

Daily Digest

HIGHLIGHTS

Senate passed S. 1050, National Defense Authorization Act.

House committees ordered reported nine sundry measures.

The House agreed to the Conference Report on H.R. 2, Jobs and Growth Tax Relief Reconciliation Act.

The House passed H.R. 1588, National Defense Authorization for Fiscal Year 2004.

The House passed H.R. 2185, Unemployment Compensation Amendments of 2003.

Senate

Chamber Action

Routine Proceedings, pages S6891–S7070

Measures Introduced: Thirty-nine bills and two resolutions were introduced, as follows: S. 1103–1141, S.J. Res. 13, and S. Res. 153.

Pages S6977–79

Measures Reported:

S. 579, to reauthorize the National Transportation Safety Board. (S. Rept. No. 108–53) **Page S6977**

S. Res. 92, designating September 17, 2003 as “Constitution Day”. **Page S6977**

S. Res. 136, recognizing the 140th anniversary of the founding of the Brotherhood of Locomotive Engineers, and congratulating members and officers of the Brotherhood of Locomotive Engineers for the union’s many achievements. **Page S6977**

S. Res. 145, designating June 2003, as “National Safety Month”. **Page S6977**

S. 554, to allow media coverage of court proceedings. **Page S6977**

S. 858, to extend the Abraham Lincoln Bicentennial Commission. **Page S6977**

Measures Passed:

National Defense Authorization: By 98 yeas to 1 nay (Vote No. 194), Senate passed 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, and to prescribe personnel strengths for such fiscal year for the Armed

Forces, after taking action on the following amendments proposed thereto: **Pages S6892–S6918, S6919–41**

Adopted:

Warner (for Smith) Amendment No. 804, to authorize a land exchange, Naval and Marine Corps Reserve Center, Portland, Oregon. **Pages S6892–93**

Levin (for Sarbanes) Amendment No. 805, to provide for the conveyance of land at Fort Ritchie, Maryland. **Page S6893**

Warner (for Inhofe) Modified Amendment No. 707, to add an amount of Army RDT&E funding for human tissue engineering, and to provide offsets within the same authorization of appropriations. **Page S6893**

Reid (for Daschle/Johnson) Modified Amendment No. 791, to set aside an amount for reconstituting the B–1B bomber aircraft fleet of the Air Force. **Pages S6892, S6893–94**

Warner (for Santorum) Modified Amendment No. 787, to make available \$2,000,000 for non-thermal imaging systems. **Pages S6894–95**

Levin (for Biden/Carper) Amendment No. 806, to increase by 30 personnel the personnel end strength of the Air National Guard of the United States as of September 30, 2004, to provide personnel to improve the information operations capability of the Air National Guard of the United States. **Page S6895**

Subsequently, the amendment was modified.

Pages S6920–21

Warner (for Santorum) Modified Amendment No. 788, to make available, with an offset, \$3,000,000 for operation and maintenance for the Army Reserve

for information operations for Land Forces Readiness—Information Operations Sustainment.

Page S6895

Levin (for Bingaman) Amendment No. 807, to make available, with an offset, (\$2,100,000) from amounts available for research, development, test, and evaluation for the Air Force for Major T&E Investment (PE 0604759F) for research and development on magnetic levitation technologies at the high speed test track at Holloman Air Force Base, New Mexico.

Page S6895

Warner (for Santorum) Amendment No. 808, to make available, with an offset, \$2,000,000 for other procurement for the Army for medical equipment for the procurement of rapid infusion (IV) pumps.

Page S6895

Warner (for Graham (SC)) Modified Amendment No. 743, to set aside an increased amount for the Collaborative Information Warfare Network at the Critical Infrastructure Protection Center at the Space Warfare Systems Center.

Pages S6895–96

Warner (for Lott/Lieberman) Modified Amendment No. 723, to set aside an amount of Navy RDT&E funding for the development and fabrication of composite sail test articles for incorporation into designs for future submarines.

Page S6896

Warner (for Santorum) Amendment No. 809, to make available, with an offset, \$2,000,000 for research, development, test, and evaluation for the Army for the development of Portable Mobile Emergency Broadband System (MEBS).

Page S6896

Warner (for Domenici) Amendment No. 810, to provide, with an offset, an additional \$5,000,000 for research, development, test, and evaluation for the Air Force for boron energy cell technology.

