

Amendment No. 1218, to provide additional funding for intercity passenger rail transportation, freight rail, and mass transit. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

**Pages S8264–66**

By 53 yeas to 45 nays (Vote No. 186), 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 Shelby Modified Amendment No. 1205, to allocate funds for certain terrorism prevention activities, including rail and transit security. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

**Pages S8260–64, S8266–68**

A unanimous-consent agreement was reached providing that Hatch Amendment No. 1221, to clarify the source of funds allocated under Amendment No. 1171 to H.R. 2360, previously agreed to on July 13, 2005, was modified.

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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 Gregg, Cochran, Stevens, Specter, Domenici, Shelby, Craig, Bennett, Al-lard, Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Reid, and Feinstein.

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**Congressional Award Act Authorization:** Senate passed S. 335, to reauthorize the Congressional Award Act.

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#### **Foreign Operations Appropriations—Agreement:**

A unanimous-consent agreement was reached providing for the consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, at 10 a.m. on Friday, July 15, 2005; provided further, that the committee amendment in the nature of a substitute be agreed to and considered as original text for the purpose of further amendment.

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**Energy Policy Act—Agreement:** A unanimous-consent agreement was reached providing that H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, be printed, as passed.

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

Transmitting, pursuant to law, a report requested in section 2106 of the Emergency Supplemental Appropriations Act for Defense, the Global War on

Terror, and Tsunami Relief, 2005 (Public Law 109–13) providing information on matters relating to the Palestinian Security Services and Palestinian Authority reform; which was referred to the Committee on Foreign Relations. (PM–17) **Page S8298**

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

Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security.

Tracy A. Henke, of Missouri, to be Executive Director of the Office of State and Local Government Coordination and Preparedness, Department of Homeland Security.

1 Air Force nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Foreign Service, Navy.

**Pages S8328–30**

**Messages From the House:**

**Pages S8298–99**

**Measures Referred:**

**Page S8299**

**Measures Placed on Calendar:**

**Pages S8299, S8328**

**Executive Communications:**

**Pages S8299–S8301**

**Additional Cosponsors:**

**Pages S8302–04**

**Statements on Introduced Bills/Resolutions:**

**Pages S8304–26**

**Additional Statements:**

**Pages S8296–98**

**Amendments Submitted:**

**Pages S8326–27**

**Authority for Committees to Meet:**

**Pages S8327–28**

**Privilege of the Floor:**

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**Record Votes:** Eleven record votes were taken today. (Total–189) **Pages S8251–54, S8265–66, S8268, S8279, S8290**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 8:21 p.m. until 9:30 a.m., on Friday, July 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8328.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### **CAPITOL VISITOR CENTER**

**Committee on Appropriations:** Subcommittee on Legislative Branch held a hearing to examine the progress of the Capitol Visitor Center, receiving testimony from Alan M. Hantman, Architect of the Capitol; Bob Hixon, Capitol Visitor Center Project Manager; and Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of the Physical Infrastructure Issues, Government Accountability Office.

Hearing recessed subject to the call.

**BUSINESS MEETING***Committee on Appropriations:*

Committee ordered favorably reported H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

**MILITARY JUSTICE**

*Committee on Armed Services:* Subcommittee on Personnel concluded a hearing to examine military justice and detention policy in the global war on terrorism, after receiving testimony from Senator Wyden; Daniel J. Dell'Orto, Principal Deputy General Counsel, Department of Defense; Major General Thomas J. Romig, JAGC, USA, Judge Advocate General, U.S. Army; Rear Admiral James E. McPherson, JAGC, USN, Judge Advocate General, and Rear Admiral James M. McGarrah, CEC, USN, Director, Office of the Administrative Review of Detention of Enemy Combatants, both of the U.S. Navy; Brigadier General Kevin M. Sandkuhler, USMC, Staff Judge Advocate to the Commandant of the Marine Corps; Major General Jack L. Rives, USAF, Deputy Judge Advocate General, and Brigadier General Thomas L. Hemingway, USAF, Legal Advisor to the Appointing Authority for the Office of Military Commissions, both of the U.S. Air Force; William P. Barr, Arlington, Virginia, former Attorney General of the United States; Stephen A. Saltzburg, George Washington University Law School, Washington, D.C.; and John D. Hutson, Franklin Pierce Law Center, Concord, New Hampshire.

**TERRORISM RISK INSURANCE ACT OF 2002**

*Committee on Banking, Housing, and Urban Affairs:* Committee held a hearing to examine the Department of the Treasury's report to Congress entitled: 'Assessment: The Terrorism Risk Insurance Act of 2002', focusing on assessing the likely capacity of the property and casualty insurance industry to offer insurance for terrorism risk after the termination of the Terrorism Risk Insurance Program, receiving testimony from John W. Snow, Secretary of the Treasury; and Ben S. Bernanke, Chairman, Council of Economic Advisers.

Hearing recessed subject to the call.

