

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S3559–S3647*

**Measures Introduced:** Nine bills and three resolutions were introduced, as follows: S. 601–609, S. Res. 81–82, and S. Con. Res. 19. **Page S3620**

#### Measures Passed:

**National Correctional Officers and Employees Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 24, designating the week beginning May 4, 2003, as “National Correctional Officers and Employees Week”, and the resolution was then agreed to. **Page S3642**

**National Civilian Conservation Corps Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 46, designating March 31, 2003, as “National Civilian Conservation Corps Day”, and the resolution was then agreed to. **Page S3642**

**National Safe Place Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 70, designating the week beginning March 16, 2003, as “National Safe Place Week”, and the resolution was then agreed to. **Pages S3642–43**

**Greek Independence Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 78, designating March 25, 2003, as “Greek Independence Day: A National Day of Celebration of Greek and American Democracy”, and the resolution was then agreed to. **Page S3643**

**National Girl Scout Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 79, designating the week of March 9 through March 15, 2003, as “National Girl Scout Week”, and the resolution was then agreed to. **Page S3643**

**Partial Birth Abortion Ban:** Senate continued consideration of S. 3, to prohibit the procedure commonly known as partial-birth abortion, taking action on the following amendments and motion:

**Pages S3560–S3614**

Adopted:

By 52 yeas to 46 nays (Voted No. 48) Harkin Amendment No. 260, to express the sense of the

Senate concerning the decision of the Supreme Court in *Roe v. Wade*. **Pages S3581–S3600**

Rejected:

Durbin Modified Amendment No. 259, in the nature of a substitute. (By 60 yeas to 38 nays (Vote No. 46), Senate tabled the amendment.)

**Pages S3571–79**

By 42 yeas to 56 nays (Vote No. 47), Boxer Motion To Commit the bill to the Committee on the Judiciary, with instructions. **Pages S3579–80**

By 35 yeas to 60 nays (Vote No. 49), Feinstein Amendment No. 261, in the nature of a substitute.

**Pages S3600–11**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, March 13, 2003, with a vote on final passage to occur thereon. **Page S3644**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing a vote on the confirmation of the nomination of Thomas A. Varlan, to be United States District Judge for the Eastern District of Tennessee, on Thursday, March 13, 2003, following the vote on final passage of S. 3 (listed above); following which, Senate proceed to a period of morning business until 11:30 a.m. **Page S3644**

**Nomination-Agreement:** A unanimous-consent agreement was reached providing for further consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, at 11:30 a.m., on Thursday, March 13, 2003, with a vote on the motion to invoke cloture to occur at 12:30 p.m.

**Pages S3614–15**

**Nominations—Agreement:** A unanimous-consent agreement was reached providing that, following the vote on the motion to invoke cloture on the nomination of Miguel A. Estrada (listed above) on Thursday, March 13, 2003, Senate will consider the nomination of Jay S. Bybee, to be United States Circuit Judge for the Ninth Circuit, with 6 hours of debate, followed by a vote on confirmation of the nomination; to be immediately followed by a vote on the confirmation of the nomination of William H. Steele, to be United States District Judge for the

Southern District of Alabama; to be immediately followed by a vote on the confirmation of the nomination of J. Daniel Breen, to be United States District Judge for the Western District of Tennessee.

Pages S3614–15

**Nominations Confirmed:** Senate confirmed the following nominations:

By unanimous vote of 91 yeas (Vote No. Ex. 50), William D. Quarles, Jr., of Maryland, to be United States District Judge for the District of Maryland.

Page S3614

Ralph R. Erickson, of North Dakota, to be United States District Judge for the District of North Dakota.

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**Messages From the House:**

Page S3618

**Measures Referred:**

Page S3618

**Measures Read First Time:**

Pages S3643–44

**Executive Communications:**

Pages S3618–20

**Executive Reports of Committees:**

Page S3620

**Additional Cosponsors:**

Pages S3620–22

**Statements on Introduced Bills/Resolutions:**

Pages S3622–39

**Additional Statements:**

Pages S3617–18

**Amendments Submitted:**

Pages S3640–41

**Authority for Committees to Meet:**

Page S3640

**Privilege of the Floor:**

Page S3641

**Record Vote:** Five record votes were taken today. (Total—50) Pages S3579, S3580, S3600, S3611, S3614

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 8:28 p.m., until 9:30 a.m., on Thursday, March 13, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3644.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: INTELLIGENCE

*Committee on Appropriations:* Subcommittee on Defense concluded closed hearings to examine proposed budget estimates for fiscal year 2004 for intelligence programs, and to discuss worldwide threats, after receiving testimony from George Tenet, Director of Central Intelligence.

