

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7511–S7560

Measures Introduced: Twelve bills and three resolutions were introduced, as follows: S. 1206–1217, S. Res. 162, and S. Con. Res. 50–51. **Pages S7540–41**

Measures Reported:

S. 239, to amend the Public Health Service Act to add requirements regarding trauma care. (S. Rept. No. 108–59) **Page S7540**

S. 246, to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico, with amendments. (S. Rept. No. 108–60) **Page S7540**

S. 500, to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era, with an amendment in the nature of a substitute. (S. Rept. No. 108–61) **Page S7540**

S. 520, to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho. (S. Rept. No. 108–62) **Page S7540**

S. 625, to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, with an amendment. (S. Rept. No. 108–63) **Page S7540**

S. 635, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, with an amendment in the nature of a substitute. (S. Rept. No. 108–64) **Page S7540**

H.R. 519, to authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed. (S. Rept. No. 108–65) **Page S7540**

H.R. 733, to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 108–66) **Page S7540**

H.R. 788, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona. (S. Rept. No. 108–67) **Page S7540**

Measures Passed:

National Oceans Week: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 49, designating the week of June 9, 2003, as National Oceans Week and urging the President to issue a proclamation calling upon the people of the United States to observe this week with appropriate recognition, programs, ceremonies, and activities to further ocean literacy, education, and exploration, and the resolution was then agreed to. **Pages S7558–59**

Commending University of Virginia Men's Lacrosse Team: Committee on the Judiciary was discharged from further consideration of S. Res. 158, commending the University of Virginia Cavaliers men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse Championship, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S7559**

McConnell (for Allen) Amendment No. 870, in the nature of the substitute. **Page S7559**

Energy Policy Act: Senate resumed consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto: **Pages S7515–27**

Adopted:

Bingaman Amendment No. 867, to ensure continued availability of natural gas. **Pages S7526–27**

Pending:

Campbell/Domenici Amendment No. 864, to replace "tribal consortia" with "tribal energy resource development organizations". **Pages S7515–16**

Dorgan Amendment No. 865, to require that the hydrogen commercialization plan of the Department of Energy include a description of activities to support certain hydrogen technology deployment goals. **Pages S7516–26**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Tuesday, June 10, 2003, with 30 minutes of debate on Dorgan Amendment No. 865 (listed above), with a vote to occur on or in relation to the amendment. **Page S7559**

Nominations Confirmed: Senate confirmed the following nomination:

By 88 yeas 1 nay (Vote No. Ex. 211), Michael Chertoff, of New Jersey, to be United States Circuit Judge for the Third Circuit. **Pages S7528–33, S7560**

Nominations Received: Senate received the following nominations:

Robert Clive Jones, of Nevada, to be United States District Judge for the District of Nevada.

Phillip S. Figa, of Colorado, to be United States District Judge for the District of Colorado.

Jack Landman Goldsmith III, of Virginia, to be an Assistant Attorney General.

Christopher A. Wray, of Georgia, to be an Assistant Attorney General. **Page S7560**

Measures Read First Time: **Page S7538**

Executive Communications: **Pages S7538–40**

Additional Cosponsors: **Page S7541**

Statements on Introduced Bills/Resolutions: **Pages S7543–56**

Additional Statements: **Pages S7537–38**

Amendments Submitted: **Pages S7556–57**

Notices of Hearings/Meetings: **Pages S7557–58**

Privilege of the Floor: **Page S7558**

Record Votes: One record vote was taken today. (Total—211) **Pages S7532–33**

Adjournment: Senate met at 12 noon, and adjourned at 6:49 p.m., until 9:30 a.m., on Tuesday, June 10, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7560.)

Committee Meetings

(Committees not listed did not meet)

IRAQ SURVEY GROUP

Committee on Armed Services: on Friday, June 6, 2003, Committee concluded closed hearings to examine the mission of the 75th Exploitation Task Force and the

mission performed by the Iraq survey group related to Iraqi weapons of mass destruction, after receiving testimony from Stephen A. Cambone, Under Secretary of Defense for Intelligence; Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency; and Robert Grenier and Ben Bonk, both of the Central Intelligence Agency.

