

accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, August 1, 2003. **Page S10252**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, July 31, 2003. **Page S10252**

Nomination Considered: Senate continued consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S10196–S10203**

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

By 55 yeas to 43 nays (Vote No. 312), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the seventh motion to close further debate on the nomination.

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Nomination: Senate began consideration of the nomination of Carolyn B. Kuhl, of California, to be United States Circuit Judge for the Ninth Circuit.

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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 cloture will occur on Friday, August 1, 2003. **Page S10252**

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for further consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit, at 9 a.m., on Thursday, July 31, 2003, with a vote on the motion to close further debate to occur at 10 a.m. **Page S10252**

Partial-Birth Abortion Ban Act House Message—Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to consideration of the House message on S. 3, to prohibit the procedure commonly known as partial-birth abortion; provided further, that the only motion in order be a motion to disagree to the House amendment to the Senate bill; that there be 8 hours of debate with respect to that motion, with the time equally divided and controlled between the Majority and Democratic Leaders or their designees; that upon the use or yielding back of time, the Senate proceed to a vote on the motion to disagree; that upon disposition of that motion, the Senate agree to the request for a conference and that the Chair be authorized to appoint conferees on the part of the Senate with a ratio of 3–2. **Page S10459**

Nominations Received: Senate received the following nominations:

James Casey Kenny, of Illinois, to be Ambassador to Ireland.

Pamela P. Willeford, of Texas, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein.

Cristina Beato, of New Mexico, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and regulations, and to be an Assistant Secretary of Health and Human Services.

George W. Miller, of Virginia, to be a Judge of the United States Court of Federal Claims for the term of fifteen years.

F. Dennis Saylor IV, of Massachusetts, to be United States District Judge for the District of Massachusetts.

1 Army nomination in the rank of general.

Routine lists in the Army, Navy. **Pages S10253–54**

Measures Read First Time: **Pages S10262–63**

Executive Communications: **Pages S10263–64**

Executive Reports of Committees: **Pages S10264–65**

Additional Cosponsors: **Pages S10265–67**

Statements on Introduced Bills/Resolutions:
Pages S10267–97

Additional Statements: **Pages S10260–62**

Amendments Submitted: **Pages S10297–S10439**

Notices of Hearings/Meetings: **Pages S10439–40**

Authority for Committees to Meet: **Page S10440**

Privilege of the Floor: **Pages S10440–41**

Record Votes: Five record votes were taken today. (Total—315) **Pages S10188, S10203, S10215, S10216**

Recess: Senate met at 9 a.m., and recessed at 10:17 p.m., until 9 a.m., on Thursday, July 31, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S10253–53.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Lawrence Mohr, Jr., of South Carolina, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences, Department of Defense, and 1,293 nominations in the Army, Navy, Air Force, and Marines.

SPACE EXPLORATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine space exploration, focusing on the National Oceanic and Atmospheric Administration, National Aeronautics and Space Administration, and Department of Defense partnerships in future spacecraft systems and products and services developed through their collaborative efforts, sensor development, research to operations, and collaborative activities in ground systems support, after receiving testimony from Brigadier General Richard C. Zilmer, USMC, Director, Strategy and Plans Division, Plans, Policies, and Operations Department, Headquarters, Marine Corps; Orlando Figueroa, Director, Mars Exploration Program Office, Office of Space Science, National Aeronautics and Space Administration; Gregory W. Withee, Assistant Administrator for Satellite and Information Services, National Oceanic and Atmospheric Administration, Department of Commerce; Michael J.S. Belton, Belton Space Exploration Initiatives, Tucson, Arizona; and Louis J. Lanzerotti, New Jersey Institute of Technology, Newark.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 1279, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area, with an amendment in the nature of a substitute.

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;

S. 930, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a program to provide assistance to enhance the ability of first responders to prepare for and respond to all hazard, with an amendment in the nature of a substitute.

S. 269, to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species, with amendments.

S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, with an amendment.