### APPROPRIATIONS: DISTRICT OF COLUMBIA COURTS

*Committee on Appropriations:* Subcommittee on District of Columbia concluded hearings to examine proposed budget estimates for fiscal year 2004 for the District of Columbia Courts, Court Services, and Offender

Supervision Agency focusing on fair, swift, and accessible justice, enhancing public safety, and the justice system, after receiving testimony from Annice M. Wagner, Chief Judge, District of Columbia Court of Appeals, on behalf of the District of Columbia Joint Committee on Judicial Administration; Rufus G. King III, Chief Judge, and Lee Satterfield, Presiding Judge, Family Court, both of the Superior Court of the District of Columbia; Paul A. Quander, Jr., Director, Court Services and Offender Supervision Agency for the District of Columbia; and Ronald S. Sullivan, Jr., Director, Public Defender Service for the District of Columbia.

### APPROPRIATIONS: DEPARTMENT OF ENERGY

*Committee on Appropriations:* Subcommittee on Energy and Water Development concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Energy Office of Energy and Efficiency and Renewable Energy, Office of Science, and the Office of Nuclear Energy, Science and Technology, after receiving testimony from David K. Garman, Assistant Secretary for Energy Efficiency and Renewable Energy, Raymond L. Orbach, Director of the Office of Science, and William D. Magwood, IV, Director of the Office of Nuclear Energy, Science and Technology, all of the Department of Energy.

### DEFENSE AUTHORIZATION

*Committee on Armed Services:* Subcommittee on Strategic Forces concluded hearings on proposed legislation authorizing funds for the Department of Defense for fiscal year 2004, focusing on national security space programs and management, warfighting, national intelligence and defense priorities including strategic forces, after receiving testimony from Peter B. Teets, Under Secretary of the Air Force, and Director, National Reconnaissance Office; Admiral James O. Ellis, Jr., USN, Commander, United States Strategic Command; General Lance W. Lord, USAF, Commander, Air Force Space Command; Lieutenant General Joseph M. Cosumano, Jr., USA, Commanding General, U.S. Army Space and Missile Defense Command and U.S. Army Space Command; and Vice Admiral Richard W. Mayo, USN, Commander, Naval Network Warfare Command.

### DEFENSE AUTHORIZATION

*Committee on Armed Services:* Subcommittee on Airland concluded hearings on proposed legislation authorizing funds for the Department of Defense for fiscal year 2004 and the Future Years Defense Program, focusing on Army transformation, after receiving testimony from Les Brownlee, Under Secretary of the

Army; and General John M. Keane, USA, Vice Chief of Staff, United States Army.

#### 2004: BUDGET

*Committee on the Budget:* Committee met to mark up a proposed concurrent resolution setting forth the fiscal year 2004 budget for the Federal Government, but did not complete consideration thereon, and will meet again tomorrow.

#### BUDGET: COAST GUARD AND NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, and Fisheries concluded hearings to examine the President's proposed budget request for fiscal year 2004 for the Coast Guard and the National Oceanic and Atmospheric Administration, after receiving testimony from Adm. Thomas H. Collins, Commandant, United States Coast Guard; Vice Adm. Conrad C. Lautenbacher, Jr., U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere; and JayEtta Z. Hecker, Director, Physical Infrastructure, General Accounting Office.

#### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the following business items:

S. 164, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, with an amendment in the nature of a substitute;

S. 212, to authorize the Secretary of the Interior to cooperate with the High Plains States in conducting a hydrogeologic characterization, mapping, modeling and monitoring program for the High Plains Aquifer, with an amendment in the nature of substitute;

S. 278, to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area;

S. 347, to direct the Secretary of the Interior and the Secretary of Agriculture to conduct a joint special resources study to evaluate the suitability and feasibility of establishing the Rim of the Valley Corridor as a unit of the Santa Monica Mountains National Recreation Area, with an amendment in the nature of a substitute;

S. 425, to revise the boundary of the Wind Cave National Park in the State of South Dakota;

H.R. 397, to reinstate the license and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois;

S. 328, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain

National Recreation Area", with an amendment in the nature of a substitute; and

The nomination of Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission, Department of Energy.

