

Daily Digest

Highlights

The House agreed to S. Con. Res. 120, providing for the conditional recess at adjournment of the Senate and the House.

The House passed H.R. 4614, Energy and Water Development Appropriations Act for FY 2005.

Chamber Action

Routine Proceedings, pages S7505–S7528

Measures Introduced: One bill was introduced as follows: S. 2606. **Page S7518**

Measures reported:

S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 108–285)

S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. (S. Rept. No. 108–286)

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District. (S. Rept. No. 108–287)

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project. (S. Rept. No. 108–288)

H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project. (S. Rept. No. 108–289)

S. 2479, to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time. (S. Rept. No. 108–290) **Page S7518**

Measures Passed:

CREATE Act: Senate passed S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises. **Pages S7520–22**

Protecting Intellectual Rights Against Theft and Expropriation Act: Senate passed S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General. **Pages S7522–23**

Artists' Rights and Theft Prevention Act: Senate passed S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, after agreeing to the committee amendment in the nature of a substitute. **Pages S7524–27**

Servitude and Emancipation Archival Research Clearinghouse Act: Senate passed S. 1292, to establish a servitude and emancipation archival research clearinghouse in the National Archives, after agreeing to the committee amendments. **Page S7527**

Identity Theft Penalty Enhancement Act: Senate passed H.R. 1731, to amend title 18, United States Code, to establish penalties for aggravated identity theft, clearing the measure for the President. **Page S7527**

Tribal Forest Protection Act: Senate passed H.R. 3846, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land, clearing the measure for the President. **Page S7527**

AUTHORITY FOR COMMITTEES—AGREEMENT: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Wednesday, June 30, 2004, from 10 a.m. until 12 noon. **Page S7520**

SIGNING AUTHORITY—AGREEMENT: A unanimous-consent agreement was reached providing

that during this adjournment of the Senate, the Majority Leader and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions.

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APPOINTMENT AUTHORITY—AGREEMENT: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S7520

NOMINATION—AGREEMENT: A unanimous-consent agreement was reached providing for the consideration of the nomination of J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, at 9:45 a.m., on Tuesday, July 6, 2004, with six hours of debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees, followed by a vote on confirmation of the nomination.

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Nominations Confirmed: Senate confirmed the following nominations:

Benjamin A. Gilman, of New York, to be a Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia.

Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland.

Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

R. Niels Marquardt, of California, a Career Member of the Senior Foreign Service, Class of Counselor to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

James Francis Moriarty, of Virginia, to be Ambassador to the Kingdom of Nepal.

Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Anne W. Patterson, of Virginia, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Na-

tions during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Suzanne Hale, of Virginia, to be Ambassador to the Federated States of Micronesia.

James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela.

June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Charles P. Ries, of the District of Columbia, to be Ambassador to Greece.

R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to the Kingdom of Thailand.

John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia.

Cynthia G. Efird, of the District of Columbia, to be Ambassador to the Republic of Angola. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina.

William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain.

A routine list in the Foreign Service. Page S7528

Messages From the House: Page S7517

Measures Referred: Page S7517

Measures Placed on Calendar: Pages S7517, S7527

Measures Read First Time: Pages S7517, S7527

Enrolled Bills Presented: Page S7517

Additional Cosponsors: Page S7518

Statements on Introduced Bills/Resolutions:**Pages S7518–19****Additional Statements:****Pages S7516–17**

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of S. Con. Res. 120, adjourned at 11:40 a.m., until 9:45 a.m., on Tuesday, July 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7528.)

Committee Meetings

(Committees not listed did not meet)

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine the transition to sovereignty in Iraq, focusing on U.S. policy, ongoing military operations, and status of U.S. Armed Forces, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; Richard L. Armitage, Deputy Secretary of State; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

DEMOCRACY IN VENEZUELA

Committee on Foreign Relations: On Thursday, June 24, Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs concluded a hearing to examine the state of democracy in Venezuela, focusing on

Organization of American States (OAS) Permanent Council Resolution 833, to strengthen Venezuelan democracy and bring an end to political conflict, after receiving testimony from Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; John F. Maisto, U.S. Permanent Representative to the Organization of American States; Jennifer McCoy, Carter Center, Atlanta, Georgia; and Jose Miguel Vivanco, Human Rights Watch, Miguel Diaz, Center for Strategic and International Studies, Roger Tissot, PFC Energy, and Mark Weisbrot, Center for Economic and Policy Research, all of Washington, D.C.

PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: On Thursday, June 24, Committee concluded a hearing to examine the reauthorization of the Carl D. Perkins Vocational and Technical Education Act, focusing on community colleges, the challenges of serving rural populations, and "Project Lead the Way", after receiving testimony from Michael Rush, Idaho Division of Professional-Technical Education, Boise; Frank Blankenship, Columbiana County Career and Technical Center, Lisbon, Ohio; Jo Anne McFarland, Central Wyoming College, Riverton; Harry Lightsey, BellSouth, Columbia, South Carolina; and Angela Olszewski, Nontraditional Employment for Women (NEW), New York, New York.

House of Representatives

Chamber Action

Measures Introduced: 40 public bills, H.R. 4714–4753; and 4 resolutions, H. Con. Res. 468, and H. Res. 698–700, were introduced.

Pages H5149–50**Additional Cosponsors:****Pages H5150–51****Reports Filed:** Reports were filed today as follows:

H.R. 3819, to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, amended (H. Rept. 108–570);

H.R. 2831, to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District, amended (H. Rept. 108–571);

H.R. 1716, to amend title 38, United States Code, to improve educational assistance programs of the Department of Veterans Affairs for apprenticeship or other on-job training, amended (H. Rept. 108–572, Pt. 1); and

H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources, amended (H. Rept. 108–573, Pt. 1).