MEDICARE IMPROVEMENTS

Committee on Finance: on Friday, June 6, 2003, Committee concluded hearings to examine issues related to strengthening and improving Medicare, after receiving testimony from Thomas Scully, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Walt Francis, Marilyn Moon, Urban Institute, Washington, D.C.; and Walt Francis, Fairfax, Virginia.

NOMINATION

Committee on the Judiciary: on Friday, June 6, 2003, Committee concluded hearings to examine the nomination of Eduardo Aguirre, Jr., of Texas, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security, after the nominee, who was introduced by Senator Cornyn and Representative Jackson-Lee, testified and answered questions in his own behalf.

SENATE RULE XXII

Committee on Rules and Administration: on Thursday, June 5, 2003, Committee concluded hearings to examine Senate Rule XXII, relating to the consideration of nominations requiring the advice and consent of the Senate, and proposals to amend the Rule, including S. Res. 138, after receiving testimony from Senators Frist, Kennedy, Miller, and Cornyn; John C. Eastman, Chapman University School of Law, Orange, California, on behalf of Claremont Institute Center for Constitutional Jurisprudence; Michael J. Gerhardt, William and Mary School of Law, Williamsburg, Virginia; and Douglas W. Kmiec, Catholic University of America School of Law, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 2391–2396; 3 resolutions, H. Con. Res. 212–213, and H. Res. 262 were introduced. **Page H5088**

Additional Cosponsors: **Page H5089**

Reports Filed: Reports were filed today as follows:
Filed on June 5, H.R. 1460, to amend title 38, United States Code, to permit the use of education benefits under such title for certain entrepreneurship

courses, to permit veterans enrolled in a vocational rehabilitation program under chapter 31 of such title to have self-employment as a vocational goal, amended (H. Rept. 108–142 Pt. 1);

Filed on June 6, H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, amended (H. Rept. 108–143).

H.R. 1115, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, amended (H. Rept. 108–144); and

H. Res. 263, providing for consideration of H.R. 2143, to prevent the use of certain bank instruments for unlawful Internet gambling (H. Rept. 108–145).

Page H5088

Speaker pro Tempore: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker Pro Tempore for today. Page H5047

Recess: The House recessed at 12:44 and reconvened at 2 p.m. and the House recessed at 2:31 p.m. and reconvened at 6:30 p.m. Pages H5048, H5053–54

Suspensions: The House agreed to suspend the rules and pass the following measures:

Walt Disney Post Office Building, Marcelling, Missouri: H.R. 1610, to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marcelling, Missouri, as the “Walt Disney Post Office Building” (agreed to by yeas-and-nays vote of 384 yeas with none voting “nay,” Roll No. 249); Pages H5049–50, H5054

Honoring Dayton, Ohio and the Centennial of Wilbur and Orville Wright’s First Flight: H. Con. Res. 162, honoring the city of Dayton, Ohio, and its many partners, for hosting “Inventing Flight: The Centennial Celebration”, a celebration of the centennial of Wilbur and Orville Wright’s first flight (agreed to by yeas-and-nays vote of 378 yeas to 3 nays, Roll No. 250); and Pages H5050–52, H5054–55

Birch Bayh Federal Building and United States Courthouse, Indianapolis, Indiana: S. 763, to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the “Birch Bayh Federal Building and United States Courthouse” (agreed to by yeas-and-nays

vote of 383 yeas with none voting “nay”, Roll No. 251)—clearing the measure for the President.

Pages H5052–53, H5055–56

Senate Message: Message received from the Senate today appear on page H5047.

Quorum Calls—Votes: Three yeas-and-nays votes and recorded vote developed during the proceedings of the House today and appear on pages H5054, H5054–55, and H5055–56. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11.59 p.m.

Committee Meetings

EPA—DEPARTMENT LEVEL STATUS

Committee on Government Reform: On June 6, the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on “Elevation of the Environmental Protection Agency to Department Level Status: H.R. 37, and H.R. 2138 (Department of Environmental Protection Act).” Testimony was heard from public witnesses.

BIOSHIELD—EFFORTS TO DEVELOP BIO-WARFARE COUNTERMEASURES

Select Committee on Homeland Security: On June 6, the Committee held a hearing entitled “Bioshield: Lessons from Current Efforts to Develop Bio-Warfare Countermeasures.” Testimony was heard from the following officials of the Department of Health and Human Services: John Ring La Montagne, M.D., Deputy Director, National Institute of Allergy and Infectious Diseases, NIH; and Ali Khan, M.D., Chief Science Officer, Parasitic Diseases, National Center for Infectious Diseases, Centers for Disease Control and Prevention.

UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 2143, Unlawful Internet Gambling Funding Prohibition Act. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the

amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Kelly, Sensenbrenner and Pombo.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 10, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold closed hearings to examine certain intelligence programs, 9:30 a.m., S-407, Capitol.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Administration's proposal for reauthorization of the Federal Public Transportation Program, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine reauthorization of the Federal Motor Carrier Safety Administration, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 499, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, S. 546, to provide for the protection of paleontological resources on Federal lands, S. 643, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, S. 677, to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, S. 1060 and H.R. 1577, bills to designate the visitor center in Organ Pipe National Monument in Arizona as the "Kris Eggle Visitor Center", H.R. 255, to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska, and H.R. 1012, to establish the Carter G. Woodson Home National Historic Site in the District of Columbia, 2:30 p.m., SD-366.

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water, to hold hearings to examine the current regulatory and legal status of federal jurisdiction of navigable waters under the Clean Water Act, focusing on issues raised by the Supreme Court in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* No. 99-1178, 10 a.m., SD-406.

House

Committee on Education and Labor, to mark up the following bills: H.R. 438, Teacher Recruitment and Retention Act of 2003; and H.R. 2211, Ready to Teach Act, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, hearing entitled "Natural Gas Supply and Demand Issues," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on Financing Employee Ownership Programs: An Overview, 2 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, to continue hearings on "The Section 8 Housing Assistance Program: Promoting Decent Affordable Housing for Families and Individuals Who Rent," 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Government Efficiency and Financial Management, oversight hearing on "Fixing the Financials-Featuring USDA and Education," 2 p.m., 2154 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled "Geospatial Information: A Progress Report on Improving Our Nation's Man-Related Data Infrastructure," 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on Renewing OPIC and Reviewing Its Role in Support of Key U.S. Foreign Policy Priorities, 10:30 a.m., 2172 Rayburn.

Subcommittee on East Asia and the Pacific, hearing on Recent Developments in Southeast Asia; followed by markup of the following measures: H.R. 2330, Burmese Freedom and Democracy Act of 2003; and H. Res. 199, calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet and Intellectual Property, hearing on H.R. 2391, Cooperative Research and Technology Enhancement (CREATE) Act of 2003, 10 a.m., 2141 Rayburn.

Committee on Rules, to consider H.R. 2115, Flight 100—Century of Aviation Reauthorization Act, 5 p.m., H-313 Capitol.

Committee on Science, Subcommittee on Energy, hearing on The Future of University Nuclear Science and Engineering Programs, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, oversight hearing on New Technologies in Railroad Safety, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to continue hearings on past and present efforts to identify and eliminate fraud, waste, abuse and mismanagement in programs administered by the Department of Veterans Affairs, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing on Implementation of the U.S. Bilateral Free Trade Agreements with Chile and Singapore, 1 p.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine internally displaced persons in the Caucasus Region and Southeastern Anatolia, 2 p.m., 334 Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Tuesday, June 10

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 14, Energy Policy Act, with 30 minutes of debate on Dorgan Amendment No. 865, with a vote to occur on or in relation to the amendment.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, June 10

House Chamber

Program for Tuesday: Consideration of suspensions:

(1) S.J. Res. 8, Expressing the sense of Congress with respect to the prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month;

(2) H.R. 1529, Involuntary Bankruptcy Improvement Act;

(3) H.R. 1086, Standards Development Organization Advancement Act;

(4) H. Res. 252, Expressing the sense of the House of Representatives supporting the United States in its efforts within the WTO to end the European Union's protectionist and discriminatory trade practices regarding agriculture biotechnology;

(5) H. Con. Res. 110, Recognizing the sequencing of the human genome as one of the most significant scientific accomplishments of the past one hundred years;

(6) H.R. 2030, Patsy Takemoto Mink Post Office Building Designation Act; and

(7) H.R. 925, Cesar Chavez Post Office Redesignation Act; and

Consideration of H.R. 2143, Unlawful Internet Gambling Funding Prohibition Act (structured rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

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