

Daily Digest

HIGHLIGHTS

Senate passed H.R. 6, Energy Tax Policy Act.

Senate passed H.R. 2738, U.S.-Chile Free Trade Agreement.

Senate passed H.R. 2739, U.S.-Singapore Free Trade Agreement.

Senate

Chamber Action

Routine Proceedings, pages S10455–S10871

Measures Introduced: Forty-eight bills and nine resolutions were introduced, as follows: S. 1506–1553, and S. Res. 207–215. **Pages S10617–19**

Measures Reported:

S. 589, to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies. (S. Rept. No. 108–119)

S. 1244, to authorize appropriations for the Federal Maritime Commission for fiscal years 2004 and 2005, with amendments. (S. Rept. No. 108–120)

H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, with an amendment in the nature of a substitute. (S. Rept. No. 108–121)

S. 1053, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with an amendment in the nature of a substitute. (S. Rept. No. 108–122)

S. 274, to amend the procedures that apply to consideration of interstate class actions to assure fair-

er outcomes for class members and defendants. (S. Rept. No. 108–123)

S. Res. 30, expressing the sense of the Senate that the President should designate the week beginning September 14, 2003, as “National Historically Black Colleges and Universities Week”.

S. Res. 204, designating the week of November 9 through November 15, 2003, as “National Veterans Awareness Week” to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. 1177, A bill to ensure the collection of all cigarette taxes, with an amendment in the nature of a substitute.

S. Con. Res. 25, recognizing and honoring America’s Jewish community on the occasion of its 350th anniversary, supporting the designation of an “American Jewish History Month”, with an amendment in the nature of a substitute. **Pages S10615–16**

Measures Passed:

Energy Tax Policy Act: By 84 yeas to 14 nays (Vote No. 317), Senate passed H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, after agreeing to the following amendment proposed thereto:

Pages S10569–74

Frist/Daschle Amendment No. 1537, in the nature of a substitute. **Page S10569**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate. **Page S10570**

U.S.-Singapore Free Trade Agreement: By 66 yeas to 32 nays (Vote No. 318), Senate passed H.R. 2739, to implement the United States-Singapore Free Trade Agreement. **Pages S10585–86**

U.S.-Chile Free Trade Agreement: By 66 yeas to 31 nays (Vote No. 319), Senate passed H.R. 2738, to implement the United States-Chile Free Trade Agreement. **Pages S10588-89**

Temporary Entry Provisions: Senate agreed to S. Res. 211, expressing the sense of the Senate regarding the temporary entry provisions in the Chile and Singapore Free Trade Agreements. **Page S10589**

Emergency Supplemental Appropriations for Disaster Relief Act: Senate passed H.R. 2859, making emergency supplemental appropriations for the fiscal year ending September 30, 2003, clearing the measure for the President. **Page S10844**

Children's Health Insurance Program: Senate passed H.R. 2854, to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program, clearing the measure for the President. **Page S10847**

Technical Correction: Senate passed S. 1547, to amend title XXI of the Social Security Act to make a technical correction with respect to the definition of qualifying State. **Page S10847**

Family Farmer Bankruptcy Relief Act: Senate passed H.R. 2465, to extend for six months the period for which chapter 12 of title 11 of the United States Code is reenacted, clearing the measure for the President. **Page S10847**

Intelligence Authorization: Senate passed H.R. 2417, to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1025, Senate companion measure, agreeing to the committee amendments (and considered as original text for purposes of further amendments), and the following amendment proposed thereto: **Page S10847**

Sununu (for Roberts/Rockefeller) Amendment No. 1538, to make certain improvements to the bill. **Pages S10858-66**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate. **Page S10858**

Subsequently, S. 1025 was returned to the Senate calendar. **Page S10858**

Higher Education Relief Opportunities for Students Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 1412, to provide the Secretary of Education with specific waiver authority to respond to

a war or other military operation or national emergency, and the bill was then passed, clearing the measure for the President. **Page S10866**

