

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 2, Jobs and Growth Reconciliation Tax Act.

Senate passed H.R. 1298, United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act.

The House passed H.R. 1527, National Transportation Safety Board Re-authorization.

House committees ordered recorded nine sundry measures.

## Senate

### Chamber Action

*Routine Proceedings, pages S6407–S6569*

**Measures Introduced:** Seven bills and one resolution were introduced, as follows: S. 1068–1074, and S. Res. 144. **Pages S6506–07**

#### Measures Reported:

S. 521, to amend the Act of August 9, 1955, to extend the terms of leases of certain restricted Indian land, with an amendment in the nature of a substitute. (S. Rept. no. 108–48) **Page S6506**

S. 523, to make technical corrections to law relating to Native Americans, with an amendment in the nature of a substitute. (S. Rept. No. 108–49) **Page S6506**

#### Measures Passed:

**Jobs and Growth Reconciliation Tax Act:** By 51 yeas to 49 nays (Vote No. 179), Senate passed H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1054, as amended, after taking action on the following amendments proposed thereto:

**Pages S6407–15, S6421–28, S6429–45, S6451–75**

#### Adopted:

By 98 yeas to 2 nays (Vote No. 148), Bunning/McConnell Amendment No. 589, to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits. **Page S6408**

Baucus Amendment No. 624 (to Amendment No. 555), to increase the criminal penalties for fraud and false statements. **Page S6409**

Grassley Amendment No. 555, to increase the criminal monetary penalty the underpayment or overpayment of tax due to fraud. **Page S6409**

By 70 yeas to 30 nays (Vote No. 150), Specter Amendment No. 569, to urge the Senate Finance Committee and the Joint Economic Committee to hold hearings and consider legislation providing for a flat tax. **Pages S6409–10**

By 86 yeas to 12 nays, (Vote No. 156) Grassley Amendment No. 594, to amend title XVIII of the Social Security Act to enhance beneficiary access to quality health care services in rural areas under the Medicare program. **Pages S6413–14**

By 95 yeas to 3 nays, (Vote No. 157) Collins Amendment No. 596, to provide temporary State and local fiscal relief. **Page S6414**

Voinovich Modified Amendment No. 592, to establish a blue ribbon commission on comprehensive tax reform. **Page S4622**

Ensign Modified Amendment No. 622, to encourage the investment of foreign earnings within the United States for productive business investments and job creation. **Pages S6426–28**

By 50 yeas to 50 nays, Vice President voting yea (Vote No. 171), Nickles Amendment No. 664, to modify the dividend exclusion provision. **Pages S6532–35**

Boxer Amendment No. 667, to require a parent who is chronically delinquent in child support to include the amount of the unpaid obligation in gross income. **Pages S6435–37**

Reed Amendment No. 672, to preserve the value of the low-income housing tax credit. **Page S6438**

Grassley (for Burns/Rockefeller) Amendment No. 593, to amend the Internal Revenue Code of 1986

to allow the expensing of broadband Internet access expenditures. **Page S6451**

Baucus (for Bunning) Amendment No. 646, to allow a credit for distilled spirits wholesalers and for distilled spirits in control State bailment warehouses against income tax for the cost of carrying Federal excise taxes prior to the sale of the product bearing the tax. **Pages S6454–55**

Grassley (for Santorum) Amendment No. 613, to clarify that water and sewerage service laterals qualify as contribution in aid of construction. **Page S6452**

Baucus/Grassley Modified Amendment No. 644, to extend certain expiring provisions. **Page S6454**

Baucus (for Reid /Graham (SC)) Amendment No. 665, to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel. **Page S6456**

Baucus (for Inouye) Amendment No. 657, to exempt certain sightseeing flights from taxes on air transportation. **Page S6456**

Baucus (for Biden) Amendment No. 567, to require group health plans to provide coverage for reconstructive surgery following mastectomy, consistent with the Women's Health and Cancer Rights Act of 1998. **Page S6451**

Baucus (for Schumer) Amendment No. 651, to amend the Internal Revenue Code of 1986 to allow for the expansion of areas designated as renewal communities based on 2000 census data. **Page S6455**

Baucus (for Landrieu) Amendment No. 580, to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain other renewal communities. **Page S6451**