#### WELFARE REFORM

*Committee on Finance:* Committee held hearings to examine welfare reform, focusing on administering issues such as supporting families with accessing cash assistance, employment skill development, employment barrier removal by accessing substance abuse services and quality childcare, and enforcing non-custodial parent financial responsibility through child support, receiving testimony from Tommy Thompson, Secretary of Health and Human Services; Howard H. Hendrick, Oklahoma Department of Human Services, Oklahoma City; Marilyn Ray Smith, Massachusetts Department of Revenue, Boston; Larry Temple, Texas Workforce Commission, Austin; and Margy Waller, Brookings Institution, Washington, D.C.

Hearings recessed subject to call.

#### BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

Convention Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital Gains (Treaty Doc. 107-19);

Protocol Amending the Convention Between the Government of the United States of America and the Government of Australia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (Treaty Doc. 107-20);

Second Additional Protocol that Modifies the Convention Between the Government of the United States of America and the Government of the United Mexican States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (Treaty Doc. 108-3); and

A Foreign Service Officer Promotion list received in the Senate on January 28, 2003.

#### NORTH KOREA

*Committee on Foreign Relations:* Committee concluded hearings to examine regional implications of the changing nuclear equation on the Korean Peninsula, focusing on diplomatic solutions, the United States-South Korea alliance, and Chinese interests, after receiving testimony from James A. Kelly, Assistant

Secretary of State for East Asian and Pacific Affairs; James R. Lilley, American Enterprise Institute, Victor D. Cha, Georgetown University Edmund A. Walsh School of Foreign Service, and Bates Gill, Center for Strategic and International Studies, all of Washington, D.C.

### HOMELAND SECURITY: BORDER TECHNOLOGY

*Committee on the Judiciary:* Subcommittee on Border Security, Immigration and Citizenship and the Subcommittee on Terrorism, Technology, and Homeland Security concluded joint hearings to examine the role of border technology in advancing Homeland Security, focusing on the Entry-Exit System, the National Security Entry Exit Registration System, and Biometric Verification Systems, including implementation of the Enhanced Border Security and Visa Entry Reform Act (Public Law 107-173), and related provisions of S. 539, to authorize appropriations for border and transportation security personnel and technology, after receiving testimony from Asa Hutchinson, Under Secretary of Homeland Security for Border and Transportation Security; Nancy Kingsbury, Managing Director of Applied Research

and Methods, General Accounting Office; and Stephen E. Flynn, Independent Task Force on Homeland Security Imperatives, Council on Foreign Relations, New York, New York.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded hearings to examine the nominations of James V. Selna and Cormac J. Carney, both to be a United States District Judge for the Central District of California, who were introduced by Senator Feinstein, Philip P. Simon and Theresa Lazar Springmann, both to a United States District Judge for the Northern District of Indiana, who were introduced by Senators Lugar and Bayh, Mary Ellen Coster Williams, of Maryland, and Victor J. Wolski, of Virginia, who was introduced by Senators Warner and Allen, both to be a Judge of the United States Court of Federal Claims, and Ricardo H. Hinojosa, of Texas, who was introduced by Senators Hutchison and Cornyn, and Representative Hinojosa, and Michael E. Horowitz, of Maryland, both to be a Member of the United States Sentencing Commission, after the nominees testified and answered questions in their own behalf.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** 37 public bills, H.R. 1219-1255; and 5 resolutions, H.J. Res. 37-38; H. Con. Res. 91, and H. Res. 140-141 were introduced. Pages H1810-12

**Additional Cosponsors:** Pages H1812-13

**Reports Filed:** Reports were filed today as follows:  
H. Res. 139, providing for consideration of H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system (H. Rept. 108-34). Page H1810

**Guest Chaplain:** The prayer was offered by the guest Chaplain the Rev. Mr. Eugene Counihan, Fernald Developmentally Handicapped Center of Waltham, Massachusetts. Page H1749

**Journal:** The House agreed to the Speaker's approval of the Journal of Tuesday, March 11 by yea-and-nay vote of 375 yeas to 45 nays with 2 voting "present", Roll No. 53. Pages H1749-50

**Joint Economic Committee:** The Chair announced the Speaker's appointment of Representatives Stark, Maloney, Watt, and Hill to the Joint Economic Committee. Page H1755

