation that seeks to protect coastal ecosystems, resource-dependent economies, and human health, and I thank my colleagues for supporting this important bill. I look forward to sending this bill to the House of Representatives so that they may undertake the next step in passing it.

Mr. MCCONNELL. I ask unanimous consent the committee amendment be agreed to, the bill be read a third time and passed, the motions to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 247), as amended, was read the third time and passed.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 108-9

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent the injunction of secrecy be removed from the following treaty, transmitted to the Senate on October 28, 2003, by the President of the United States: Protocol Amending Tax Convention with Sri Lanka (Treaty Doc. 108-9).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and the President's message be printed in the RECORD.

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

The message of the President is as follows:

#### *To the Senate of the United States:*

I transmit herewith, for Senate advice and consent to ratification, the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Colombo on March 14, 1985, together with an exchange of notes, signed at Washington on September 20, 2002 (the "Protocol"). I also transmit, for the information of the Senate, the report of the Department of State concerning the Protocol.

The Protocol would amend the Convention to make it similar to tax treaties between the United States and other developing nations. The Convention would provide maximum rates of tax to be applied to various types of income and protection from double taxation of income. The Convention, as amended by the Protocol, also provides for resolution of disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Protocol in conjunction with the Convention, and that the Senate give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, October 28, 2003.

#### ORDERS FOR WEDNESDAY, OCTOBER 29, 2003

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, October 29. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the

time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period of morning business for up to 30 minutes, with the first 15 minutes under the control of Senator HUTCHISON or her designee and the second 15 minutes under the control of the minority leader or his designee; provided that following morning business, the Senate resume consideration of H.R. 2800, the Foreign Operations Appropriations bill.

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

#### PROGRAM

Mr. MCCONNELL. For the information of all Senators, tomorrow, following morning business, the Senate will resume consideration of the Foreign Operations appropriations bill. Under the previous order, there will be a vote in relation to the Dorgan amendment at approximately 10:40 a.m. This will be the first vote of the day.

Following the disposition of the Dorgan amendment, the Senate will turn to consideration of H.R. 1904, the Healthy Forests bill. Senator COCHRAN will be on the floor to work through any of those amendments. Amendments to this urgent legislation will be offered and debated throughout the day. Therefore, Senators should expect rollcall votes throughout tomorrow.

Clearly, if anyone has had their television set on in recent days, it is important to move on this Healthy Forests legislation. Fires have been burning all over the West.

A cloture motion was filed this evening on the nomination of Charles Pickering to be a Federal circuit judge. That cloture vote will occur on Thursday, and Senators will be notified when that vote is scheduled.

Also, as a reminder, an agreement was reached tonight for the consideration of the fair credit reporting bill, and that bill will be considered next week.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:22 p.m., adjourned until Wednesday, October 29, 2003, at 9:30 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate October 28, 2003:

#### ENVIRONMENTAL PROTECTION AGENCY

MICHAEL O. LEAVITT, OF UTAH, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.  
THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.