Grassley (for Allen) Amendment No. 571, to amend the Internal Revenue Code of 1986 to expand the combat zone income tax exclusion to include income for the period of transit to the combat zone and to remove the limitation on such exclusion for commissioned officers. **Page S6451**

Grassley (for McCain/Baucus) Amendment No. 661, to add provisions of the Armed Forces Tax Fairness Act of 2003. **Pages S6549–51**

Baucus (for Graham (FL)) Amendment No. 649, to provide tax relief to growers affected by citrus canker. **Page S6455**

Baucus (for Bingaman) Amendment No. 654, to amend title XIX of the Social Security Act to temporarily increase the floor for treatment as an extremely low DSH State and to provide for an allotment adjustment for certain States. **Pages S6462–63**

Grassley (for Hatch) Amendment No. 626, to amend the Internal Revenue Code to simplify certain provisions applicable to real estate investment trusts. **Page S6454**

Grassley (for Hatch) Amendment No. 625, to provide for S corporation reform and simplification. **Page S6452**

Grassley (for Hatch) Amendment No. 627, to exclude certain punitive damages received by the taxpayer from gross income. **Page S6454**

Grassley (for DeWine) Amendment No. 673, to amend the Internal Revenue Code of 1986 to provide for the treatment of certain imported recycled halons. **Page S6456**

Baucus (for Schumer) Modified Amendment No. 659, to modify the involuntary conversion rules for businesses affected by the September 11, 2001, terrorist attacks. **Page S6456**

Grassley/Baucus Amendment No. 680, to provide an amendment. **Page S6456**

Rejected:

By 49 yeas to 51 nays (Vote No. 172), Breaux Amendment No. 663, to strike section 350 relative to the repeal of the earned income exclusion of citizens or residents living abroad. **Pages S6434–35**

By 48 yeas to 52 nays (Vote No. 173), Kennedy Amendment No. 545, to eliminate the dividend and upper bracket tax cuts, which primarily benefit the wealthy, to provide the additional funds necessary for an adequate Medicare prescription drug benefit, including assuring that the benefit is comprehensive, with no gaps or excessive cost-sharing, covers all Medicare beneficiaries, provides special help for beneficiaries with low income, and does not undermine employer retirement coverage. **Pages S6437–38**

By 49 yeas to 50 nays (Vote No. 174), Dodd Amendment No. 572, to improve access to higher education for middle-income families by making resources available to expand the Hope and Lifetime Learning Scholarship Credits and for lower-income families by making resources available to increase the maximum Pell Grant to \$4500 and to provide an equal amount for deficit reduction by eliminating the 10 percent dividend tax exclusion for amounts above \$500 and eliminating acceleration of the 38.6 percent income tax rate reduction. **Page S6438**

Hollings/Chafee Amendment No. 607, to promote fiscal responsibility. **Pages S6438–39**

Reid (for Dorgan) Amendment No. 668, to provide for deficit reduction. **Page S6439**

Durbin Amendment No. 669, to provide health care coverage for qualified caregivers. **Page S6439**

Rockefeller Modified Amendment No. 618, to expand the incentives for the construction and renovation of public schools. **Pages S6439–40**

Dayton Amendment No. 616, to amend the Congressional Budget and Impoundment Control Act of 1974 to limit the phase-in of revenue-reducing measures to 1 year. **Page S6440**

Dorgan Amendment No. 666, to strike the section relating to qualified tax collection contracts. **Pages S6463–75**

Withdrawn:

Harkin Amendment No. 595, to help rural health care providers and hospitals receive a fair reimbursement for services under Medicare by reducing tax cuts regarding dividends. **Page S6414**

Warner Modified Amendment No. 550, to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses. **Pages S6423–24**

Landrieu Amendment No. 621, to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain other renewal communities. **Page S6426**

Baucus (for McCain) Amendment No. 612, to add the provisions of the Armed Forces Tax Fairness Act of 2003. **Page S6429**

Burns Amendment No. 593, to amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures. **Page S6429**

Santorum Amendment No. 670, to provide a dividend exclusion which eliminates the double taxation of corporate dividends. **Page S6440**

Santorum Amendment No. 648, to clarify the treatment of net operating loss in calculating tax attributes under section 108 of the Internal Revenue Code of 1986. **Pages S6442–43**