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

***Recognizing the Bicentennial of Ohio's Admission to the Union:*** H. Res. 122, recognizing the bicentennial of the admission of Ohio into the Union and the contributions of Ohio residents to the economic, social, and cultural development of the United States (debated on Tuesday, March 11 and agreed to by 2/3 yea-and-nay vote of 424 yeas with none voting "nay," Roll No. 54). Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the resolution; Pages H1750-51

***Urging Improved Fire Safety in Nonresidential Buildings in the Aftermath of the Nightclub Fire in West Warwick, Rhode Island:*** H. Con. Res. 85, expressing the sense of the Congress with regard to the need for improved fire safety in nonresidential

buildings in the aftermath of the tragic fire on February 20, 2003, at a nightclub in West Warwick, Rhode Island (debated on Tuesday, March 11 and agreed to by 2/3 ye-and-nay vote of 422 yeas with none voting nay, Roll No. 55); **Page H1751**

**Hospital Mortgage Insurance Act:** H.R. 659, amended, to amend section 242 of the National Housing Act regarding the requirements for mortgage insurance under such Act for hospitals (agreed to by 2/3 ye-and-nay vote of 419 yeas with none voting "nay," Roll No. 56); **Pages H1755-56, H1774-75**

**Automatic Defibrillation in Adam's Memory Act:** H.R. 389, to authorize the use of certain grant funds to establish an information clearinghouse that provides information to increase public access to defibrillation in schools (agreed to by 2/3 ye-and-nay vote of 415 yeas with none voting "nay," Roll No. 57); **Pages H1756-58, H1775-76**

**Mosquito Abatement for Safety and Health Act:** H.R. 342, to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases (agreed to by 2/3 ye-and-nay vote of 416 yeas to 9 nays, Roll No. 58); **Pages H1758-59, H1776**

**Organ Donation Improvement Act:** H.R. 399, to amend the Public Health Service Act to promote organ donation (agreed to by 2/3 ye-and-nay vote of 425 yeas to 3 nays, Roll No. 59); and

**Pages H1763-66, H1776-77**

**Patient Safety and Quality Improvement Act:** H.R. 663, amended, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety donation (agreed to by 2/3 ye-and-nay vote of 418 yeas to 6 nays, Roll No. 60). **Pages H1766-64, H1777-78**

**Official Photograph of the House in Session:** The official photograph of the House in session was taken pursuant to the provisions of H. Res. 67, permitting official photographs of the House of Representatives to be taken while the House is in actual session on March 12, 2003. **Page H1775**

**Committee on Ways and Means Recommendations:** Read a letter from Chairman Thomas of the Committee on Ways and Means wherein he forwarded the Committee's recommendations for certain positions for the 108th Congress. **Page H1778**

**Congressional Advisors on Trade Policy and Negotiations:** The Chair announced the Speaker's appointment of the following members from the Committee on Ways and Means as Congressional Advisors on Trade Policy and Negotiations during the

First Session of the 108th Congress: Representatives Thomas, Crane, Shaw, Rangel, and Levin. **Page H1778**

**Recess:** the House recessed at 1:45 p.m. and reconvened at 1:47 p.m. **Page H1775**

**Recess:** the House recessed at 2:08 p.m. and reconvened at 5 p.m. **Page H1776**

**Quorum Calls—Votes:** Eight ye-and-nay votes developed during the proceedings of the House today and appear on pages H1749-50, H1750-51, H1751, H1774-75, H1775-76, H1776, H1777, and H1777-78. There were no quorum calls.

**Adjournment:** The House met at 11 a.m. and adjourned at 10:14 p.m.

## Committee Meetings

### AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Food Safety and Inspection Service. Testimony was heard from the following officials of the USDA: Garry McKee, Administrator, Food Safety and Inspection Service; and Elsa Murano, Under Secretary, Food Safety Marketing and Regulatory Programs.

The Subcommittee also held a hearing on Marketing and Regulatory Programs. Testimony was heard from William Hawks, Under Secretary, Marketing and Regulatory Programs, USDA.

### DEFENSE APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Defense held a hearing on Fiscal Year 2004 Army Posture. Testimony was heard from the following officials of the Department of the Army: Thomas E. White, Secretary; and Gen. Eric K. Shinseki, USA, Chief of Staff.