S. 793, to provide for increased energy savings and environmental benefits through the increased use of recovered mineral component in federally funded

projects involving procurement of cement or concrete, with an amendment in the nature of a substitute.

H.R. 1018, to designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building";

S. 1210, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries;

S. 1425, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program, with an amendment; and

S. 1486, to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, with an amendment in the nature of a substitute to Title 1.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings to examine the Nominations of Jeffrey A. Marcus, of Texas, to be Ambassador to Belgium, who was introduced by Senators Hutchison and Cornyn, Constance Albanese Morella, of Maryland, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, who was introduced by Senators Sarbanes and Warner, George H. Walker, of Missouri, to be Ambassador to Hungary, who was introduced by Senators Bond and Talent, and Jackie Wolcott Sanders, for the rank of Ambassador during her tenure of service as United States Representative to the Conference on Disarmament and the Special Representative of the President of the United States for Non-Proliferation of Nuclear Weapons, who was introduced by Senator Warner, testified and answered questions in their own behalf.

SARS

Committee on Governmental Affairs: Permanent Subcommittee on Investigations concluded hearings to examine the best practices for identifying and caring for new cases of SARS, focusing on control measures to help contain the spread of SARS should future outbreaks occur, after receiving testimony from Marjorie E. Kanof, Director, Health Care-Clinical and

Military Health Care Issues, General Accounting Office; and James M. Hughes, Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the Nominations of Joe D. Whitley, of Georgia, to be General Counsel, and Penrose C. Albright, of Virginia, to be Assistant Secretary, both of the Department of Homeland Security, and Joel David Kaplan, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nominations of Howard Radzely, of Maryland, to be Solicitor for the Department of Labor, Michael Young, of Pennsylvania, to be a Member of the Federal Mine Safety and Health Review Commission, and Thomasina V. Rogers, of Maryland, to be a Member of the Occupational Safety and Health Review Commission.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported S. 428, to provide for the distribution of judgment funds to the Assiniboine and Sioux Tribes of the Fort Peck Reservation, with an amendment in the nature of a substitute.

COBELL V. NORTON LAWSUIT

Committee on Indian Affairs: Committee concluded oversight hearings on potential settlement mechanisms of the Cobell v. Norton lawsuit, after receiving testimony from James Cason, Associate Deputy Secretary of the Interior; Tex G. Hall, National Congress of American Indians, Washington, D.C.; John Berrey, Quapaw Tribe of Oklahoma, Quapaw; John E. Echohawk, Native American Rights Fund, Boulder, Colorado; Harold Frazier, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota; and Donald T. Gray, Nixon Peabody, LLP, San Francisco, California.

TRIBAL GOVERNMENT AMENDMENTS TO HOMELAND SECURITY

Committee on Indian Affairs: Committee concluded hearings to examine S. 578, Tribal Government Amendments to the Homeland Security Act of 2002, a bill to amend the Homeland Security Act to include Indian tribes among the entities consulted with respect to activities carried out by the Secretary of Homeland Security, after receiving testimony from Thomas B. Heffelfinger, United States Attorney (Minneapolis, Minnesota), Department of Jus-

tice; Terry Virden, Director, Bureau of Indian Affairs, Department of the Interior; Josh Filler, Director, Office of State and Local Government Coordination, Department of Homeland Security; William F. Raub, Principal Deputy Assistant Secretary of Health and Human Service for Public Health Emergency Preparedness; Roland E. Johnson, Pueblo of Laguna, Laguna, New Mexico; Audrey Bennett, Prairie Island Tribal Council, Welch, Minnesota; Earl Old Person, Blackfeet Tribal Business Council, Browning, Montana; Vivian Juan-Saunders, Tohono O'odham Nation, Sells, Arizona; Alvin Windy Boy, Sr., Chipewewa Cree Tribe, Box Elder, Montana; Tim Sanders, Gila River Indian Community, Sacaton, Arizona; and Tex Hall, National Congress of American Indians, and Gary Edwards, National Native American Law Association, both of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit, who was introduced by Representative Rogers (MI); Larry Alan Burns, to be United States District Judge for the Southern District of California, and Dana Makoto Sabraw, to be United States District Judge for the Southern District of California, who were both introduced by Senator Feinstein; Glen E. Conrad, to be United States District Judge for the Western District of Virginia, who was introduced by Senators Warner and Allen; Henry F. Floyd, to be United States District Judge for the District of South Carolina, who was introduced by Senators Hollings and Graham (S.C.); Kim R. Gibson, to be United States District Judge for the Western District of Pennsylvania, who was introduced by Senators Specter and Santorum; and Michael W. Mosman, to be United States District Judge for the District of Oregon, who was introduced by Senators Wyden and Smith, after each nominee testified and answered questions in their own behalf.