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 51 nays (Vote No. 149), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Dorgan/Baucus Amendment No. 556, to repeal the 1993 income tax increase on Social Security benefits and to offset the revenue loss. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6408–09**

By 47 yeas to 53 nays (Vote No. 151), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Baucus Amendment No. 570, to ensure that the limit on refundability

shall not apply to the additional \$400 child credit for 2003, to make the dividend exclusion effective for taxable years beginning in 2003, and to eliminate the increase in the dividend exclusion from 10 percent to 20 percent of dividends over \$500. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Page S6410**

By 50 yeas to 49 nays (Vote No. 152), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Kennedy Amendment No. 544, to provide for additional weeks of temporary extended unemployment compensation and to provide for a program of temporary enhanced regular unemployment compensation. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6411**

By 49 yeas to 51 nays (Vote No. 153), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Lincoln Amendment No. 578, to expand the refundability of the child tax credit. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6411–12**

By 49 yeas to 50 nays (Vote No. 154), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 577, to permanently extend and modify the research and experimentation tax credit and strike the partial exclusion of dividends provision. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6412**

By 49 yeas to 51 nays (Vote No. 155), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Jeffords Amendment

No. 587, to accelerate the elimination of the marriage penalty in the earned income credit. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls.

Pages S6412-13

By 47 yeas to 52 nays (Vote No. 158), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Murray Amendment No. 564, to provide temporary State fiscal relief. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls.

Pages S6414-15

By 44 yeas to 56 nays (Vote No. 159), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Stabenow Amendment No. 614, to ensure the enactment of a Medicare prescription drug benefit. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Page S6421

By 35 yeas to 65 nays (Vote No. 160), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Graham (FL) Amendment No. 617, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Pages S6422-23

By 37 yeas to 61 nays, 1 responding present (Vote No. 161), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Kyl Amendment No. 575, to further enhance the denial of deduction for certain fines, penalties, and other amounts. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Page S6424

By 46 yeas to 54 nays (Vote No. 162), three-fifths of those Senators duly chosen and sworn, not having

voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Landrieu Amendment No. 619, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Pages S6424-25

By 46 yeas to 54 nays (Vote No. 163), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Landrieu Amendment No. 620, to provide pay protection for members of the Reserve and the National Guard. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Pages S6425-26

By 49 yeas to 51 nays (Vote No. 164), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 557, to amend the Internal Revenue Code of 1986 to make higher education more affordable. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls.

Page S6426

By 75 yeas to 25 nays (Vote No. 165), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Ensign Modified Amendment No. 622, to encourage the investment of foreign earnings within the United States for productive business investments and job creation. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was not sustained.

Pages S6426-28

By 49 yeas to 51 nays (Vote No. 166), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Conrad Amendment No. 611, to make the child tax credit acceleration applicable to 2002. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section

302(a) allocation, was sustained, and the amendment thus falls. **Pages S6428, S6429**

By 46 yeas to 54 nays (Vote No. 167), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Daschle Amendment No. 656, to create jobs, provide opportunity, and restore prosperity. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since it would increase mandatory spending and cause the bill to exceed the committee's section 302(a) allocation, was sustained, and the amendment thus falls. **Pages S6429-30**

By 44 yeas to 56 nays (Vote No. 168), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Dayton Amendment No. 615, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Pages S6430-31**

By 48 yeas to 51 nays (Vote No. 169), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Mikulski Amendment No. 605, to provide a partially refundable tax credit for caregiving related expenses. Subsequently, the point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6431**

By 51 yeas to 49 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act, with respect to Sessions Amendment No. 639, to apply the sunset provision to the revenue increase provisions. Subsequently, the point of order that the amendment was in violation of section 313(b)(1)(E) (Byrd Rule) of the Congressional Budget Act, was sustained, and the amendment thus falls. **Pages S6431-32**

By 37 yeas to 63 nays (Vote No. 175), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305(b)(2) of the Congressional Budget Act of 1974, with respect to Edwards Amendment No. 662, to amend the Internal Revenue Code of 1986 to close the "janitors insurance" tax loophole. Subsequently, the point of order that the amendment was in violation of section 305(b)(2)

of the Congressional Budget Act of 1974, relative to germaneness, was sustained, and the amendment thus falls. **Page S6441**

By 43 yeas to 57 nays (Vote No. 176), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 202 of H.Con.Res. 95, Fiscal Year 2004 Concurrent Resolution on the Budget, with respect to Dorgan Amendment No. 666, to strike the section relating to qualified tax collection contracts. Subsequently, the point of order raised against the amendment was not sustained, and the amendment was then rejected by a voice vote (listed above). **Pages S6443-45**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Grassley, Hatch, Nickles, Lott, Baucus, Rockefeller, and Breaux.

