

(B) has been deemed by the State to be at high-risk for recommitting any sexually violent offense or criminal offense against a victim who is a minor.

(2) REVIEW.—Upon receiving notice under paragraph (1), the State attorney general shall consider whether or not to institute a civil commitment proceeding, or any equivalent proceeding required under State law.

(b) MONITORING OF RELEASED PERSONS.—

(1) IN GENERAL.—Each State shall intensively monitor, for not less than 1 year, any person described under paragraph (2) who—

(A) has been unconditionally released from incarceration by the State; and

(B) has not been civilly committed pursuant to a civil commitment proceeding, or any equivalent proceeding under State law.

(2) APPLICABILITY.—Paragraph (1) shall apply to—

(A) any sexually violent predator; or

(B) any person who has been deemed by the State to be at high-risk for recommitting any sexually violent offense or criminal offense against a victim who is a minor.

(c) COMPLIANCE.—

(1) COMPLIANCE DATE.—Each State shall have not more than 3 years from the date of enactment of this Act in which to implement the requirements of this section.

(2) INELIGIBILITY FOR FUNDS.—A State that fails to implement the requirements of this section, shall not receive 25 percent of the funds that would otherwise be allocated to the State under section 20106(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13706(b)).

(3) REALLOCATION OF FUNDS.—Any funds that are not allocated for failure to comply with this section shall be reallocated to States that comply with this section.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 28, 2005, at 9:30 a.m., in open session to consider the following nominations: Lieutenant General Norton A. Schwartz, USAF, for appointment to the grade of general and to be Commander, U.S. Transportation Command; Dr. Ronald M. Sega to be Under Secretary of the Air Force; Mr. Philip Jackson Bell to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness; Mr. John G. Grimes to be Assistant Secretary of Defense for Networks and Information Integration; Mr. Keith E. Eastin to be Assistant Secretary of the Army for Installations and Environment; Mr. William C. Anderson to be Assistant Secretary of the Air Force for Installations, Environment and Logistics.

The presiding officer. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, July 28, 2005, at 10 a.m. to mark up S. 190 “The Federal Housing Enterprise Regulatory Reform Act of 2005”, as amended by the Committee

Print; S. 705 “Meeting the Housing and Service Needs of Seniors Act of 2005;” H.R. 804 “To Exclude From Consideration as Income Certain Payments Under the National Flood Insurance Program;” S. 1047 “The Presidential \$1.00 Coin Act of 2005,” and pending nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 28, 2005, at 10 a.m., on pending committee business.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 28, 2005, at 2:30 p.m., on issues related to MGM v. Grokster and the appropriate balance between copyright protection and communications technology innovation, in SR-253.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CRAIG. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 28, 2005, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on the Native American Graves Protection and Repatriation Act. Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 28, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

#### Agenda

I. Bills: S. 1088, Streamlined Procedures Act of 2005, Kyl, Cornyn, Grassley, Hatch; S. 103, Combat Meth Act of 2005, Talent, Feinstein, Kohl, Schumer, Feingold; S. \_\_\_\_\_, Personal Data Privacy and Security Act of 2005, Specter, Leahy, Feingold; S. 751, Notification of Risk to Personal Data Act, Feinstein, Kyl; S. 1326, Notification of Risk to Personal Data Act, Feinstein, Kyl; S. 1326, Notification of Risk to Personal Data Act, Sessions; S. 155, Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter; S. 1086, A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses, Hatch, Biden, Schumer; S. 956, Jetseta Gage Prevention and Deterrence of Crimes Against Children

Act of 2005, Grassley, Kyl, Cornyn; S. 1197, Violence Against Women Act of 2005, Biden, Hatch, Specter, Leahy, DeWine, Kohl, Grassley, Kennedy, Schumer, Durbin, Feinstein

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Veteran's Affairs be authorized to meet during the session of the Senate on Thursday, July 28, 2005, for a markup to consider the following:

Nomination of James Philip Terry to be Chairman of the Board of Veterans' Appeals, Department of Veterans' Affairs and Charles S. Ciccolella to be Assistant Secretary for Veterans' Employment and Training, Department of Labor.

Pending Legislation as follows:

A. Committee Print of S. 1182, the “Veterans' Health Care Improvements Act of 2005”, incorporating provisions derived from S. 1182, as introduced; S. 1177; S. 1189; and S. 1190.

B. S. 716, the “Vet Center Enhancement Act of 2005”.

C. S. 1234, the “Veterans' Compensation Cost-of-Living Adjustment Act of 2005”.

D. Committee Print of S. 1235, the “Veterans' Benefits Improvement Act of 2005”, incorporating provisions derived from S. 1235, as introduced; S. 552; S. 917; S. 151; S. 1259; S. 1271; and S. 423.

The markup will take place in Room 418 of the Russell Senate Office Building at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON NATIONAL PARKS

Mr. CRAIG. Mr. President, I ask unanimous consent that the subcommittee on National Parks be authorized to meet during the session of the Senate on Thursday, July 28 at 10 a.m.

