

(A) in the Senate by the Majority Leader of the Senate, for himself and the Minority Leader of the Senate, or by Members of the Senate designated by the Majority Leader and Minority Leader of the Senate; and

(B) in the House of Representatives by the Speaker of the House of Representatives, for himself and the Minority Leader of the House of Representatives, or by Members of the House of Representatives designated by the Speaker and Minority Leader of the House of Representatives.

(2) REFERRAL.—The implementation bills introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate and any appropriate committee of jurisdiction in the House of Representatives. A committee to which an implementation bill is referred under this paragraph may report such bill to the respective House without amendment.

(3) REPORT OR DISCHARGE.—If a committee to which an implementation bill is referred has not reported such bill by the end of the 15th calendar day after the date of the introduction of such bill, such committee shall be immediately discharged from further consideration of such bill, and upon being reported or discharged from the committee, such bill shall be placed on the appropriate calendar.

(c) FLOOR CONSIDERATION.—

(1) IN GENERAL.—When the committee to which an implementation bill is referred has reported, or has been discharged under subsection (b)(3), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the implementation bill, and all points of order against the implementation bill (and against consideration of the implementation bill) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the implementation bill is agreed to, the implementation bill shall remain the unfinished business of the respective House until disposed of.

(2) AMENDMENTS.—An implementation bill may not be amended in the Senate or the House of Representatives.

(3) DEBATE.—Debate on the implementation bill, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the implementation bill is not in order. A motion to reconsider the vote by which the implementation bill is agreed to or disagreed to is not in order.

(4) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on an implementation bill, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the implementation bill shall occur.

(5) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to an implementation bill shall be decided without debate.

(d) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of

an implementation bill of that House, that House receives from the other House an implementation bill, then the following procedures shall apply:

(1) NONREFERRAL.—The implementation bill of the other House shall not be referred to a committee.

(2) VOTE ON BILL OF OTHER HOUSE.—With respect to an implementation bill of the House receiving the implementation bill—

(A) the procedure in that House shall be the same as if no implementation bill had been received from the other House; but

(B) the vote on final passage shall be on the implementation bill of the other House.

(e) RULES OF SENATE AND HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of an implementation bill described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this subtitle for each of fiscal years 2012 through 2013.

SA 949. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 1. IMPROVED PAYMENT FOR CERTAIN MAMMOGRAPHY SERVICES.

(a) EXCLUSION FROM OPD FEE SCHEDULE.—Section 1833(t)(1)(B)(iv) (42 U.S.C. 13951(t)(1)(B)(iv)) is amended by inserting before the period at the end the following: “and does not include screening mammography (as defined in section 1861(jj)) and unilateral and bilateral diagnostic mammography”.

(b) ADJUSTMENT TO TECHNICAL COMPONENT.—For diagnostic mammography performed on or after January 1, 2004, for which payment is made under the physician fee schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w-4), the Secretary, based on the most recent cost data available, shall provide for an appropriate adjustment in the payment amount for the technical component of the diagnostic mammography.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to mammography performed on or after January 1, 2004.

SA 950. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 1, to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 1. EQUAL ACCESS TO COMPETITIVE GLOBAL PRESCRIPTION MEDICINE PRICES FOR AMERICAN PURCHASERS.

(a) DEFINITION OF COVERED PRODUCT.—In this section, the term “covered product” has the meaning given the term in section 804 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384).

(b) PROHIBITION.—It shall be unlawful for the manufacturer of a covered product or any other person that sells a covered product to refuse to sell to any wholesaler or retailer (or other purchaser representing a group of wholesalers or retailers) of covered products in the United States on terms (including such terms as prompt payment, cash payment, volume purchase, single-site delivery, the use of formularies by purchasers, and any other term that effectively reduces the cost to the manufacturer of supplying the drug) that are not substantially the same as the most favorable (to the purchaser) terms on which the person has sold or has agreed to sell the covered product to any purchaser in Canada.

(c) ENFORCEMENT.—The Secretary of Health and Human Services, or any wholesaler or retailer in the United States aggrieved by a violation of subsection (b), may bring a civil action in United States district court against a person that violates subsection (b) for an order—

(1) enjoining the violation; and

(2) awarding damages in the amount that is equal to 3 times the amount of the value of the difference between—

(A) the terms on which the person sold a covered product to the wholesaler or retailer; and

(B) the terms on which the person sold the covered product to a person in Canada.

(d) EFFECTIVENESS OF SECTION.—This section takes effect on the date that is 2 years after the date of enactment of this Act, except that this section shall not be in effect during any period after that date in which there is in effect a final regulation promulgated by the Secretary of Health and Human Services permitting the importation or reimportation of prescription drugs under section 804 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384).

