

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2691, Interior Department Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S11771–S11875

Measures Introduced: Six bills and six resolutions were introduced, as follows: S. 1641–1646, and S. Res. 228–233. **Page S11832**

Measures Passed:

Interior Department Appropriations: Senate passed H.R. 2691, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, after taking action on the following amendments proposed thereto: **Pages S11780–81, S11784–S11826**

Adopted:

By 92 yeas to 4 nays (Vote No. 358), Bingaman Amendment No. 1740, to ban commercial advertising on the National Mall. **Pages S11804–05**

By 53 yeas to 43 nays (Vote No. 360), Voinovich/Thomas Modified Amendment No. 1754, to substitute a requirement for an annual report on competitive sourcing activities on lists required under the Federal Activities Inventory Reform Act of 1998 that are performed for the Department of the Interior by Federal Government sources. **Page S11807**

Levin/Collins Amendment No. 1750, to ensure cost-effective procedures to fill the Strategic Petroleum Reserve. **Pages S11808–11**

Burns (for Bennett) Amendment No. 1757, to provide funds for trail construction on the Wasatch-Cache National Forest. **Pages S11813–14**

Burns Amendment No. 1758, to provide funds to facilitate a land exchange between the State of Montana and the Lolo National Forest. **Pages S11813–14**

Burns (for Nickles) Modified Amendment No. 1752, to set aside funds for the Oklahoma City National Memorial. **Pages S11813–14**

Burns (for Cochran) Amendment No. 1759, to set aside funds for the Wildlife Enhancement and Economic Development Program in Starkville, Mississippi. **Pages S11813–14**

Burns (for Enzi) Amendment No. 1760, to improve seismic monitoring and hazard assessment in the Jackson Hole-Yellowstone area of Wyoming. **Pages S11813–14**

Burns Amendment No. 1761, to provide funds for the development of certain technologies and research facilities. **Pages S11813–14**

Dorgan Amendment No. 1762, to provide funding for DES applications integration. **Pages S11813–14**

Dorgan (for Landrieu) Modified Amendment No. 1728, to set aside funds for activities to commemorate the Louisiana Purchase at the Jean Lafitte National Historical Park and Preserve in the State of Louisiana. **Pages S11813–14**

Burns/Dorgan Amendment No. 1763, to provide certain funding for operating grants for Tribally Controlled Community Colleges, and for Information Resources Technology. **Pages S11813–14**

Dorgan (for Clinton) Amendment No. 1726, to provide for a payment of \$11,750 to the Harriet Tubman Home in Auburn, New York. **Pages S11813–14**

Dorgan Amendment No. 1764, to include electric thermal storage technology as a weatherization material under the Energy Conservation in Existing Buildings Act of 1976. **Pages S11813–14**

Burns (for Campbell) Amendment No. 1765, to provide funds for the Mesa Verde Cultural Center in the State of Colorado, with an offset. **Pages S11813–14**

Burns (for Talent) Amendment No. 1766, to provide funding for the construction of a statue of Harry S Truman in Kansas City, Missouri, with an offset. **Pages S11813–14**

Burns Amendment No. 1769, to cancel certain unobligated balances in the Department of the Interior's foreign currency account. **Pages S11816–19**

Burns Amendment No. 1770, to provide authority for the Forest Service to reimburse cooperators who assist with emergency response. **Pages S11816–19**

Burns (for Bennett) Amendment No. 1771, to provide authority for the Forest Service to sell certain excess facilities on the Wasatch-Cache National Forest. **Pages S11816-19**

Burns Amendment No. 1772, to facilitate rehabilitation efforts on the Kootenai and Flathead National Forests. **Pages S11816-19**

Burns Amendment No. 1773, to ensure the perpetual operation of water treatment centers at the Zortman/Landusky mine reclamation site. **Pages S11816-19**

Burns (for Craig) Amendment No. 1774, to facilitate renewal of grazing permits managed by the Bureau of Land Management's Jarbridge office. **Pages S11816-19**

Burns (for Stevens) Amendment No. 1775, to modify a provision relating to interim compensation payments for Glacier Bay, Alaska. **Pages S11816-19**

Burns (for Stevens) Amendment No. 1776, to modify a provision relating to applications for waivers of certain maintenance fees. **Pages S11816-19**

Dorgan (for Feingold) Modified Amendment No. 1725, to require the Secretary of the Interior to report to Congress on acquisitions made by the Department of the Interior of articles, materials, or supplies manufactured outside the United States. **Pages S11824-26**

Dorgan Amendment No. 1777, to amend Sec. 301 of Title III of the Energy Policy Act of 1992 (42 U.S.C. 13211) to include neighborhood electric vehicles in the definition of alternative fueled vehicle. **Pages S11816-19**