The purpose of the hearings is to receive testimony on the following bills: S. 584 and H.R. 432, bills to require the secretary of the interior to allow the continued occupancy and use of certain land and improvements within rocky mountain National Parks; S. 652, a bill to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, PA, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin; S. 958, a bill to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the states of Maryland and Virginia and the District of Columbia as a national historic trail; S. 1154, a bill to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; S. 1166, a bill to extend the authorization of the Kalaupapa National Historical Park Advisory Commission; and S. 1436, a bill to direct the Secretary of the Interior to conduct a study of maritime sites in the states of Michigan.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that John Pilkington of Senator HARKIN's staff be granted the privilege of the floor for the duration of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Mike Stebbins of my staff be granted the privilege of the floor for the duration of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DAYTON. Mr. President, I ask unanimous consent that Sophie Thurber of my staff be granted the privilege of the floor for the duration of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that privilege of the floor be granted to two members of my staff, Mike Heidler and Matt Schuh, during debate on S. 397.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar, calendar 170, 211, 221, 222, 226, 238, and 240, provided further that the following committees be discharged from further consideration of the list of nominations and the Senate proceed en bloc to their consideration. The HELP Committee: Henry Johnson, PN 572; Terrell Halaska, PN 685; Kevin Sullivan, PN 473; Bernice Phillips, PN 106; Thomas Fuentes, PN 105. Rules: Donetta Davidson, PN 749.

I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF JUSTICE

Rachel Brand, of Iowa, to be an Assistant Attorney General.

#### ENVIRONMENTAL PROTECTION AGENCY

Marcus C. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency.

David R. Hill, of Missouri, to be General Counsel of the Department of Energy.

Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

#### DEPARTMENT OF HOMELAND SECURITY

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

#### DEPARTMENT OF THE TREASURY

Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

John S. Redd, Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

#### DEPARTMENT OF EDUCATION

Henry Louis Johnson, of Mississippi, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

Terrell Halaska, of the District of Columbia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach, Department of Education.

Bernice Phillips, of New York, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

#### ELECTION ASSISTANCE COMMISSION

Donetta Davidson, of Colorado, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2007.

#### CONFIRMATION OF DONETTA L. DAVIDSON

Mr. DODD. Mr. President, today the Senate is acting to fill a vacant seat on the Election Assistance Commission EAC with the confirmation of Ms. Donetta L. Davidson, of Colorado. Ms. Davidson was nominated by President Bush to serve the remainder of the 4-year term of DeForest B. Soaries, Jr, resigned. Her term will expire on December 12, 2007.

I want to thank the distinguished Chairman of the Rules Committee, Senator LOTT, for facilitating and expediting action on this nomination. By confirming Ms. Davidson at this time, the Senate is ensuring that the Commission will have a full complement of members as it faces action on some of the most important provisions of the Help American Vote Act this fall.

Nearly 3 years ago, President Bush signed into law the Help America Vote Act—HAVA. For the first time in our history, this landmark legislation recognizes the need for a Federal partnership in the conduct of Federal elections by the States. While this partnership respects the authority of State and local governments to administer Federal elections, it also provides Federal leadership and support through the establishment of minimum requirements that all States must meet in all Federal elections.

One of the primary goals of HAVA is to bolster public confidence in our system of Federal elections by addressing the problems and irregularities that arose in the November 2000 general election. And this is why, following that election, a bipartisan group of

Senators and Members of Congress came together to enact the Help America Vote Act. Although the original bipartisan authors of HAVA initially viewed the outcome of the 2000 elections very differently, in the end, we all agreed that the Federal Government had an appropriate role to play to ensure that in our democracy, we made it easier to vote and harder to defraud the system.

HAVA established a number of requirements for election administration and voting technology in Federal elections, including requirements for voting systems, provisional ballots, and statewide voter registration lists. To date, Congress has appropriated over \$3 billion in Federal funding for payments to the States for nationwide implementation of these requirements.

The Act also established a new Federal agency, the Election Assistance Commission—EAC. Among other things, the EAC serves as a clearinghouse to identify best practices for State and local election officials to use to conduct elections. The EAC is designed to bring together all stakeholders who play a role in elections—from voting machine manufacturers to voter registration organizations and other civil rights and disability rights groups to State and local election officials and administrators—to facilitate fair and transparent Federal elections throughout America.

Ms. Davidson joins the EAC at a crucial time. In less than 6 months, by January 1, 2006, all States are required to fully implement two of the most significant requirements in HAVA: the voluntary voting system standards and the statewide voter registration list. Taken as a whole, these two requirements promote accurate, accessible, nondiscriminatory, user-friendly and transparent elections. They serve as the mechanisms by which all eligible voters can cast their votes and have their votes counted.

Ms. Davidson's qualifications will serve her well at the EAC and reflect years of experience as both a State and local election official as well as an active participant on numerous national and State professional organizations. She currently serves as the Secretary of State for Colorado and previously served as the Arapahoe Country Clerk and Recorder in Littleton, CO and as the Director of Elections at the Colorado Department of State. In addition, she also currently serves as the vice chair of the National Association of Secretaries of State.

Her background will bring to the EAC the election administration and technology skills and experience that will help facilitate the nationwide implementation of HAVA, in particular the voluntary voting system guidelines expected to be approved by the EAC this fall. Her involvement with the existing voluntary voting system standards, first issued by the Federal Election Commission, dates to the mid-