James L. Watson U.S. Court of International Trade Building: Committee on Environment and Public Works was discharged from further consideration of 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", and the bill was then passed, clearing the measure for the President. **Page S10866**

Smithsonian Facilities Authorization Act: Senate passed H.R. 2195, to provide for additional space and resources for national collections held by the Smithsonian Institution, clearing the measure for the President. **Pages S10866-67**

Garner E. Shriver Post Office Building: Committee on Governmental Affairs was discharged from further consideration of H.R. 1761, to designate the facility of the United States Postal Service located at 9350 East Corporate Hill Drive in Wichita, Kansas, as the "Garner E. Shriver Post Office Building", and the bill was then passed, clearing the measure for the President. **Page S10867**

National Historically Black Colleges and Universities Week: Senate agreed to S. Res. 30, expressing the sense of the Senate that the President should designate the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week". **Pages S10867-68**

National Veterans Awareness Week: Senate agreed to S. Res. 204, designating the Week of November 9 through November 15, 2003, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country. **Pages S10867-68**

American Jewish History Month: Senate agreed to S. Con. Res. 25, recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month", after agreeing to the following amendment proposed thereto: **Page S10868**

Sununu (for Hatch) Amendment No. 1539, in the nature of a substitute. **Page S10868**

National Missing Adult Awareness Month: Senate agreed to S. Res. 213, designating August 2003, as "National Missing Adult Awareness Month". **Pages S10868-69**

Congratulating Lance Armstrong: Senate agreed to S. Res. 214, congratulating Lance Armstrong for winning the 2003 Tour de France. **Page S10869**

Senate Legal Counsel: Senate agreed to S. Res. 215, to authorize representation by the Senate legal Counsel in the case of *Wagner v. United States Senate Committee on the Judiciary, et al.* **Page S10869**

Energy Policy Act: Senate continued consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto: **Pages S10469–S10526**

Withdrawn:

Campbell Amendment No. 886, to replace “tribal consortia” with “tribal energy resource development organizations”. **Pages S10469–S10526**

Durbin Modified Amendment No. 1385, to amend the Internal Revenue Code of 1986 to provide additional tax incentives for enhancing motor vehicle fuel efficiency. **Pages S10469–S10526**

Domenici Amendment No. 1412, to reform certain electricity laws. **Pages S10469–S10526**

Motion to commit the bill to the Committee on Energy and Natural Resources, with instructions to report back forthwith, with Frist Amendment No. 1432 (to instructions on motion to commit), to provide a national energy policy for the United States of America. **Pages S10469–S10526**

Frist Amendment No. 1433 (to instructions on motion to commit), to provide that all provisions of Division A and Division B shall take effect one day after enactment of this Act. **Pages S10469–S10526**

Frist Amendment No. 1434 (to Amendment No. 1433), to make a technical correction. **Pages S10469–S10526**

A unanimous-consent agreement was reached providing that S. 14 be returned to the Senate calendar and the scheduled cloture vote on the motion to commit be vitiated. **Page S10589**

Nomination Considered: Senate continued consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

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

By 53 yeas to 44 nays (Vote No. 316), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Pages S10455–69**

Nomination—Cloture Vote Vitiating: A unanimous-consent agreement was reached providing that the scheduled cloture vote on the nomination of Carolyn B. Kuhl, of California, to be United States Circuit Judge for the Ninth Circuit, be vitiated.