Burns (for Ensign/Reid) Amendment No. 1737, to authorize the use of proceeds from land sales in the State of Nevada for Lake Tahoe restoration projects. **Pages S11816-19**

Dorgan (for Reid) Modified Amendment No. 1732, to authorize the Secretary of the Interior to acquire certain land located in Nye County, Nevada. **Pages S11780, S11816-19**

Dorgan Amendment No. 1778, to amend Sec. 301 of Title III of the Energy Policy Act of 1992 (42 U.S.C. 13211) to include neighborhood electric vehicles in the definition of alternative fueled vehicle. **Pages S11816-19**

Burns/Dorgan Amendment No. 1779, to facilitate renewal of grazing permits. **Pages S11816-19**

Dorgan (for Leahy) Modified Amendment No. 1743, to authorize the Secretary to use funds for the Blueberry Lake project. **Pages S11816-19**

Dorgan (for Reid) Amendment No. 1733, to provide for the conveyance of land to the city of Las Vegas, Nevada, for the construction of affordable housing for seniors. **Pages S11816-19**

Burns (for Snowe/Dodd) Amendment No. 1780, to direct the Secretary of Energy to submit to Con-

gress a report on the use of the Northeast Home Heating Oil Reserve. **Pages S11816-19**

Dorgan (for Wyden) Amendment No. 1749, to exempt the rural business enterprise grants awarded to Oakridge, OR from the business size restrictions. **Pages S11816-19**

Burns/Dorgan Amendment No. 1781, to ensure that funds allocated to the Indian Health Service are not redirected to programs and projects that have not been fully justified in the agency's annual budget request and concurred in by the House and Senate Appropriations Committees. **Pages S11816-19**

Burns Amendment No. 1782, to make a technical modification to the Marine Mammal Protection Act. **Pages S11816-19**

Dorgan (for Hollings) Amendment No. 1736, to authorize the acquisition of additional land for inclusion in the Congaree Swamp National Monument in the State of South Carolina.

Burns/Dorgan Amendment No. 1768, to provide funds to repay accounts from which funds were borrowed for wildfire suppression. **Page S11816**

Rejected:

Boxer Amendment No. 1753, to strike section 333 relating to a special judicial appeals process for cases involving timber harvesting in the Tongass National Forest. (By 52 yeas to 44 nays (Vote No. 359), Senate tabled the amendment.) **Pages S11784-88, S11805-06**

By 44 yeas to 51 nays (Vote No. 361), Reid Amendment No. 1731, to prohibit the use of funds for initiating any new competitive sourcing studies. **Pages S11780, S11788-S11804, S11807-08**

By 43 yeas to 52 nays (Vote No. 362), Daschle Further Modified Amendment No. 1739, to strike funding for implementation of the Department of the Interior's reorganization plan for the Bureau of Indian Affairs and the Office of Special Trustee and to transfer the savings to the Indian Health Service. **Pages S11811-13**

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

By 49 yeas to 45 nays (Vote No. 356), 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 Daschle Further Modified Amendment No. 1734, to provide additional funds for clinical services of the Indian Health Service, with an offset. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. **Pages S11780-81**

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 Burns, Stevens, Cochran, Domenici, Bennett, Gregg, Campbell, Brownback, Dorgan, Byrd, Leahy, Hollings, Reid, Feinstein, and Mikulski. **Page S11826**

U.S. Olympic Committee Reform Act: Senate passed S. 1404, to amend the Ted Stevens Olympic and Amateur Sports Act, after agreeing to committee amendments, and the following amendment proposed thereto: **Pages S11867–73**

Burns (for Campbell) Amendment No. 1767, relative to the relocation of the U.S. Olympic Committee's principal office and national headquarters. **Pages S11869–70**

Chronic Obstructive Pulmonary Disease Awareness Month: Senate agreed to S. Res. 229, supporting the goals and ideals of Chronic Obstructive Pulmonary Disease Awareness Month. **Page S11873**

Relative to the Death of General Raymond G. Davis: Senate agreed to S. Res. 232, expressing the condolences of the Senate upon the death on September 3, 2003, of the late General Raymond G. Davis (United States Marine Corps, retired) and expressing the appreciation and admiration of the Senate for the unwavering commitment demonstrated by General Davis to his family, the Marine Corps, and the Nation. **Pages S11873–74**

Commending Rochester, Minnesota A's: Senate agreed S. Res. 233, commending the Rochester, Minnesota A's American Legion baseball team for winning the 2003 National American Legion World Series. **Page S11874**

