

# Daily Digest

## HIGHLIGHTS

Senate confirmed the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

## Senate

### Chamber Action

*Routine Proceedings, pages S5439–S5499*

**Measures Introduced:** Nineteen bills and five resolutions were introduced, as follows: S. 931–949, S. Res. 122–125, and S. Con. Res. 39. **Pages S5483–84**

**Measures Reported:** Report to accompany S. 113, to exclude United States persons from the definition of “foreign power” under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism. (S. Rept. No. 108–40) **Page S5482**

#### Measures Passed:

**Supporting St. Tammany Day:** Senate agreed to S. Con. Res. 39, supporting the goals and ideals of St. Tammany Day on May 1, 2003, as a national day of recognition for Tamamend and the values he represented. **Page S5497**

**National Charter Schools Week:** Senate agreed to S. Res. 125, designating April 28, 2003, through May 2, 2003, as “National Charter Schools Week.” **Pages S5498–99**

**Nomination Considered:** Senate resumed consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Pages S5458–72**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Thursday, May 1, 2003. **Pages S5471–72**

A unanimous-consent agreement was reached providing for further consideration of the nomination on Wednesday, April 30, 2003. **Page S5499**

**Digital and Wireless Network Technology Program Act—Agreement:** A unanimous-consent agreement was reached providing for consideration of S. 196, to establish a digital and wireless network

technology program, at 11 a.m., on Wednesday, April 30, 2003, with a vote to occur thereon.

**Page S5499**

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

By 52 yeas 41 nays (Vote No. EX. 135), Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit. **Pages S5440–58, S5499**

**Messages From the House:** **Page S5481**

**Executive Communications:** **Pages S5481–82**

**Executive Reports of Committees:** **Pages S5482–83**

**Additional Cosponsors:** **Pages S5484–86**

**Statements on Introduced Bills/Resolutions:** **Pages S5486–97**

**Additional Statements:** **Pages S5476–81**

**Notices of Hearings/Meetings:** **Page S5497**

**Authority for Committees to Meet:** **Page S5497**

**Record Votes:** One record vote was taken today. (Total—135) **Pages S5457–58**

**Adjournment:** Senate met at 10 a.m., and adjourned at 7:12 p.m., until 10 a.m., on Wednesday, April 30, 2003. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5499.)

### Committee Meetings

*(Committees not listed did not meet)*

#### OVERSEAS BASING REQUIREMENTS

**Committee on Appropriations:** Subcommittee on Military Construction concluded hearings to examine overseas basing requirements, after receiving testimony from Gen. James L. Jones, Commander, United States European Command; and Gen. Leon J. LaPorte, Commander, United Nations Command,

Republic of Korea-United States Combined Forces Command, and United States Forces Korea.

### AMTRAK

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine the future of intercity passenger rail service and Amtrak, focusing on the company's fiscal year 2004 budget request, a rail system based on restructured federal/state/private roles and corridor services, partnerships among states and the federal government, securing federal funding sources, redesigning long-distance trains to complement corridor services and minimize operating losses, long term debt, and operating and capital needs, after receiving testimony from Michael P. Jackson, Deputy Secretary, and Kenneth M. Mead, Inspector General, both of the Department of Transportation; David L. Gunn, President and Chief Executive Officer, Amtrak; David D. King, North Carolina Department of Transportation, Raleigh, on behalf of States for Passenger Rail Coalition; John H. Winner, Harral, Winner, Thompson, Sharp, Lawrence, Inc., Potomac, Maryland; Hank Dittmar, Great American Station Foundation, Las Vegas, New Mexico, on behalf of Reconnecting America; Alan Landes, Herzog Transit Services, St. Joseph, Missouri; and Michael P. Pracht, Railway Supply Institute, Alexandria, Virginia.

### BUSINESS MEETING: COMPREHENSIVE ENERGY LEGISLATION

*Committee on Energy and Natural Resources:* Committee met to consider comprehensive energy legislation, focusing on provisions relating to Indian energy policy and programs, research and development, and transportation fuels, including alternative fuel programs,

but did not complete action thereon, and will meet again on Wednesday, April 30.