### INTERIOR APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Interior held a hearing on Bureau of Indian Affairs and Office of Special Trustee for American Indians. Testimony was heard from James Steven Griles, Deputy Secretary, Office of Special Trustee for American Indians, Bureau of Indian Affairs, Department of the Interior.

### LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Department of Education-Panel: "No Child Left Behind Act" program.

Testimony was heard from Eugene Hickok, Under Secretary, Education, Department of Education.

### **MILITARY CONSTRUCTION APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Military Construction held a hearing on Pacific Command Military Construction. Testimony was heard from the following officials of the Department of Defense: Gen. Leon J. Laporte, USA, Commander, U.S. Forces, Korea; and Adm. Thomas Fargo, USN, Commander, U.S. Pacific Command.

### **TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Transportation and Treasury, and Independent Agencies held a hearing on Inspector General, Department of Treasury. Testimony was heard from the following officials of the Department of the Treasury: Dennis Schindel, Deputy Inspector General; and Pam Gardner, Acting Treasury Inspector General, Tax.

### **NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST**

*Committee on Armed Services:* Continued hearings on the fiscal year 2004 national defense authorization budget request. Testimony was heard from the following officials of the Department of Defense: Gen. Charles R. Holland, USA, Commander, U.S. Special Forces Command; Gen. James T. Hill, USA, Commander, U.S. Southern Command; Adm. E.P. Giambastiani, USN, Commander, U.S. Joint Forces Command; Adm. Thomas B. Fargo, USN, Commander, U.S. Pacific Command; and Gen. Leon J. Laporte, USA, Commander, U.S. Forces Korea.

Hearings continue tomorrow.

### **NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST**

*Committee on Armed Services:* Subcommittee on Tactical Air and Land Forces held a hearing on the fiscal year 2004 national defense authorization budget request. Testimony was heard from the following officials of the Department of Defense: Paul Bogosian, Deputy Program Executive, Aviation, Department of the Army; the following officials of the Department of the Navy: Rear Adm. Tom Kilcline, USN, N780 (Head, Aviation Plans and Requirements Branch); and Tom Laux, Program Executive Officer (Air ASW, Assault, and Special Missions); and public witnesses.

### **PATRON AND INDUSTRY PERSPECTIVES— MILITARY EXCHANGES, COMMISSARIES, AND MORALE, WELFARE AND RECREATION PROGRAMS**

*Committee on Armed Services:* Subcommittee on Total Force held a hearing on patron and industry perspectives on military exchanges, commissaries, and morale, welfare and recreation programs. Testimony was heard from public witnesses.

### **CONCURRENT BUDGET RESOLUTION**

*Committee on the Budget:* Began markup of the Concurrent Resolution on the Budget for Fiscal Year 2004.

### **EDUCATION DEPARTMENT—FINANCIAL MANAGEMENT PRACTICES IMPROVEMENTS**

*Committee on Education and the Workforce:* Subcommittee on Select Education held a hearing on "Recent Improvements of Financial Management Practices at the U.S. Department of Education." Testimony was heard from the following officials of the Department of Education: William D. Hansen, Deputy Secretary; and Thomas A. Carter, Deputy Inspector General; and Linda Calbom, Director, Division of Financial Management and Assurance, GAO.

### **FAMILY TIME FLEXIBILITY ACT**

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections held a hearing on H.R. 1119, Family Time Flexibility Act. Testimony was heard from public witnesses.

### **COMPREHENSIVE NATIONAL ENERGY POLICY**

*Committee on Energy and Commerce:* Subcommittee on Energy and Air Quality continued hearings on "Comprehensive National Energy Policy." Testimony was heard from J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

Hearings continue tomorrow.

### **MEDICAID TODAY: THE STATES' PERSPECTIVES**

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing on "Medicaid Today: The States' Perspective." Testimony was heard from the following Governors: Jeb Bush, Florida; John G. Rowland, Connecticut; and Bill Richardson, New Mexico.

### **THEFT AT LOS ALAMOS NATIONAL LABORATORY**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations continued hearings on

the “Procurement and Property Mismanagement and Theft at Los Alamos National Laboratory.” Testimony was heard from Ralph Erickson, Manager, Lost Alamos National Laboratory Site Office, National Nuclear Security Administration, Department of Energy; and the following officials of the Los Alamos National Laboratory: Stanley L. Busboom, staff member; Frank P. Dickson, Jr., Laboratory Counsel; Richard A. Marquez, Associate Director, Administration; and John C. Browne, Senior Research Scientist; and public witnesses.