Internet Tax Non-Discrimination Act—Referral: A unanimous-consent agreement was reached providing that when the Committee on Commerce, Science, and Transportation reports S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, the bill be referred to the Committee on Finance for a period of thirty calendar days; and that, if said Committee has not reported the bill at the end of the thirty days, the Committee be discharged from its further consideration; and that the bill be placed on the calendar. **Page S11874**

District of Columbia Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that at 10:30 a.m., on Wednesday, September 24, 2003, Senate begin consideration of H.R. 2765, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004. **Page S11874**

Appointment—Correction

(The appointment made by the Chair on Monday, September 15, 2003, should have read as follows:)

Ticket to Work and Work Incentives Advisory Panel: The Chair, on behalf of the Democratic Leader, after consultation with the Ranking Member of the Senate Committee on Finance, pursuant to Public Law 106–170, announced the appointment of Andrew J. Imparato, of Maryland, to serve as a member of the Ticket to Work and Work Incentives Advisory Panel, vice Christine M. Griffin, of Massachusetts.

Nominations Confirmed: Senate confirmed the following nomination:

By unanimous vote of 94 yeas (Vote No. Ex. 357), Kim R. Gibson, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania. **Pages S11781–82**

Nominations Received: Senate received the following nominations:

Cynthia Boich, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007.

Henry Lozano, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2008.

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.

Judith C. Herrera, of New Mexico, to be United States District Judge for the District of New Mexico.

Louis Guirola, Jr., of Mississippi, to be United States District Judge for the Southern District of Mississippi.

David L. Huber, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Dorothy A. Johnson, of Michigan, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2007. Reappointment. **Pages S11874–75**

Additional Cosponsors: **Pages S11832–33**

Statements on Introduced Bills/Resolutions: **Pages S11833–59**

Additional Statements: **Pages S11830–31**

Amendments Submitted: **Pages S11861–66**

Notices of Hearings/Meetings: **Page S11866**

Authority for Committees to Meet: **Pages S11866–67**

Privilege of the Floor: **Page S11867**

Record Votes: Seven record votes were taken today. (Total—362) **Pages S11781–82, S11805–08, S11813**

Adjournment: Senate met at 9:30 a.m., and adjourned at 8:14 p.m., until 9:30 a.m., on Wednesday, September 24, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11874.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing on the nomination of Gordon England, of Texas, to be Secretary of the Navy, after the nominee testified and answered questions in his own behalf.

SARBANES-OXLEY ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing on the implementation of the Sarbanes-Oxley Act (P.L. 107–204), designed to protect investors by improving accuracy and reliability of corporate disclosures made pursuant to the securities laws, focusing on reform of corporate governance, financial reporting and auditing, after receiving testimony from Samuel A. DiPiazza, Jr., PricewaterhouseCoopers, New York, New York; Edward Nusbaum, Grant Thornton, LLP, Chicago, Illinois; Sean Harrigan, California Public Employees' Retirement System (CalPERS) Board of Administration, Sacramento; and William J. McDonough, Public Company Accounting Oversight Board, and Sarah Teslik, Council of Institutional Investors, both of Washington, D.C.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following bills:

An original bill to provide for an extension of the Federal transit program pending the reauthorization of the program;

An original bill to reauthorize the Defense Production Act of 1950; and

An original bill to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to limit the sharing of certain consumer information, to improve financial education and literacy.

WATER RECLAMATION PROJECTS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded hearings to examine S. 213, to clear title to certain real prop-

erty in New Mexico associated with the Middle Rio Grande Project, S. 1236, to direct the Secretary of the Interior to establish a program to control or eradicate tamarisk in the western States, S. 1516, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive, H.R. 856, to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and H.R. 961, to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, after receiving testimony from Representatives Kind and Stenholm; A. Gordon Brown, Invasive Species Coordinator, Liaison to the National Invasive Species Council, Robert M. Hirsh, Associate Director for Water, U.S. Geological Survey, and Michael Gabaldon, Director, Policy, Management, and Technical Services, Bureau of Reclamation, all of the Department of the Interior; John Marshall, Colorado Department of Natural Resources, Denver; Tim Carlson, Tamarisk Coalition, Grand Junction, Colorado; Debra Hughes, New Mexico Association of Conservation Districts, Carlsbad; and Holly Stoerker, Upper Mississippi River Basin Association, St. Paul, Minnesota.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported S. 1640, to provide an extension of highway programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

NOMINATION

Committee on Environment and Public Works: Committee concluded a hearing on the nomination of Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency, after the nominee, who was introduced by Senators Hatch and Bennett, testified and answered questions in his own behalf.

U.S.-MEXICO TRADE

Committee on Finance: Committee concluded a hearing to examine the impact of Mexican barriers to U.S. agricultural exports, after receiving testimony from Allen F. Johnson, Chief Agriculture Negotiator, Office of the US Trade Representative; Ron Litterer,