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing that was originally scheduled for June 19, 2003 has been postponed and will now be held on Wednesday, June 25 at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to gain an understanding of the grazing programs of the Bureau of Land Management and the United States Forest Service. The Subcommittee will receive testimony on grazing permit renewal, BLM's potential changes to grazing regulations, range monitoring, drought and other grazing issues. This hearing will also provide the basis for other grazing hearings that we may want to undertake at the subcommittee level as the year goes on.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. DOLE. 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 June 19, 2003, at 10:00 A.M. to conduct a hearing on "The Growing Problem of Identity Theft and Its Relationship to the Fair Credit Reporting Act."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. DOLE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet on Thursday, June 19, 2003, at 9:30 a.m., on pending Committee business.

S. 1264. The Federal Communications Commission Reauthorization Act of 2003 (Bill Bailey/Lee Carosi/James Assey).

S. 865. Commercial Spectrum Enhancement Act (Bill Bailey/James Assey).

S. 1234. The Federal Trade Commission Reauthorization Act of 2003 (Ken Nahigian/David Strickland/Cathy McCullough).

S. 1046. Preservation of Localism, Program Diversity, and Competition in Television Broadcast Service Act of 2003 (Lee Carosi/James Assey/Rachel Welch).

S. 1261. The Consumer Product Safety Commission Reauthorization Act of 2003 (Ken Nahigian/David Strickland/Cathy McCullough).

S. 1244. The Federal Maritime Commission Reauthorization Act of 2003 (Rob Freeman/Mary Phillips/Carl Bentzel).

S. 1262. The Maritime Administration Authorization Act of 2003 (Rob Freeman/Mary Phillips/Carl Bentzel).

S. 247. Harmful Algal Bloom and Hypoxia Amendments Act of 2003 (Drew Minkiewicz/Margaret Spring).

S. 1106. Fishing Quota Act of 2003 (Drew Minkiewicz/Margaret Spring).

S. 861. Coastal and Estuarine Land Protection Act (Drew Minkiewicz/Margaret Spring).

S. 1152. United States Fire Administration Reauthorization Act of 2003 (Ken LaSala/Jean Toal Eisen).

S. 1260. The Commercial Space Transportation Act of 2003 (Floyd DesChamps/Jean Toal Eisen/John Cullen).

S. 189. 21st Century Nanotechnology Research and Development Act (Ken LaSala/Jean Toal Eisen/Chan Lieu).

S. 877. Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act of 2003 (Paul Martino/David Strickland).

Nomination of Annette Sandberg (PN 440), of Washington, to be Administrator of the Federal Motor Carrier Administration, (Rob Freeman, May Phillips, Virginia Pounds/Debbie Hersman/Vanessa Jones).

Nominations for Promotion in the United States Coast Guard (PNs 689, 671, 672) (Virginia Pounds/Army Fraenkel/Vanessa Jones).

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mrs. DOLE. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, June 19, 2003, at 10:00 a.m. for a hearing entitled "Self-Dealing and Breach of Duty: An Initial Review of the ULLICO Matter."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. DOLE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on "Teachers Union Scandals: Closing the Gaps in Union Member Protections" during the session of the Senate on Thursday, June 19, 2003 at 10:15 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mrs. DOLE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, June 19, 2003, at 9:30 a.m. in Hart Room 216.

I. Nominations: William H. Pryor, Jr., to be United States Circuit Judge for the Eleventh Circuit; Diane M. Stuart to be Director, Violence Against Women Office, United States Department of Justice.

II. Bills: S. 724. A bill to amend Title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials. [Enzi, Craig, Durbin, Sessions]; S. 1125, Fairness in Asbestos Injury Resolution Act of 2003 ("The FAIR Act") [Hatch, DeWine, Chambliss]; S. 1233. A bill to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center [Mikulski, Hatch, Edwards]; S.J. Res. 1. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims [Kyl, Chambliss, Cornyn, Craig, DeWine, Feinstein, Graham, Grassley].

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

COMMITTEE ON INTELLIGENCE

Mrs. DOLE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the

Senate on Thursday, June 19, 2003 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 225, 226, 229, 230, and 232.

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

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

The nominations considered and confirmed are as follows:

NATIONAL COUNCIL ON DISABILITY

Anne Rader, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2004.

DEPARTMENT OF HOMELAND SECURITY

Eduardo Aguirre, Jr., of Texas, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Terrence A. Duffy, of Illinois, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2003.

Terrence A. Duffy, of Illinois, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2007.

DEPARTMENT OF HOMELAND SECURITY

C. Stewart Verdery, Jr., of Virginia, to be an Assistant Secretary of Homeland Security.

CONFIRMATION OF EDUARDO AGUIRRE, JR.

Mr. LEAHY. Mr. President, I am pleased to support the nomination of Eduardo Aguirre to serve as Director of the Bureau of Citizenship and Immigration Services (BCIS), in the newly-created Department of Homeland Security. I was very impressed with him at his nomination hearing, and I look forward to working with him in his new position.

I am pleased that this nomination was referred to the Judiciary Committee, which continues to have jurisdiction over immigration legislation and oversight. Similarly, I am pleased that we were able to obtain unanimous consent last week for the Judiciary Committee to receive a subsequent referral on the nomination of Michael Garcia to head the Bureau of Customs and Immigration Enforcement—BICE.

The recent Inspector General report on the treatment of "9/11 detainees"