#### **MUTUAL FUND INDUSTRY PRACTICES— EFFECT ON INDIVIDUAL INVESTORS**

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled “Mutual Fund Industry Practices and their Effect on Individual Investors.” Testimony was heard from public witnesses.

#### **FEDERAL BUILDINGS AND VEHICLES— ENERGY EFFICIENCY IMPROVEMENTS**

*Committee on Government Reform:* Held a hearing entitled “Energy Efficiency Improvements in Federal Buildings and Vehicles.” Testimony was heard from David Garman, Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy; and the following officials of the GSA: Paul Lynch, Assistant Commissioner, Business Operations, Public Buildings Service; and William Rivers, Director, Federal Vehicle Policy Division, Office of Government-wide Policy.

#### **COMMITTEE FUNDING**

*Committee on House Administration:* Met to consider Committee funding requests for the following Committees: House Administration; Education and the Workforce; Government Reform; Small Business; Transportation and Infrastructure; Ways and Means; Intelligence, Financial Services, Judiciary, Resources; and Standards.

Will continue tomorrow.

#### **MISCELLANEOUS MEASURES**

*Committee on International Relations:* Favorably considered and adopted a motion urging the Chairman to request that H.R. 1208, Northern Island Peace and Reconciliation Support Act of 2003, be considered on the Suspension Calendar.

The Committee adversely reported H. Res. 68, requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the President’s possession relating to Iraq’s declaration on its weapons of mass destruction that was provided to the United Nations on December 7, 2002.

#### **MISCELLANEOUS MEASURES**

*Committee on the Judiciary:* Ordered reported the following: H. Res. 132, expressing the sense of the House of Representatives that the Ninth Circuit of Appeals ruling in *Newdow v. United States Congress* is inconsistent with the Supreme Court’s interpretation of the first amendment and should be overturned; and H.R. 975, amended, Bankruptcy Abuse Prevention and Consumer Protection Act of 2003.

#### **ARCTIC COASTAL PLAIN DOMESTIC ENERGY SECURITY ACT**

*Committee on Resources:* Held a hearing on H.R. 39, Arctic Coastal Plain Domestic Energy Security Act of 2003. Testimony was heard from Gale Norton, Secretary of the Interior; Tara Sweeney, Special Assistant, Rural Affairs, Governor, State of Alaska; and public witnesses.

#### **HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE (HEALTH) ACT**

*Committee on Rules:* Granted, by voice vote, a closed rule on H.R. 5, Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2003, providing two hours of debate in the House, with 80 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments recommended by the Committees on the Judiciary and on Energy and Commerce now printed in the bill, the amendment in the nature of a substitute printed in the Rules Committee report shall be considered as adopted. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that H. Res. 126 is laid on the table. Testimony was heard from Chairman Sensenbrenner, Chairman Tauzin, and Representatives Conyers, Nadler, Jackson-Lee of Texas, Delahunt, Dingell, Pallone, Stupak, Engel, DeFazio, Sandlin, Berkley, and Hoeffel.

#### **AEROSPACE COMMISSION REPORT AND NASA WORKFORCE**

*Committee on Science:* Held a hearing on Aerospace Commission Report and NASA Workforce. Testimony was heard from Robert Walker, Chairman, Commission on the Future of the Aerospace Industry; and public witnesses.

## FAA AND AVIATION PROGRAMS COMMERCIAL AVIATION AUTHORIZATIONS

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on Authorization of the Federal Aviation Administration and the Aviation Programs: Commercial Aviation. Testimony was heard from public witnesses.

## LABOR DEPARTMENT'S BUDGET

*Committee on Ways and Means:* Held a hearing on the Administration's Fiscal Year 2004 Budget for the U.S. Department of Labor. Testimony was heard from Elaine L. Chao, Secretary of Labor.

## CIA OVERVIEW

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on the Director of the CIA Overview. Testimony was heard from departmental witnesses.

## Joint Meetings

### VETERANS OF FOREIGN WARS

*Joint Hearing:* Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Veterans of Foreign Wars, after receiving testimony Raymond C. Sisk, Veterans of Foreign Wars of the United States, Washington, D.C.