Page H5148

Energy and Water Development Appropriations Act for FY 2005: The House passed H.R. 4614, making appropriations for energy and water development for the fiscal year ending September 30, 2005, by a yeas and nays vote of 370 yeas to 16 nays, Roll No. 325.

Pages H5074–H5131

Agreed to limit the number of amendments made in order in the Committee of the Whole and the time for debate on those amendments.

Page H5119

Agreed to:

Hobson amendment that prohibits the use of funds to finance laboratory directed research and development activities at the Department of Energy laboratories on behalf of other Federal agencies;

Page H5111

Eshoo amendment that prohibits the use of funds to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation, the California Refund case, the Anomalous Bidding Investigation, or the Physical Withholding Investigation;

Pages H5111–16

Rejected:

Norton amendment (No. 4 printed in the Congressional Record of June 24) that sought to increase funding for construction for the Civil Department of the Army;

Pages H5102–06

Sanders amendment (No. 5 printed in the Congressional Record of June 24) that sought to increase funding for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (by a recorded vote of 150 ayes to 241 noes, Roll No. 321); (agreed to limit the time for debate on the amendment)

Pages H5106–11, H5128–29

Wilson of New Mexico amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 163 ayes to 224 noes, Roll No. 322); (agreed to limit time for debate on the amendment)

Pages H5118–19, H5128–29

Meehan amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 151 ayes to 235 noes, Roll No. 323); and

Pages H5123–25, H5129

Hefley amendment (No. 1 printed in the Congressional Record of June 23) that reduces the total funding in the Act by one percent (by a recorded vote of 68 ayes to 319 noes, Roll No. 324);

Pages H5126, H5130

Withdrawn:

Hefley amendment (No. 2 printed in the Congressional Record of June 23) that was offered and subsequently withdrawn that would have reduced funding for the Appalachia Regional Commission;

Pages H5116–18

Inslee amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to make “waste incidental to reprocessing” determinations in order to reclassify high-level radioactive waste;

Pages H5125–26

Point of Order sustained against:

Section of the bill (page 2, line 23 through page 3, line 5) regarding the Southwest Valley Flood Damage Reduction Study in Albuquerque, New Mexico;

Page H5101

Section 105 of Title I regarding the flood protection project at Alamogordo, New Mexico;

Pages H5105–06

Section 106 of Title I regarding Public Law 106–541;

Pages H5105–06

Section 107 of Title I regarding flood damage reduction at Mill Creek in Cincinnati, Ohio;

Page H5106

Section 108 of Title I regarding the environmental dredging project at Ashtabula River, Ohio;

Page H5106

Section 109 of Title I regarding the Central Riverfront Park project on the Ohio Riverfront in Cincinnati, Ohio;

Page H5106

Section 110 of Title I regarding the revolving fund for dredge projects;

Page H5106

Section 311 relating to the prohibition on the use of funds for laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies;

Pages H5110–11

Section 502 regarding the purchase of American-made equipment and products;

Page H5122

Section of the bill (pages 39, line 23 through page 40, line 4) regarding the prohibition of funds to issue a license during fiscal year 2005 for the construction or operation of a new commercial nuclear power plant in the U.S.

Pages H5122–23

H. Res. 694, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea and nay vote of 209 yeas to 182 nays, Roll No. 320.

Page H5083

Independence Day District Work Period: The House agreed to S. Con. Res. 120, providing for the conditional recess or adjournment of the Senate and the conditional adjournment of the House.

Page H5083

Late Reports: Agreed that the Committee on Appropriations have until midnight on July 2 to file late reports on the bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and related agencies, and a bill making appropriations for the Legislative Branch.

Pages H5083–84

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bartlett, or if not available, Representative Pence to act as Speaker Pro Tempore to sign enrolled bills and joint resolutions through July 6.

Page H5132

Late Reports: Agreed that the Committee on Science be allowed to have until 4 p.m. on July 2 to file reports on H.R. 4218, H.R. 4516, H.R. 3890, H.R. 3598, and H.R. 3980.

Page H5131

Further agreed that the Committee on Financial Services have until midnight on July 2 to file a report on H.R. 3574. **Page H5131**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 7. **Page H5132**

Senate Message: Messages received from the Senate today appear on pages H5073, H5131.

Senate Referrals: S. Con. Res. 83 was referred to the Committee on International Relations; S. 2322 and 1292 were referred to the Committee on Government Reform; S. 1932 and S. 2237 were referred to the Committee on the Judiciary; and S. 2191 was held at the desk. **Page H5146**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5151.

Quorum Calls—Votes: Two yea and nay votes and four recorded votes developed during the proceedings of today and appear on pages H5083, H5128, H5128–29, H5129–30, H5130 and H5130–31. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 5:07 p.m., pursuant to the provisions of S. Con. Res. 120, the House stands adjourned until 2 p.m. on Tuesday, July 6, 2004.

Committee Meetings

FOOD SECURITY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “Implementation of the Food Security Provisions of the Public Health Security and Bioterrorism Preparedness and Response Act.” Testimony was heard from Lester M. Crawford, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services; Cathy Saucedo, Director, Special Enforcement Division, U.S. Customs and Border Protection, Department of Homeland Security; Doug Saunders, Program Manager, Office of Dairy and Foods, Department of Agriculture and Consumer Services, State of Virginia; and public witnesses.

Next Meeting of the SENATE

9:45 a.m., Tuesday, July 6

Senate Chamber

Program for Tuesday: Senate will begin consideration of the nomination of J. Leon Holmes to be United States District Judge for the Eastern District of Arkansas, with six hours for debate, followed by a vote on confirmation of the nomination. Also, Senate will begin consideration of S. 2062, Class Action Fairness Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, July 6

House Chamber

Program for Tuesday: To be announced.

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