Subsequently, S. 1054 was returned to the Senate Calendar. **Page S6500**

**Global HIV/AIDS Act:** Senate passed H.R. 1298, to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, after taking action on the following amendments proposed there-to: **Pages S6415-21, S6445-S6500**

Adopted:

Biden/Leahy Amendment No. 686, to amend the International Financial Institutions Act to provide for modification of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative. **Pages S6485-88**

Rejected:

By 48 yeas to 52 nays (Vote No. 177), Durbin Amendment No. 676, to provide alternate terms for the United States participation in the Global Fund to Fight AIDS, Tuberculosis and Malaria. **Pages S6445-48**

By 48 yeas to 52 nays (Vote No. 178), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dorgan Amendment No. 678, to provide emergency funding for food aid to HIV/AIDS affected populations in sub-Saharan Africa. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. **Pages S6449-50**

By 45 yeas to 52 nays (Vote No. 180), Feinstein Amendment No. 682, to modify provisions relating to the distribution of funding. **Pages S6475-78**

By 42 yeas to 54 nays (Vote No. 181), Kennedy Amendment No. 681, to provide for the procurement of certain pharmaceuticals at the lowest possible price for products of assured quality. **Pages S6478-81**

By 45 yeas to 50 nays (Vote No. 182), Boxer Amendment No. 684, to require a specific plan to help AIDS orphans. **Page S6481**

By 44 yeas to 51 nays (Vote No. 183), Dodd Amendment No. 685, to add CARICOM Countries and the Dominican Republic to Priority List of HIV/AIDS Coordinator. **Pages S6481-84**

Clinton Amendment No. 652, to improve women's health and empowerment and reduce women's vulnerability to HIV/AIDS. **Pages S6484-85**

**Hometown Heroes Survivors Benefits Act:** Committee on the Judiciary was discharged from further consideration of S. 459, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits, and the bill was then passed. **Pages S6567-68**

**Fallen Law Enforcement Officers and Firefighters Flag Memorial Act:** Committee on Rules and Administration was discharged from further consideration of S. 535, to provide Capitol-flown flags to the families of law enforcement officers and firefighters killed in the line of duty, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S6568**

Frist (for Dodd) Amendment No. 683, to provide for the delivery of flags through Congress. **Page S6568**

**Honoring the City of Fayetteville:** Committee on the Judiciary was discharged from further consideration of H. Con. Res. 58, honoring the City of Fayetteville, North Carolina, and its many partners for the Festival of Flight, a celebration of the centennial of Wilbur and Orville Wright's first flight, the first controlled, powered flight in history, and the concurrent resolution was then agreed to. **Page S6568**

**Authorizing the Use of the Capitol Grounds:** Senate agreed to H. Con. Res. 128, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run. **Pages S6568-69**

**Department of Defense Authorization—Agreement:** A unanimous consent agreement was reached providing for consideration of S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, at 2:30 p.m., on Monday, May 19, 2003; provided that all first-degree amendments be relevant and that any second-degree amendments be relevant to the first-degree

amendment to which it was offered; further that, the time until 5:30 p.m. be for debate only. **Page S6569**

**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaty:

Protocol of 1997 Amending MARPOL Convention (Treaty Doc. No. 108-7)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S6569**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing for consideration of the nomination of S. Maurice Hicks, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana, at 5:30 p.m., on Monday, May 19, 2003, with a vote to immediately occur on confirmation of the nomination. **Page S6500**

**Nominations Received:** Senate received the following Nominations:

William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Henry F. Floyd, of South Carolina, to be United States District Judge for the District of South Carolina.