### NATO ENLARGEMENT

*Committee on Foreign Relations:* Committee concluded hearings to examine the developing situations in the Middle East and on the Korean Peninsula, and a resolution of ratification to the Accession Protocols that will expand the NATO Alliance to include Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, after receiving testimony from Colin L. Powell, Secretary of State.

### SARS

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings to examine the status of the Severe Acute Respiratory Syndrome threat, after receiving testimony from Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Department of Health and Human Services; and James G. Young, Ontario Ministry of Public Safety and Security, Canada.

### ASSISTED LIVING REPORT

*Special Committee on Aging:* Committee concluded hearings to examine the Assisted Living Workgroup's report entitled "Assuring Quality in Assisted Living: Guidelines for Federal and State Policy, State Regulation, and Operations," after receiving testimony from Stephen McConnell, Alzheimer's Association, Washington, D.C.; Dan B. Madsen, Leisure Care, Inc., Bellevue, Washington, on behalf of the American Seniors Housing Association; and Robert L. Mollica, National Academy for State Health Policy, Portland, Maine.

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# House of Representatives

## Chamber Action

**Measures Introduced:** 37 public bills, H.R. 1835–1871; 1 private bill, H.R. 1872; and 6 resolutions, H. Con. Res. 156–157, and H. Res. 204–207, were introduced. **Pages H3450–52**

**Additional Cosponsors:** **Pages H3452–54**

**Reports Filed:** Reports were filed today as follows: H.R. 810, to amend title XVIII of the Social Security Act to provide regulatory relief and contracting flexibility under the Medicare Program, amended (H. Rept. 108–74, Pt. 2);

H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, amended (Rept. 108–77);

H.R. 1346, to amend the Office of Federal Procurement Policy Act to provide an additional function of the Administrator for Federal Procurement Policy relating to encouraging Federal procurement policies that enhance energy efficiency, amended (H. Rept. 108–78 Pt. 1); and

H. Res. 206, providing for consideration of H.R. 1350, to reauthorize the Individuals with Disabilities Education Act (H. Rept. 108–79). **Page H3450**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Biggert to act as Speaker pro tempore for today. **Page H3409**

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rev. Edward J. Burns, Executive Director, Secretariat for Vocations and Priestly Formation, United States Conference of Catholic Bishops. **Page H3409**

**Capitol Preservation Commission:** Read a letter from Representative Ehlers wherein he appointed Representative Mica to be his designee on the Capitol Preservation Commission. **Page H3411**

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

**Recognizing Operation Respect and the “Don’t Laugh At Me” Programs:** H. Res. 161, amended, recognizing the achievements of Operation Respect, the “Don’t Laugh At Me” programs, and Peter Yarrow. Agreed to amend the title so as to read: “Resolution recognizing the achievements of Operation Respect and the ‘Don’t Laugh At Me’ programs.”; **Pages H3411–15**

**Commending Students in Free Enterprise (SIFE):** H. Res. 107, amended, commending and supporting the efforts of Students in Free Enterprise (SIFE), the world’s preeminent collegiate free enterprise organization, and its president, Alvin Rohrs. Agreed to amend the title so as to read: “Resolution commending and supporting the efforts of Students in Free Enterprise (SIFE), the world’s preeminent collegiate free enterprise organization.”; **Pages H3415–17**

**Ongoing Contributions of Charter Schools:** H. Res. 204, congratulating charter schools across the United States, and the students, parents, teachers, and administrators of such schools, for their ongoing contributions to education (agreed to by yeas and nays vote of 403 yeas with none voting “nay” and 5 voting present, Roll No. 146); **Pages H3417–20, H3432–33**

**175th Anniversary of the Capitol Police:** H. Con. Res. 156, extending congratulations to the United States Capitol Police on the occasion of its 175th anniversary and expressing gratitude to the men and women of the United States Capitol Police and their families for their devotion to duty and service in safeguarding the freedoms of the American people (agreed to by yeas and nays vote of 409 yeas with none voting “nay”, Roll No. 147); **Pages H3420–22, H3433–34**

