

are purchased, used, or sold by an Internet access provider to connect a purchaser of Internet access to the Internet access provider.”.

(3) 2-YEAR GRANDFATHER FOR STATE AND LOCAL TAX LAWS AFFECTED BY CHANGE IN DEFINITION.—The amendments made by paragraphs (1) and (2) take effect on the date of enactment of this Act but shall not apply until November 2, 2005, with respect to a law imposing a tax that was generally imposed and actually enforced prior to November 6, 2003.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet on Thursday, November 6, 2003, at 9:30 a.m. on Robert Crandell, Floyd Hall, and Louis Thompson to be members of the Amtrak Reform Board.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, November 6, 2003 at 10 a.m. to hold a Business Meeting.

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

COMMITTEE ON THE JUDICIARY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, November 6, 2003, at 9:30 a.m. in Dirksen Room 226.

I. Nominations

Henry W. Saad to be U.S. Circuit Judge for the Sixth Circuit; Janice R. Brown to be U.S. Circuit Judge for the District of Columbia Circuit; D. Michael Fisher to be U.S. Circuit Judge for the Third Circuit; James B. Comey to be Deputy Attorney General; Michael J. Garcia to be Assistant Secretary of U.S. Immigration and Customs Enforcement; and Mark R. Filip to be U.S. District Court Judge for the Northern District of Illinois

II. Bills

S. 710, Anti-Atrocity Alien Deportation Act of 2003 [Leahy, Hatch]; H.R. 1086, the Standards Development Organization Advancement Act of 2003 [Sensenbrenner]; S. 1685, Basic Pilot Program Extension and Expansion Act of 2003 [Grassley, Kyl]; S. Con. Res. 77, Expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws [Sessions, Hatch]; and H.R. 1437, To improve the United States Code [Sensenbrenner, Conyers].

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, November 6, 2003 at 2:30 p.m. to hold a closed hearing.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Thursday, November 6, 2003, at 2:30 p.m. on Lunar Exploration.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Thursday, November 6, 2003, at 2:00 p.m., for a hearing entitled “DOD’s Improper Use of First and Business Class Airline Travel.”

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

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. I ask unanimous consent that Marie Rapert, with Senator INHOFE, be allowed the privilege of the floor during the next rollcall vote.

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

Mr. SESSIONS. I ask unanimous consent that the request for floor privileges that I made earlier be vitiated.

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

Mr. BURNS. I ask unanimous consent that Dr. Prabhat Hajela, a congressional fellow in my office, be granted the privilege of the floor for the duration of the consideration of H.R. 7623.

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

MEASURE PLACED ON THE CALENDAR—S. 1832

Mr. MCCAIN. I understand S. 1832, introduced earlier today, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows: A bill (S. 1832) entitled “Senator Paul Wellstone Mental Equitable Treatment Act of 2003.”

Mr. MCCAIN. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. MCCAIN. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 261, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 261) to authorize testimony and document production and legal representation for the State of Colorado v. Daniel Raphael Egger, Sarah Jane Galdi, Jennifer Melissa Greenberg, Lisa Gale Kunkel, Bonnie Catherine McCormick.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a request for testimony, documents, and representation in related criminal trespass actions in Arapahoe County Court in the State of Colorado. In these actions, five defendants have been charged with criminally trespassing on the premises of Senator WAYNE ALLARD’s Englewood, CO, office on April 24, 2003. Upon its closing that day, the defendants refused repeated requests to leave Senator ALLARD’s office, and, as a result, were arrested. Trials on the charge of trespass are scheduled to be held on or about December 8, 2003. The State has subpoenaed a member of the Senator’s staff who witnessed the defendants’ conduct. The enclosed resolution would authorize that staff member, and any other employees of Senator ALLARD’s office from whom evidence may be required, to testify and produce documents in connection with these actions. The enclosed resolution also authorizes representation by Senate Legal Counsel of Senator ALLARD and his staff in these actions.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements related to this matter be printed in the RECORD.