Climate Stewardship Act—Agreement: A unanimous-consent-time agreement was reached providing that at a time determined by the Majority Leader, following consultation with the Democratic Leader,

but no later than October 10, 2003, Committee on Environment and Public Works be discharged from consideration of S. 139, to provide for a program of scientific research on abrupt climate change, to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradable allowances that could be used interchangeably with passenger vehicle fuel economy standard credits, to limit greenhouse gas emissions in the United States and reduce dependence upon foreign oil, and ensure benefits to consumers from the trading in such allowances, and that the Senate then proceed to its consideration; that there be 6 hours of debate on the bill and amendment in the nature of a substitute; that the only amendment in order be a McCain/Lieberman amendment in the nature of a substitute; that upon the use or yielding back of all time, the amendment be agreed to, the bill as amended be read a third time, and Senate proceed to vote on passage of the bill. **Pages S10529–30**

Nominations Status—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding paragraph 6 of Rule XXXI of the Standing Rules of the Senate, all pending nominations remain in status quo, during the upcoming adjournment of the Senate. **Page S10844**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Agreement with Russian Federation concerning Polar Bear Population Treaty Doc. 107–10 with one condition;

Agreement Amending Treaty with Canada Concerning Pacific Coast Albacore Tuna Vessels and Port Privileges Treaty Doc. 108–1;

Amendments to the 1987 Treaty on Fisheries with Pacific Island States Treaty Doc. 108–2 with one declaration;

Convention for International Carriage by Air Treaty Doc. 106–45 with one reservation;

Protocol to Amend the Convention for Unification of Certain Rules Relating to International Carriage by Air Treaty Doc. 107–14. **Pages S10869–71**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 96 yeas (Vote No. EX. 320), James I. Cohn, of Florida, to be United States District Judge for the Southern District of Florida.

Pages S10527–28, S10589–90

By unanimous vote of 95 yeas (Vote No. EX. 321), Frank Montalvo, of Texas, to be United States District Judge for the Western District of Texas.

Page S10527–28, S10590

Stanley C. Suboleski, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2006.

W. Scott Railton, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2007.

Lawrence Mohr, Jr., of South Carolina, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Eric S. Dreiband, of Virginia, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years.

Diane M. Stuart, of Utah, to be Director of the Violence Against Women Office, Department of Justice. (New Position)

Mary Lucille Jordan, of Maryland, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2008. (Reappointment)

Annette Sandberg, of Washington, to be Administrator of the Federal Motor Carrier Safety Administration.

Joe D. Whitley, of Georgia, to be General Counsel, Department of Homeland Security. (New Position)

James O. Browning, of New Mexico, to be United States District Judge for the District of New Mexico.

H. Brent McKnight, of North Carolina, to be United States District Judge for the Western District of North Carolina.

Xavier Rodriguez, of Texas, to be United States District Judge for the Western District of Texas.

Karen P. Tandy, of Virginia, to be Administrator of Drug Enforcement.

Michael Young, of Pennsylvania, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2008.

Donald K. Steinberg, of California, to be Ambassador to the Federal Republic of Nigeria. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

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. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Joel David Kaplan, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

Thomasina V. Rogers, of Maryland, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2009. (Reappointment)

George H. Walker, of Missouri, to be Ambassador to the Republic of Hungary. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

26 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

8 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. Pages S10527–28, S10590–91, S10844–47

Measures Held Over/Under Rule: Page S10611

Executive Communications: Pages S10611–14

Petitions and Memorials: Pages S10614–15

Executive Reports of Committees: Page S10616

Additional Cosponsors: Pages S10619–21

Statements on Introduced Bills/Resolutions: Pages S10621–91

Additional Statements: Pages S10609–11

Amendments Submitted: Pages S10691–S10837

Notices of Hearings/Meetings: Page S10837

Authority for Committees to Meet: Pages S10837–38

Privilege of the Floor: Page S10838

Record Votes: Six record votes were taken today. (Total—321)

Pages S10468–69, S10570, S10586–87, S10588, S10590

Recess: Senate met at 9 a.m., and recessed at 11:08 p.m., until 9:30 a.m., on Friday, August 1, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10527.)

Committee Meetings

(Committees not listed did not meet)

COAL DUST

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded hearings to examine the proposed Mine Safety and Health Administration (MSHA) rule on coal dust, after receiving testimony from David D. Lauriski, Assistant Secretary of Labor for Mine Safety and Health; Joseph A. Main, United Mine Workers of America, Fairfax, Virginia; and