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## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D204)

H.R. 395, to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a "do-not-call" registry. Signed on March 11, 2003. (Public Law 108-10)

## COMMITTEE MEETINGS FOR THURSDAY, MARCH 13, 2003

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine causes of the medical liability insurance crisis, 9:30 a.m., SD-192.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Veterans Affairs, 10 a.m., SD-138.

*Committee on Armed Services:* to hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for Fiscal Year

2004 and the Future Years Defense Program, 9:30 a.m., SH-216.

*Subcommittee on Readiness and Management Support,* to hold hearings to examine proposed legislation authorizing funds for the Department of Defense, focusing on the impacts of environmental laws on readiness and the related Administration legislative proposal, 2 p.m., SH-216.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Federal Transit Administration, 10 a.m., SD-538.

*Committee on the Budget:* business meeting to continue markup of a proposed concurrent resolution setting forth the fiscal year 2004 budget for the Federal Government, 10 a.m., SD-608.

*Committee on Commerce, Science, and Transportation:* business meeting to consider S. 579, to reauthorize the National Transportation Safety Board, S. 275, to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, S. 196, to establish a digital and wireless network technology program, S. 165, to improve air cargo security, the nominations of, Ellen G. Engleman, of Indiana, to be a Member of and Chairman of the National Transportation Safety Board, Richard F. Healing, of Virginia, and Mark V. Rosenker, of Maryland, both to be a Member of the National Transportation Safety Board, Charles E. McQueary, of North Carolina, to be Under Secretary of Homeland Security for Science and Technology, Jeffrey Shane, of the District of Columbia, to be Under Secretary of Transportation for Policy, Emil H. Frankel, of Connecticut, to be an Assistant Secretary of Transportation, Robert A. Sturgell, of Maryland, to be Deputy Administrator of the Federal Aviation Administration, U.S. Coast Guard promotion lists, the rules of procedure, and subcommittee assignments for the 108th Congress, 9:30 a.m., SR-253.

*Committee on Energy and Natural Resources:* to hold hearings to examine the impact of fires in 2002 and then look forward to the potential 2003 fire season, 10 a.m., SD-366.

Subcommittee on National Parks, to hold oversight hearings to examine the designation and management of National Heritage Areas, including criteria and procedures for designating heritage areas, the potential impact of heritage areas on private lands and communities, federal and non-federal costs of managing heritage areas, and methods of monitoring and measuring the success of heritage areas, 2:30 p.m., SD-366.

*Committee on Environment and Public Works:* Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold oversight hearings to examine the implementation of the Congestion Mitigation and Air Quality Improvement Program, and Conformity programs, 9:30 a.m., SD-406.

*Committee on Foreign Relations:* to hold a closed briefing to examine Iraq's political future, 2 p.m., S-407, Capitol.

*Committee on the Judiciary:* to hold hearings to examine the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit, 10 a.m., SD-106.

*Committee on Veterans' Affairs:* to hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Retired Enlisted Association, Gold Star Wives of America, the Fleet Reserve Association, and the Air Force Sergeants Association, 10 a.m., 345 Cannon Building.

*Select Committee on Intelligence:* to hold closed hearings to examine intelligence matters, 2:30 p.m., SH-219.

### House

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on National Resources Conservation Service, 9:30 a.m., and on Research, Education and Economics, 1:30 p.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, and State and The Judiciary, and Related Agencies, on SEC, 1 p.m., H-309 Rayburn.

Subcommittee on Defense, executive, on U.S. Northern Command, 1:30 p.m., H-140 Capitol.

Subcommittee on Energy and Water Development, on Department of Energy-Science, Nuclear Energy, and Renewable Energy, 10 a.m., 2362B Rayburn.

Subcommittee on Foreign Operations, Export Financing, and Related Programs, on Secretary of State, 10:30 a.m., 2359 Rayburn.

Subcommittee on Interior and Related Agencies, on National Endowment for the Arts, and National Endowment for the Humanities, 10 a.m., B-308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Department of Education-Panel: "Special Education and Vocational Education" program, 10:15 a.m., 2358 Rayburn.

Subcommittee on Transportation and Treasury, and Independent Agencies, on Inspector General, Department of Transportation, 10 a.m., 2358 Rayburn.