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

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 261

Whereas, in the case of State of Colorado v. Daniel Raphael Egger, Sarah Jane Galdi, Jennifer Melissa Greenberg, Lisa Gale Kunkel, Bonnie Catherine McCormick, pending in the Arapahoe County Court, Colorado, testimony and documents have been requested from an employee in the office of Senator Wayne Allard;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members of the Senate and their employees with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the

Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, that employees of Senator Allard's office from whom testimony or the production of documents may be required are authorized to testify and produce documents in the cases of *State of Colorado v. Daniel Raphael Egger, Sarah Jane Gerdali, Jennifer Melissa Greenberg, Lisa Gale Kunkel, Bonnie Catherine McCormick*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Allard and his staff in the actions referenced in section one of this resolution.

REAUTHORIZING CERTAIN SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS

Mr. MCCAIN. I ask unanimous consent the Agriculture Committee be discharged from further consideration of H.R. 3232, and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 3232) to reauthorize certain school lunch and child nutrition programs for fiscal year 2004.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. I ask unanimous consent the bill be read the third time, passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 3232) was read the third time and passed.

EXEMPTING CERTAIN COASTAL BARRIER PROPERTY FROM FINANCIAL ASSISTANCE AND FLOOD INSURANCE LIMITATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 352, S. 1643.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1643) to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Insurance Act of 1968.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 1643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINANCIAL ASSISTANCE; FLOOD INSURANCE.

The limitations on Federal expenditures or financial assistance in [section 6] section 5 of

the Coastal Barrier Resources Act (16 U.S.C. 3504) and the limitations on flood insurance coverage in section 1321(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4028(a)) shall not apply to lots 15, 16, 25, and 29 within the Jeremy Cay Subdivision on Edisto Island, South Carolina, depicted on the [map] reference map entitled "John H. Chafee Coastal Barrier Resources System Edisto Complex M09/M09P" dated January 24, 2003.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 1643), as amended, was read the third time and passed, as follows:

S. 1643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINANCIAL ASSISTANCE; FLOOD INSURANCE.

The limitations on Federal expenditures or financial assistance in section 5 of the Coastal Barrier Resources Act (16 U.S.C. 3504) and the limitations on flood insurance coverage in section 1321(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4028(a)) shall not apply to lots 15, 16, 25, and 29 within the Jeremy Cay Subdivision on Edisto Island, South Carolina, depicted on the reference map entitled "John H. Chafee Coastal Barrier Resources System Edisto Complex M09/M09P" dated January 24, 2003.

CORRECTION OF ERROR ON THE JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAP

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 351, S. 1066.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1066) to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System.

There being no objection, the Senate proceeded to consider the bill, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 1066

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCLUSION OF CERTAIN LAND FROM THE JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

[(a) IN GENERAL.—The John H. Chafee Coastal Barrier Resources System shall not include any land in Matagorda Dunes subdivision or Bahia de Matagorda subdivision, located in Matagorda County, Texas.

[(b) MAPS.—Not later than 180 days after the date of enactment of this section, the Secretary of the Interior shall modify the maps referred to in section 4(a) of the Coast-

al Barrier Resources Act (16 U.S.C. 3503(a)) to reflect the exclusion of land under subsection (a).]

SECTION 1. REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAP.

(a) IN GENERAL.—The map described in subsection (b) is replaced by the map entitled "John H. Chafee Coastal Barrier Resources System Matagorda Peninsula Unit T07/T07P" and dated July 12, 2002.

(b) DESCRIPTION OF REPLACED MAP.—The map referred to in subsection (a) is the map relating to the John H. Chafee Coastal Barrier Resources System unit designated as Coastal Barrier Resources System Matagorda Peninsula Unit T07/T07P that is subtitled "T07/T07P" and included in the set of maps entitled "Coastal Barrier Resources System" and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

Mr. MCCAIN. Mr. President, I ask unanimous consent that the committee substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1066), as amended, was read the third time and passed.

REPLACING CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 354, S. 1663.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: A bill (S. 1663) to replace certain Coastal Barrier Resources System maps.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to consider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1663) was read the third time and passed, as follows:

S. 1663

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPLACEMENT OF CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS.

(a) IN GENERAL.—The 2 maps subtitled "NC-07P", relating to the Coastal Barrier Resources System unit designated as Coastal Barrier Resources System Cape Fear Unit NC-07P, that are included in the set of maps entitled "Coastal Barrier Resources System" and referred to in section 4(a) of the Coastal