Also, testimony was received from Senators Levin and Stabenow.

MENTALLY ILL OFFENDER TREATMENT AND CRIME REDUCTION ACT

Committee on the Judiciary: Committee concluded hearings to examine S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, after receiving testimony from Vermont State Senator John F. Campbell, Quechee; Justice Evelyn Lundberg Stratton, Supreme Court of Ohio, on behalf of the Advisory Committee on Mentally Ill in the Courts, and Reginald A. Wilkinson, Ohio Department of Rehabilitation and

Correction, on behalf of the Association of State Correctional Administrators and the Council of State Governments, both of Columbus; Donald F. Eslinger, Seminole County Sheriff, Sanford, Florida;

Ron Honberg, National Alliance for the Mentally Ill, Arlington, Virginia, on behalf of the Campaign for Mental Health Reform; and Rhonda Atkins, Sarasota, Florida.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 259, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Wednesday, September 3, 2003.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D912)

H.R. 255, to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska. Signed on July 29, 2003. (Public Law 108-62).

H.R. 733, to authorize the Secretary of the Interior to acquire the McLoughlin House in Oregon City, Oregon, for inclusion in Fort Vancouver Historic Site. Signed on July 29, 2003. (Public Law 108-63).

H.R. 1577, to designate the visitors' center in Organ Pipe Cactus National Monument in Arizona as the "Kris Eggle Visitor Center". Signed on July 29, 2003. (Public Law 108-64).

S. 1399, to redesignate the facility of the United States Postal Service located at 101 South Vine Street in Glenwood, Iowa, as the "William J. Scherle Post Office Building". Signed on July 29, 2003. (Public Law 108-65).

COMMITTEE MEETINGS FOR THURSDAY, JULY 31, 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 proposed Mine Safety and Health Administration (MSHA) rule on coal dust; to be followed by

a hearing on union financial reporting disclosure; and a hearing on a proposed rule on overtime pay, 2 p.m., SD-192.

Committee on Armed Services: to hold a closed briefing regarding the work of the Iraq Survey Group, 9:30 a.m., S-407, Capitol.

Committee on Banking, Housing, and Urban Affairs: business meeting to mark up S. 627, to prevent the use of certain payments instruments, credit cards, and fund transfers for unlawful Internet gambling, and H.R. 659, to amend section 242 of the National Housing Act regarding the requirements for mortgage insurance under such Act for hospitals; to be followed by a hearing to examine measures to enhance the operation of the Fair Credit Reporting Act, 9:30 a.m., SD-538.

Committee on Commerce, Science, and Transportation: business meeting to consider pending calendar business, 9:30 a.m., SR-253.

Subcommittee on Communications, to hold hearings to examine Internet Corporation for Assigned Names and Numbers (ICANN), 2:30 p.m., SR-253.

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs, to hold a closed briefing on corruption in North Korea's economy, 2 p.m., S-407, Capitol.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine corruption in North Korea's economy, 3 p.m., SD-106.

Committee on Governmental Affairs: to hold hearings to examine origination, organization and prevention in relation to terrorism financing, 10 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine solutions to the problem of health care transmission of HIV/AIDS in Africa, 10 a.m., SD-430.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD-226.

Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine the funding of forensics sciences, 2 p.m., SD-226.

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

House

No committee meetings are scheduled.