**Nominations:**

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the nominations of Mark A. Limbaugh, of Idaho, who was introduced by Senator Craig, and R. Thomas Weimer, of Colorado, who was introduced by Senator Allard, each to be an Assistant Secretary of the Interior, after the

nominees testified and answered questions in their own behalf.

**NATIONAL PARK SERVICE**

*Committee on Energy and Natural Resources:* Subcommittee on National Parks concluded a hearing to examine the National Park Service's business strategy for operation and management of the national park system, the National Parks Business Plan Initiative (BPI), including development and implementation of business plans, use of business consultants, and incorporating business practices into day-to-day operations, after receiving testimony from Bruce Sheaffer, Comptroller, National Park Service, Department of the Interior; Thomas C. Kiernan, National Parks Conservation Association, Washington, D.C.; Reginald Hagood, Student Conservation Association, Arlington, Virginia; and Geoffrey A. Baekey, PricewaterhouseCoopers, LLP, Boston, Massachusetts.

**NOMINATIONS**

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the nominations of Marcus C. Peacock, of Minnesota, to be Deputy Administrator, Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, who was introduced by Representative Duncan, and Granta Y. Nakayama, of Virginia, to be Assistant Administrator, Office of Enforcement and Compliance Assurance, all of the Environmental Protection Agency, after the nominees testified and answered questions in their own behalf.

**NOMINATION**

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nomination of Henry Crumpton, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Department of State, after the nominee testified and answered questions in his own behalf.

**CAPITAL REGION SECURITY**

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine how prepared the National Capitol Region is for terrorism, focusing on how the National Capitol Region (NCR) is spending its homeland security grant funding, the organizational structures established to provide coordinated security, and if the NCR can be used as a model for security in other regions of the country, after receiving testimony from William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Thomas J.

Lockwood, Director, Office of National Capital Region Coordination, Department of Homeland Security; George W. Foresman, Assistant to the Governor of Virginia for Commonwealth Preparedness, Richmond; Dennis R. Schrader, Director, Governor's Office of Homeland Security in the State of Maryland, Annapolis; and Edward D. Reiskin, Deputy Mayor, Public Safety and Justice for the District of Columbia.

### HOMELAND SECURITY

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the Department of Homeland Security, focusing on an evaluation of the Department's operations, policies and structures to ensure that form and function are aligned to maximize the ability to achieve the security outcomes associated with the overriding mission of protecting the homeland, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

### TERRORISM

*Committee on Health, Education, Labor, and Pensions:* Committee met to discuss preparing an effective and immediate public health response in the aftermath of a terrorism attack, with Leah M. Devlin, North Carolina Department of Health and Human Services, Raleigh; Tara O'Toole, University of Pittsburgh Medical Center, Pittsburgh, Pennsylvania; Elin Gursky, Advancing National Strategies and Enabling Results (ANSER), Arlington, Virginia; John M. Clerici, McKenna Long and Aldridge, and Chuck Ludlam, both of Washington, D.C.; George Barrett, Teva North America, North Wales, Pennsylvania; David P. Wright, PharmAthene, Annapolis, Maryland; Clay Elward, Caterpillar, Inc., Peoria, Illinois; Bronwen A. Kaye, Wyeth, Madison, New Jersey; George W. Conk, Fordham Law School, New York, New York; David Franz, National Agricultural Biosecurity Center, Manhattan, Kansas; and John Pournoor, 3M Corporation, St. Paul, Minnesota.

### INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS

*Committee on Indian Affairs/Committee on Health, Education, Labor, and Pensions:* Committees concluded a

joint hearing to examine S. 1057, to amend the Indian Health Care Improvement Act to revise and extend that Act, after receiving testimony from Charles W. Grim, Director, Indian Health Service, Department of Health and Human Services; Rachel A. Joseph Lone-Pine Paiute Shoshone Reservation, Lone Pine, California, on behalf of the National Steering Committee for the Reauthorization of the Indian Health Care Improvement Act, National Indian Health Board, and the National Congress of American Indians; Don Kashevaroff, Seldovia Village Tribe, Seldovia, Alaska, on behalf of the Tribal Self-Governance Advisory Committee, and the Alaska Native Tribal Health Consortium; Richard Brannan, Northern Arapaho Tribe, Fort Washakie, Wyoming; Ralph Forquera, Seattle Indian Health Board, Seattle, Washington; Mary Williard, Yukon-Kuskokwim Health Corporation, Bethel, Alaska, on behalf of the Alaska Native Health Board; and Robert M. Brandjord, Minnesota, on behalf of the American Dental Association.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee approved their rules of procedure for the 109th Congress.

Also, committee resumed markup of S.1088, to establish streamlined procedures for collateral review of mixed petitions, but did not complete action thereon, and recessed subject to the call.

### NOMINATIONS

*Committee on Veterans Affairs:* Committee concluded a hearing to examine the nominations of James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals, Department of Veterans Affairs, who was introduced by Senator Allen, and Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training, who was introduced by Senator Warner, after the nominees testified and answered questions in their own behalf.