Subcommittee on VA and HUD, and Independent Agencies, on Council on Environmental Quality, 10 a.m., and on Chemical Safety and Hazard Investigation Board, 11 a.m., H-143 Capitol.

*Committee on Armed Services,* to continue hearings on the fiscal year 2004 national defense authorization budget request, 8 a.m., 2118 Rayburn.

Subcommittee on Readiness, hearing on environmental legislative proposals, 10:30 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on force protection policy, with emphasis on the role of the Department of Defense and the National Guard in homeland security, 2 p.m., 2212 Rayburn.

Subcommittee on Total Force, hearing on the Department of Defense total force transformation and overview of the fiscal year 2004 military personnel budget request, 3 p.m., 2216 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on Education Reform, hearing on "IDEA, Focusing on Improving Results for Children and Disabilities," 9:30 a.m., 2175 Rayburn.

Subcommittee on Employer-Employee Relations, hearing on H.R. 660, Small Business Health Fairness Act of 2003, 1 p.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Energy and Air Quality, to continue hearings on "Comprehensive National Energy Policy," 9:30 a.m., 2123 Rayburn.

*Committee on Financial Services,* to consider the following bills: H.R. 21, Unlawful Internet Gambling Funding Prohibition Act; H.R. 522, Federal Deposit Insurance Act of 2003; and H.R. 758, Business Checking Freedom Act of 2003, 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* hearing entitled "Stumbling onto Smut: The Alarming Ease of Access to Pornography on Peer-to-Peer Networks," 10 a.m., 2154 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled "Federal E-Government Initiatives: Are We Headed in the Right Direction?" 2 p.m., 2154 Rayburn.

*Committee on House Administration,* to consider Committee funding requests, 10:40 a.m., 1310 Longworth.

*Committee on International Relations,* Subcommittee on Europe, hearing on United States Priorities in Europe, 1:30 p.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on the "International Copyright Piracy: Links to Organized Crime and Terrorism," 9 a.m., 2141 Rayburn.

*Committee on Science,* Subcommittee on Environment, Technology, and Standards, to mark up H.R. 1081, Aquatic Invasive Species Research Act; followed by a hearing on Harmful Algal Blooms and Hypoxia: Strengthening the Science, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation, to meet for organizational purposes, and to hold an oversight hearing on the Administration's Fiscal Year 2004 Budgets for the U.S. Coast Guard and the Federal Maritime Commission, 2 p.m., 2167 Rayburn.

Subcommittee on Highways, Transit and Pipelines, oversight hearing on Reauthorization of Federal Highway and Transit Programs: What are the needs, and how to meet those needs, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means,* to mark up H.R. 743, Social Security Protection Act of 2003, 10:30 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* Subcommittee on Intelligence Policy and National Security, executive, briefing on Hot Spots, 8:30 a.m., H-405 Capitol.

Subcommittee on Technical and Tactical Intelligence, executive, hearing on Future Imagery Architecture Program, 1 p.m., H-405 Capitol.

### Joint Meetings

*Joint Meetings:* Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Retired Enlisted Association, Gold Star Wives of America, the Fleet Reserve Association, and the Air Force Sergeants Association, 10 a.m., 345 Cannon Building.

*Next Meeting of the SENATE*  
9:30 a.m., Thursday, March 13

Senate Chamber

**Program for Thursday:** Senate will continue consideration of S. 3, Partial-Birth Abortion Ban Act, with a vote on final passage to occur thereon; following which, Senate will vote on the confirmation of the nomination of Thomas A. Varlan, to be United States District Judge for the Eastern District of Tennessee; following which, Senate will proceed to a period of morning business until 11:30 a.m.; following which, Senate will resume consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, with a vote on the motion to invoke cloture to occur at 12:30 p.m.; following which, Senate will consider the nomination of Jay S. Bybee, to be United States Circuit Judge for the Ninth Circuit, with 6 hours of debate, followed by a vote on confirmation of the nomination; to be immediately followed by a vote on the confirmation of the nomination of William H. Steele, to be United States District Judge for the Southern District of Alabama; to be immediately followed by a vote on the confirmation of the nomination of J. Daniel Breen, to be United States District Judge for the Western District of Tennessee.

*Next Meeting of the HOUSE OF REPRESENTATIVES*  
10 a.m., Thursday, March 13

House Chamber

**Program for Thursday:** Consideration of H.R. 5, Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2003 (closed rule, two hours of debate).

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