**Support for Patriots’ Day and Honoring the Nation’s First Patriots:** H. Con. Res. 149, expressing support for the celebration of Patriots’ Day on April 19th and honoring the Nation’s first patriots (agreed

to by yeas and nays vote of 411 yeas with none voting “nay”, Roll No. 148). Agreed to amend the title so as to read: “Concurrent Resolution expressing support for the celebration of Patriots’ Day and honoring the Nation’s first patriots.”; **Pages H3422–25, H3434**

**Centennial Anniversary of the National Wildlife Refuge System:** H. Res. 173, recognizing the achievements and contributions of the National Wildlife Refuge System on the occasion of its centennial anniversary and expressing strong support for the continued success of the National Wildlife Refuge System; **Pages H3425–28**

**Gila River Indian Community Judgment Fund Distribution:** S. 162, to provide for the use and distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community—clearing the measure for the President; and **Pages H3428–31**

**Blackwater National Wildlife Refuge Expansion:** H.R. 274, to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge. **Pages H3431–32**

**Recess:** The House recessed at 4:28 p.m. and reconvened at 6:34 p.m. **Page H3432**

**Committee Election:** The House agreed to H. Res. 205, electing Representative Putnam to the Committee on Resources. **Page H3435**

**United States—China Security Review Commission:** Read a letter from the Minority Leader wherein she announced her reappointment of Mr. George Becker of Pennsylvania, for a term to expire on December 31, 2005 and Mr. Michael Wessel of Virginia for a term to expire on December 31, 2004. **Page H3435**

**Quorum Calls—Votes:** Three yeas and nays votes developed during the proceedings of the House today and appear on pages H3432–33, H3433–34, H3434. There were no quorum calls.

**Adjournment:** The House met at 2 p.m. and adjourned at 9:20 p.m.

## Committee Meetings

### MISSING, EXPLOITED AND RUNAWAY YOUTH

**Committee on Education and the Workforce:** Subcommittee on Select Education held a hearing entitled “Missing, Exploited and Runaway Youth: Strengthening the System.” Testimony was heard from public witnesses.

## STRENGTHENING AND REJUVENATING OUR NATION'S COMMUNITIES AND THE HOPE VI PROGRAM

*Committee on Financial Services:* Subcommittee on Housing and Community Opportunity held a hearing entitled "Strengthening and Rejuvenating our Nation's Communities and the HOPE VI Program." Testimony was heard from Michael Liu, Assistant Secretary, Public and Indian Housing, Department of Housing and Urban Development; and public witnesses.

## PROPOSED NATIONAL SECURITY PERSONNEL SYSTEM

*Committee on Government Reform:* Subcommittee on Civil Service and Agency Organization held a hearing on "Transforming the Defense Department: Exploring the Merits of the Proposed National Security Personnel System." Testimony was heard from David S.C. Chu, Under Secretary, Personnel and Readiness, Department of Defense; Dan G. Blair, Deputy Director, OPM; David M. Walker, Comptroller General, GAO; and public witnesses.

## WHY IS SBA LOSING GROUND ON FINANCIAL MANAGEMENT?

*Committee on Government Reform:* Subcommittee on Government Efficiency and Financial Management held a hearing on "Why is SBA Losing Ground on Financial Management?" Testimony was heard from Linda Calbom, Director, Financial Management and Assurance, GAO; the following officials of the SBA: Thomas Dumaresq, Chief Financial Officer; and Peter McClintock, Deputy Inspector General; and public witnesses.

## HOMELAND DEFENSE

*Committee on Government Reform:* Subcommittee on National Security, Emerging Threats and International Relations hearing on "Homeland Defense: Old Force Structures for New Missions?" Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; Thomas F. Hall, Assistant Secretary, Reserve Affairs; and Lt. Gen. Edward G. Anderson III, USA, Deputy Commander, U.S. Northern Command and Aerospace Defense Command; Raymond Decker, Director, Defense Capabilities Management Team, GAO; and public witnesses.