Ronald A. White, of Oklahoma, to be United States District Judge for the Eastern District of Oklahoma. **Page S6569**

**Messages From the House:** **Page S6504**

**Measures Referred:** **Pages S6504-05**

**Executive Communications:** **Pages S6505-06**

**Executive Reports of Committees:** **Page S6506**

**Additional Cosponsors:** **Pages S6507-09**

**Statements on Introduced Bills/Resolutions:** **Pages S6509-17**

**Additional Statements:** **Pages S6503-04**

**Amendments Submitted:** **Pages S6517-67**

**Authority for Committees to Meet:** **Page S6567**

**Record Votes:** Thirty-six record votes were taken today. (Total—183)

**Pages S6408-14, S6421, S6423-26, S6428, S6429-32, S6434, S6437-38, S6441, S6443-44, S6448, S6450, S6474, S6478, S6480-81, S6484.**

**Adjournment:** Senate met at 9:15 a.m., and adjourned at 2:19 a.m., on Friday, May 16, 2003, until 2 p.m., on Monday, May 19, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6569.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Defense concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Defense, after receiving testimony from numerous public witnesses.

### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following business items:

S. 1039, to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works, with an amendment; and

S. 1043, to provide for the security of commercial nuclear power plants and facilities designated by the Nuclear Regulatory Commission, with an amendment in the nature of a substitute.

### HOMELAND SECURITY

*Committee on Governmental Affairs:* Committee concluded hearings to examine homeland security issues facing state and local governments, focusing on the role and direction of U.S. homeland security efforts, including preparedness planning, investing resources based on comprehensive and integrated statewide plans, maximizing the investment in intelligence gathering and analysis, and providing a multi-year framework for homeland security planning, after receiving testimony from Massachusetts Governor Mitt Romney, Boston, on behalf of the National Governors' Association; Mayor Kwame M. Kilpatrick, Detroit, Michigan, on behalf of the U.S. Conference of Mayors; Art Cleaves, Maine Emergency Management Agency, Augusta; and Mark Stenglein, Hennepin County Board of Commissioners, Minneapolis, Minnesota.

### NOMINATIONS

*Committee on Governmental Affairs:* Committee concluded hearings to examine the nominations of Terrence A. Duffy, of Illinois, to be a Member of the Federal Retirement Thrift Investment Board, who was introduced by Senator Durbin and Allen, and Susanne T. Marshall, of Virginia, to be Chairman of

the Merit Systems Protection Board, and Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board, both of whom were introduced by Senator Allen, after each nominee testified and answered questions in their own behalf.

### NATIVE AMERICAN LANGUAGE ACT

*Committee on Indian Affairs:* Committee concluded hearings to examine S. 575, to amend the Native American Languages Act to provide for the support of Native American language survival schools, after receiving testimony from Leanne Hinton, University of California at Berkeley; Christine P. Sims, Pueblo of Acoma, New Mexico, on behalf of the Linguistic Institute for Native Americans; Mary Eunice Romero, University of Arizona, Tucson, on behalf of the Cochiti Pueblo of New Mexico; Rosalyn R. LaPier and Joycelyn DesRosier, both of the Piegan Institute Nizipuhwahsin School, Browning, Montana; Geneva Woomavoyah Navarro and Rita Coosewon, both of the Comanche Nation College, Lawton, Oklahoma; Lawrence D. Kaplan, University of Alaska, Fairbanks; Rosita Worl, University of Alaska Southeast, Juneau, on behalf of the Sealaska Heritage Institute; Kalena Silva, Keiki Kawaiaea, William H. Wilson, and Holo Hoopai, all of the Ka Haka 'Ula O Ke'elikolani College, University of Hawaii at Hilo; Namaka Rawlins, Aha Punana Leo, Inc., Hilo, Hawaii; Mary Hermes, University of Minnesota, Duluth, on behalf of the Waadookodaading Ojibwe Language Immersion School, and Lisa LaRonge, Ojibwe Language Immersion School, Hayward, Wisconsin; William Y. Brown and Jennifer Chock, both of the Bishop Museum, Honolulu, Hawaii; David Dinwoodie, University of New Mexico, Albuquerque; and John W. Cheek, National Indian Education Association, Alexandria, Virginia.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 878, to authorize an additional permanent judgeship in the District of Idaho, with an amendment in the nature of a substitute; and

The nominations of L. Scott Coogler, to be United States District Judge for the Northern District of Alabama, and Mark Moki Hanohano, to be United States Marshal for the District of Hawaii.