Page S6896

Warner (for Cochran) Amendment No. 760, to set aside an amount for coproduction of the Arrow ballistic missile defense system.

Page S6896

Levin (for Bingaman) Modified Amendment No. 790, to require a report assessing the effects of the repeal of the prohibition on the research and development of low-yield nuclear weapons.

Pages S6896–97

Warner Amendment No. 811, to authorize the acceptance of guarantees with gifts for the development of the Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia.

Page S6897

Levin (for Nelson (FL)) Amendment No. 737, to authorize certain travel and transportation allowances for dependents of members of the Armed Forces who have committed dependent abuse.

Page S6897

Warner (for McCain) Amendment No. 812, to provide funds for certain emergency and morale communications programs.

Pages S6897–98

Warner (for Hutchison) Amendment No. 813, to express the sense of the Senate that air carriers

should provide special fares to members of the armed forces.

Page S6898

Warner (for Chambliss) Amendment No. 814, to modify the program element of the short range air defense radar program of the Army.

Page S6898

Levin (for Mikulski) Amendment No. 815, to provide additional duties for the DOD-VA Joint Executive Committee relating to integrated healing care practices for members of the Armed Forces and veterans.

Page S6898

Warner (for Bennett) Amendment No. 816, to require a Department of Defense study of the adequacy of the beryllium industrial base.

Pages S6898–99

Warner (for McCain) Amendment No. 817, to require a report on decisionmaking by the North Atlantic Treaty Organization.

Page S6899

Levin (for Boxer) Amendment No. 818, to require a GAO report regarding the adequacy of special pays and allowances for service members who experience frequent deployments away from their permanent duty stations for periods less than 30 days.

Page S6899

Warner Amendment No. 819, to set aside an amount for initiating a capability in historically Black colleges and universities to support the network centric operations of the Department of Defense.

Page S6899

Warner (for Bunning) Modified Amendment No. 789, to express the sense of the Senate on the deployment of airborne chemical agent monitoring systems at the chemical stockpile disposal sites in the United States.

Pages S6899–S6900

Warner (for Sessions) Amendment No. 820, to require a study of the military death gratuity and other death benefits provided for survivors of deceased members of the Armed Forces.

Page S6900

Levin (for Landrieu) Amendment No. 821, to amend title 32, United States Code, to increase the maximum Federal share of the costs of State programs under the National Guard Challenge Program for fiscal year 2004, and to provide an offset.

Pages S6900–01, S6902

Warner (for Bunning) Amendment No. 727, to authorize the use of multiyear procurement authority for the Navy for procurement of the Phalanx Close In Weapon System program, Block 1B.

Page S6901

Warner Amendment No. 822, to provide an equitable offset for any fee charged the Department of Defense by the Department of State for maintenance, upgrade, or construction of United States diplomatic facilities.

Page S6901

Levin (for Landrieu) Amendment No. 823, to provide for feasibility study of the conveyance of the Louisiana Army Ammunition Plant, Doyline, Louisiana.

Page S6901

Levin (for Feinstein/Reid/Boxer) Amendment No. 824, to require the submittal of a survey on perchlorate contamination at Department of Defense sites. **Pages S6901–02**

Levin (for Dodd) Amendment No. 785, to strengthen the authority under section 852 to provide Federal support for the enhancement of the emergency response capabilities of State and local governments. **Page S6902**

By a unanimous vote 99 yeas (Vote No. 193), Warner/Boxer/Lautenberg Modified Amendment No. 826, to require the Department of Defense to fully comply with the Competition in Contracting Act for any contract awarded for reconstruction activities in Iraq. **Pages S6914–18**

Levin (for Kerry/Kennedy) Amendment No. 828, to authorize the transportation of dependents to the presence of members of the Armed Forces who are retired for illness or injury as a result of active duty. **Page S6921**

Warner (for Voinovich/DeWine) Amendment No. 829, to provide that requirements on coverage of the costs of instruction at the Naval Postgraduate School shall also apply with respect to costs of instruction at the Air Force Institute of Technology. **Page S6921**

Warner (for Hutchison) Amendment No. 830, to amend the section 351 funding authority to include authority for the funds to be used for making Impact Aid basic support payments to local educational agencies affected by the Brooks Air Force Base Demonstration Project, including amounts computed on the basis of Federal property that is converted non-Federal property. **Page S6921**

