

Daily Digest

Highlights

The House received the United States Association of Former Members of Congress in the House Chamber.

The House passed H.R. 2361, Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2006.

Senate

Chamber Action

Routine Proceedings, pages S5453–S5549

Measures Introduced: Fourteen bills and four resolutions were introduced, as follows: S. 1076–1089, S. Res. 149–151, and S. Con. Res. 35. **Pages S5531–32**

Measures Passed:

Baltic Countries Occupation: Senate agreed to S. Con. Res. 35, expressing the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia, and Lithuania. **Pages S5547–48**

Victims of Communism Memorial: Senate agreed to S. Res. 150, expressing continued support for the construction of the Victims of Communism Memorial. **Page S5548**

Recognizing Israel's Independence Anniversary: Senate agreed to S. Res. 151, recognizing the 57th Anniversary of the Independence of the State of Israel. **Pages S5548–49**

Nomination Considered: Senate continued consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Pages S5453–S5525**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Friday, May 20, 2005. **Page S5549**

Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that the nomination of Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security be referred to the Committee on Commerce, Science,

and Transportation and that further, upon the reporting out or discharge of the nomination, that the nomination be referred to the Committee on Homeland Security and Governmental Affairs for a period of not to exceed 30 days, after which time, the nomination, if still in the Committee, will be discharged and placed on the executive calendar. **Page S5547**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, and the Central Bank of Iraq, and to maintain in force the sanctions to respond to this threat; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–11) **Page S5531**

Transmitting, pursuant to law, the 2005 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act; which was referred to the Committee on Finance. (PM–12) **Page S5531**

Nominations Received: Senate received the following nominations:

Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security.

1 Air Force nomination in the rank of general.

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Messages From the House: **Page S5529**

Measures Referred: **Page S5529**

Measures Placed on Calendar: **Page S5529**

Measures Read First Time: **Page S5529**

Executive Communications: **Pages S5529–31**

Additional Cosponsors:	Pages S5532–33
Statements on Introduced Bills/Resolutions:	Pages S5533–47
Additional Statements:	Pages S5527–29
Notices of Hearings/Meetings:	Page S5547
Authority for Committees to Meet:	Page S5547
Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:52 p.m. until 9:30 a.m., on Friday, May 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5549.)	

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: EPA

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Environmental Protection Agency, after receiving testimony from Steven L. Johnson, Administrator, Environmental Protection Agency.

REGULATION NMS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine Regulation National Market System (NMS) designed to strengthen our national market system for equity securities, focusing on recent market developments, after receiving testimony from William H. Donaldson, Chairman, U.S. Securities and Exchange Commission.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee continued markup of proposed comprehensive energy legislation, focusing on provisions relating to Energy Efficiency and Electricity, but did not complete action thereon, and will meet again on Tuesday, May 24.

ENDANGERED SPECIES ACT

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded an oversight hearing to examine the implementation of the Endangered Species Act (Public Law 93–205), focusing on successes and shortcomings of the Act, and possible improvements to ensure species protection in the future, after receiving testimony from Senator Crapo; Craig Manson, Assistant Secretary of the Interior for Fish and Wildlife and Parks; James H. Lecky, Senior Advisor for Intergovernmental Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Ad-

ministration, Department of Commerce; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; John F. Kostyack, National Wildlife Federation, Jamie Rappaport Clark, Defenders of Wildlife, and Monita Fontaine, National Endangered Species Act Reform Coalition, all of Washington, D.C.; and Reed Hopper, Pacific Legal Foundation, Sacramento, California.

IRAN

Committee on Foreign Relations: Committee concluded hearings to examine weapons proliferation, terrorism and democracy in Iran, after receiving testimony from R. Nicholas Burns, Under Secretary of State for Political Affairs; and Geoffrey Kemp, The Nixon Center, Gary Milhollin, Wisconsin Project on Nuclear Arms Control, George Perkovich, Carnegie Endowment for International Peace, and Abbas William Samii, Radio Free Europe/Radio Liberty, all of Washington, D.C.