## FEDERAL GRANTS MANAGEMENT

*Committee on Government Reform:* Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing on "Federal Grants Management: A Process Report on Streamlining and Simplifying the Federal Grants Process." Testimony was heard from Linda M. Springer, Con-

troller, Office of Federal Financial Management, OMB; Ed Sontag, Assistant Secretary, Administration and Management, Department of Health and Human Services; Paul Posner, Managing Director, Federal Budget and Intergovernmental Relations, GAO; and public witnesses.

## NATO AND ENLARGEMENT

*Committee on International Relations:* Subcommittee on Europe held a hearing on NATO and Enlargement: Progress Since Prague. Testimony was heard from Robert A. Bradtke, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and Ian J. Brzezinski, Deputy Assistant Secretary, European and NATO Policy, Department of Defense.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Subcommittee on Crime held a hearing on the following bills: H.R. 21, Unlawful Internet Gambling Funding Prohibition Act; and H.R. 1223, Internet Gambling Licensing and Regulation Commission Act. Testimony was heard from Representative Leach; John G. Malcolm, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and public witnesses.

## PRISON RAPE REDUCTION ACT

*Committee on the Judiciary:* Subcommittee on Crime held a hearing on H.R. 1707, Prison Rape Reduction Act of 2003. Testimony was heard from Tracy Henke, Principal Deputy Assistant Attorney General, Office of Justice Programs, Department of Justice; Ashbel T. Wall II, Director, Department of Corrections, State of Rhode Island; and public witnesses.

## OVERSIGHT—GROWING PROBLEM OF INVASIVE SPECIES

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Oceans and the Subcommittee on National Parks, Recreation, and Public Lands held a joint oversight hearing on the Growing Problem of Invasive Species. Testimony was heard from James Tate, Jr., Science Advisor to the Secretary, Department of the Interior; Chuck Lambert, Deputy Under Secretary, Marketing and Regulatory Programs, USDA; Stephen Brandt, Director, Great Lakes Environmental Research Lab, NOAA, Department of Commerce; Edwin Theriot, Mississippi Valley Division, Army Corps of Engineers, Department of the Army; and public witnesses.

## IMPROVING EDUCATION RESULTS FOR CHILDREN WITH DISABILITIES ACT

*Committee on Rules:* Granted, by voice vote, a structured rule on H.R. 1350, Improving Education Results for Children with Disabilities Act of 2003, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. 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 shall 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 Chairman Boehner and Representatives McKeon, Castle, DeMint, Musgrave, Nethercutt, Bass, Simmons, Kirk, Bradley of New Hampshire, George Miller of California, Woolsey, Davis of California, Van Hollen, Millender-McDonald, Larson of Connecticut.

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## COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 30, 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 health care access and affordability, 9:30 a.m., SD-124.

Subcommittee on Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2004 for Homeland Security, 10 a.m., SD-106.

Subcommittee on District of Columbia, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the District of Columbia Courts, 10 a.m., SD-138.

Subcommittee on Defense, to hold hearings to examine medical programs of the Department of Defense, 11 a.m., SD-192.

Subcommittee on Foreign Operations, to hold hearings to examine proposed budget estimates for fiscal year 2004 for foreign operations, 1:30 p.m., SD-138.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the Fire Research Act, 9:30 a.m., SR-253.

*Committee on Energy and Natural Resources:* business meeting to consider comprehensive energy legislation, 10 a.m., SD-366.

*Committee on Foreign Relations:* business meeting to consider Treaty Doc. 108-4, Protocols to the North Atlantic Treaty of 1949 on the Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, and S. Con. Res. 26, condemning the punishment of execution by stoning as a gross violation of human rights, 10 a.m., SD-419.

Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine U.S. energy security, focusing on Russia and the Caspian, 2:30 p.m., SD-419.