Warner (for Domenici) Amendment No. 831, to state the sense of the Senate on the reconsideration of the decision to terminate the border and seaport inspection duties of the National Guard as part of its drug interdiction and counter-drug mission. **Pages S6921–22**

Rejected:

By 48 yeas to 51 nays (Vote No. 192), Murray Amendment No. 691, to restore a previous policy regarding restrictions on use of Department of Defense medical facilities. **Pages S6892, S6902–12**

Withdrawn:

Boxer Amendment No. 825, to require a report relative to a sole-source contract for the reconstruction of the Iraqi oil industry. **Pages S6914–18, S6919**

Department of Defense Authorization: Senate passed S. 1047, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, and to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of S. 1050, National Defense Authorization, as amended. **Page S6941**

Military Construction Authorization: Senate passed S. 1048, to authorize appropriations for fiscal year 2004 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of S. 1050, National Defense Authorization, as amended. **Page S6941**

Department of Energy Defense Activities Authorization: Senate passed S. 1049, to authorize appropriations for fiscal year 2004 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of S. 1050, National Defense Authorization, as amended. **Page S6941**

Idaho Judgeship: Senate passed S. 878, to authorize an additional permanent judgeship in the District of Idaho, after agreeing to the committee amendment in the nature of a substitute. **Pages S7065–68**

Anti-Semitic Violence Concern: Senate agreed to S. Con. Res. 7, expressing the sense of Congress that the sharp escalation of anti-Semitic violence within many participating States of the Organization for Security and Cooperation in Europe (OSCE) is of profound concern and efforts should be undertaken to prevent future occurrences. **Pages S7068–69**

Condemning Bigotry and Violence: Committee on the Judiciary was discharged from further consideration of S. Res. 133, condemning bigotry and violence against Arab Americans, Muslim, Americans, South-Asian Americans, and Sikh Americans, and the resolution was then agreed to. **Pages S7069–70**

Designating Constitution Day: Senate agreed to S. Res. 92, designating September 17, 2003 as "Constitution Day". **Page S7070**

Designating National Safety Month: Senate agreed to S. Res. 145, designating June 2003, as "National Safety Month". **Page S7070**

Parental Notification Act Agreement: A unanimous-consent agreement was reached providing that, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to S. 1104, to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces, that immediately upon the reporting of the bill, the Majority Leader or his designee be recognized to file a motion to close further debate on the bill; that there be 60 minutes, for debate only, equally divided between Senators Brownback and Murray, and that following debate time, and notwithstanding the provisions of Rule 22, Senate proceed to vote on the motion to close further debate; that if cloture is not invoked, the bill be placed on the Calendar; if cloture is invoked, it be

in order to file first-degree amendments until the vote, and second-degree amendments up to three hours after the vote.

Enrollment Correction: Senate concurred in the amendment of the House to S. Con. Res. 46, to correct the enrollment of H.R. 1298. **Pages S6918–19**

Reconciliation—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report on H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004, at 8:30 a.m., on Friday, May 23, 2003, with a vote on adoption of the conference report to occur at 9:30 a.m. **Pages S6945, S6964**

Debt Limit Extension Agreement: A unanimous-consent agreement was reached providing that following the vote on the conference report on H.R. 2 (listed above), Senate will begin consideration of H.J. Res. 51, increasing the statutory limit on the public debt. **Page S6964**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to the International Emergency Act and the National Emergencies Act, a report that declares a national emergency to deal with the unusual and extraordinary threat posed to the national security and foreign policy of the United States by the threat of attachment or other judicial process against the Development Fund for Iraq, Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein; to the Committee on Banking, Housing, and Urban Affairs. (PM–36) **Pages S6974–75**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. 195), Consuelo Maria Callahan, of California, to be United States Circuit Judge for the Ninth Circuit.

Pages S6942–45, S6946, S7065

Michael B. Enzi, of Wyoming, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Paul Sarbanes, of Maryland, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

James Shinn, of New Jersey, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Cynthia Costa, of South Carolina, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Ralph Martinez, of Florida, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Mark Moki Hanohano, of Hawaii, to be United States Marshal for the District of Hawaii for the term of four years.

Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Jeffrey Lunstead, of the District of Columbia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

James B. Foley, of New York, to be Ambassador to the Republic of Haiti.

L. Scott Coogler, of Alabama, to be United States District Judge for the Northern District of Alabama.

Steven A. Browning, of Texas, to be Ambassador to the Republic of Malawi.

Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

Lane Carson, of Louisiana, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

James Broaddus, of Texas, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

Jose Teran, of Florida, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers.

Harry K. Thomas, Jr., of New York, to be Ambassador to the People's Republic of Bangladesh.

Morgan Edwards, of North Carolina, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Richard W. Erdman, of Maryland, to be Ambassador to the People's Democratic Republic of Algeria.

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Nominations Received: Senate received the following nominations:

Brian F. Holeman, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

2 Air Force nominations in the rank of general.

5 Coast Guard nominations in the rank of admiral.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

A routine list in the Foreign Service.

Pages S6945–46

Messages From the House: Page S6975

Measures Referred: Page S6975

Measures Read First Time: Page S6975

Enrolled Bills Presented: Page S6975

Executive Communications: Pages S6975–76

Petitions and Memorials: Pages S6976–77

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Additional Cosponsors: Pages S6979–81

Statements on Introduced Bills/Resolutions:
Pages S6981–S7056

Amendments Submitted: Pages S7056–64

Notices of Hearings/Meetings: Page S7064

Authority for Committees to Meet: Pages S7064–65

Privilege of the Floor: Page S7065

Record Votes: Four record votes were taken today.
(Total—195) Pages S6911, S6920, S6941, S6944–45

Adjournment: Senate met at 9:30 a.m., and adjourned at 10:34 p.m., until 8:30 a.m., on Friday, May 23, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6945.)

Committee Meetings

(Committees not listed did not meet)

STEM CELL RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies concluded hearings to examine federal funding for human embryonic stem cell research, focusing on increasing the availability of stem cell lines for federal research, training scientists for technically-challenging cells, and basic pre-clinical research relative to the treatment of injuries and diseases, after receiving testimony from Elias Zerhouni, Director, and James Battey, Director, National Institute on Deafness and Other Communication Disorders, and Ronald McKay, Senior Investigator, National Institute of Neurological Disorders and Stroke, both of the National Institutes of Health, all of the

Department of Health and Human Services; John A. Kessler, Northwestern University's Feinberg School of Medicine, Evanston, Illinois; James Cordy, Pittsburgh, Pennsylvania, on behalf of the Coalition for the Advancement of Medical Research; and Roy Ogle, University of Virginia Medical School, Charlottesville.

APPROPRIATIONS: AGRICULTURE/FDA

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Agriculture and the Food and Drug Administration, Department of Health and Human Services, after receiving testimony from Eric M. Bost, Under Secretary for Food, Nutrition, and Consumer Services, Elsa A. Murano, Under Secretary for Food Safety, and William T. Hawks, Under Secretary for Marketing and Regulatory Programs, all of the Department of Agriculture; and Mark B. McClellan, Commissioner of Food and Drugs, Department of Health and Human Services.

APPROPRIATIONS: DOE

Committee on Appropriations: Subcommittee on Interior concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Energy, after receiving testimony from Spencer Abraham, Secretary of Energy.

APPROPRIATIONS: HIGHWAY SAFETY INITIATIVES

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government concluded hearings to examine proposed budget estimates for fiscal year 2004 for highway safety initiatives, focusing on developing a plan to research and enact effective data-driven programs to reduce the number of highway fatalities, after receiving testimony from Jeffrey Runge, Administrator, National Highway Traffic Safety Administration, Annette M. Sandberg, Acting Administrator, Federal Motor Carrier Safety Administration, both of the Department of Transportation; Wendy Hamilton, Mothers Against Drunk Driving, Irving, Texas; and Chuck Hurley, National Safety Council, Itasca, Illinois.

U.S. ECONOMY

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine issues relating to the U.S. economy, focusing on increasing investments in the equity markets, after receiving testimony from Peter R. Fisher, Under Secretary of the Treasury for Domestic Finance; Wayne D. Angell, Angell Economics, Arlington, Virginia; James W. Stuckert, J.J.B. Hilliard and W.L. Lyons