*Committee on Indian Affairs:* to hold hearings to examine S. 519, to establish a Native American-owned financial entity to provide financial services to Indian tribes, Native American organizations, and Native Americans, 2 p.m., SR-485.

*Committee on the Judiciary:* to hold hearings to examine pending nominations, 10 a.m., SD-226.

### House

*Committee on Agriculture,* hearing on the Administration's Healthy Forests Initiative, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* Subcommittee on Defense, executive, on U.S. Special Operations Command, 1:30 p.m., H-140 Capitol.

Subcommittee on the District of Columbia, on D.C. Courts, 1:30 p.m., 2362 Rayburn.

Subcommittee on Foreign Operations, Export Financing, and Related Programs, on Secretary of the Treasury, 10 a.m., 2359 Rayburn.

Subcommittee on Homeland Security, on Emergency Preparedness and Response Directorate, 2 p.m., 2358 Rayburn.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Employment Assistance and Training Activities Panel, 10:15 a.m., 2358 Rayburn.

Subcommittee on Transportation and Treasury, and Independent Agencies, on Executive Office of the President, 10 a.m., 2358 Rayburn.

*Committee on Energy and Commerce,* to mark up the following measures: H. Con. Res. 108, encouraging corporations to contribute to faith-based organizations; 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 and expressing support for the goals and ideals of Human Genome Month and DNA Day; H. Con. Res. 147, commemorating the 20th Anniversary of the Orphan Drug Act and the National Organization for Rare Disorders; H. Res. 201, expressing the sense of the House of Representatives that

our Nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country in many ways, especially in these days of increased engagement of our military in strategic locations around our Nation and around the world; and H.R. 1320, Commercial Spectrum Enhancement Act, 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Trade and Consumers Protection, hearing entitled "Travel and Tourism in America Today," 1 p.m., 2123 Rayburn.

*Committee on Financial Services*, hearing on United States monetary and economic policy, 10 a.m., 2128 Rayburn.

*Committee on Government Reform*, hearing on "Better Training, Efficiency and Accountability: Services Acquisition Reform for the 21st Century," 10 a.m., 2154 Rayburn.

*Committee on International Relations*, Subcommittee on International Terrorism, Nonproliferation and Human Rights, hearing on a Review of the State Department Country Reports on Human Rights Practices, 2 p.m., 2172 Rayburn.

*Committee on Resources*, to mark up the Healthy Forests Restoration Act of 2003, 10 a.m., 1324 Longworth.

*Committee on Rules*, to consider H.R. 1298, U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, 2 p.m., H-313 Capitol.

*Committee on Transportation and Infrastructure*, Subcommittee on Coast Guard and Maritime Transportation and the Subcommittee on Water Resources and Environment, joint hearing on Interpretations of Existing Ownership Requirements for U.S. Flag Dredges, 2 p.m., 2167 Rayburn.

Subcommittee on Railroads, oversight hearing on Current Amtrak Issues, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, Subcommittee on Benefits, hearing on the following bills: H.R. 1460, Veterans Entrepreneurship Act of 2003; H.R. 1712, Veterans Federal Procurement Opportunity Act of 2003; and H.R. 1716, Veterans Earn and Learn Act, 10 a.m., 334 Cannon.

*Committee on Ways and Means*, Subcommittee on Select Revenue Measures, hearing on Challenges Facing Pension Plan Funding, 2:30 p.m., 1100 Longworth.

*Next Meeting of the SENATE*  
10 a.m., Wednesday, April 30

*Next Meeting of the HOUSE OF REPRESENTATIVES*  
10 a.m., Wednesday, April 30

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#### Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will consider S. 196, Digital and Wireless Network Technology Program Act, with a vote to occur thereon at approximately 12 noon; following which, Senate will continue consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

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#### House Chamber

**Program for Wednesday:** Consideration of H.R. 1350, Improving Education Results for Children With Disabilities (structured rule, one hour of general debate).

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### Extensions of Remarks, as inserted in this issue

#### HOUSE

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