Also, committee met in closed session to receive a briefing on weapons proliferation, terrorism and democracy in Iran from officials of the intelligence community.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security, after the nominee, who was introduced by Senator Warner, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Carolyn L. Gallagher, of Texas, who was introduced by Senator Cornyn, and Louis J. Giuliano, of New York, who was introduced by Senator Warner, each to be a Governor of the United States Postal Service, and Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission, who was introduced by Senator Bond, after the nominees testified and answered questions in their own behalf.

AMERICAN WORKFORCE

Committee on Health, Education, Labor, and Pensions: Committee met to discuss issues relating to higher education and corporate leaders, focusing on defining the roles industry and institutions of higher education will have to ensure that the United States has

the skilled and diverse workforce it will need to succeed today and in the future, after receiving testimony from Louis Caldera, University of New Mexico, Albuquerque; Robert Craves, Washington Education Foundation, Issaquah, Washington; Edward J. Hoff, IBM, Armonk, New York; Edison Jackson, Medgar Evers College—City University of New York, Brooklyn; Patricia McGuire, Trinity University, Washington, D.C.; James Mullen, Biogen Idec, Cambridge, Massachusetts; Walter Nolte, Casper College, Casper, Wyoming; Laura Palmer-Noone,

University of Phoenix, Phoenix, Arizona; Charles B. Reed, California State University, Long Beach; and Patrick J. Sweeney, Odin Technologies, Reston, Virginia.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 45 public bills, H.R. 2373–2517; and 7 resolutions, H. Con. Res. 159–162; and H. Res. 288–290 were introduced.

Pages H3693–94

Additional Cosponsors:

Pages H3694–96

Reports Filed: Reports were filed today as follows: H.R. 2046, to amend the Servicemembers Civil Relief Act to limit premium increases on reinstated health insurance on servicemembers who are released from active military service, amended (H. Rept. 109–88).

Page H3693

Recess: The House recessed at 9:03 a.m. and reconvened at 10:35 a.m.

Page H3559

Reception in the House Chamber to Receive Former Members of Congress: The House recessed to receive the United States Association of Former Members of Congress in the House Chamber. Later, agreed to the Kingston motion that the proceedings had during the recess be printed in the Record.

Pages H3559–86

Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2006: The House passed H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, by a yeas and nays vote of 329 yeas to 89 nays, Roll No. 199.

Pages H3589–H3675

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report the same promptly with an amendment, by a recorded vote of 191 yeas to 228 noes, Roll No. 198.

Pages H3674–75

Agreed to limit the number of amendments made in order for debate and the time limit for debate on each amendment.

Pages H3614, H3633

Agreed to:

Slaughter amendment that increases funding for the National Endowment for the Arts and the National Endowment for the Humanities (agreed to limit the time for debate on the amendment);

Pages H3614–20

Cubin amendment that increases funding for the Payments in Lieu of Taxes program (agreed to limit the time for debate on the amendment);

Pages H3620–23

Grijalva amendment (No. 17 printed in the Congressional Record of May 18) that increases and then decreases funding for employee travel expenses at the EPA;

Page H3640

Gillmor amendment that replaces language in the section of the bill regarding State and Tribal Assistance Grants;

Page H3644

Eddie Bernice Johnson of Texas amendment (No. 13 printed in the Congressional Record of May 18) that increases funding for the assessment and cleanup of Brownfield sites;

Pages H3644–46

Taylor of North Carolina that increases funding for the National Forest System;

Page H3646

Doolittle amendment that prohibits the use of funds for the Department of the Interior to implement the first proviso under the heading “United States Fish and Wildlife Service—Land Acquisition;

Page H3663

Hastings of Florida amendment that prohibits the use of funds in contravention of Executive Order 12898 or to delay the implementation of that Order;

Pages H3663–64

Stupak amendment (No. 5 printed in the Congressional Record of May 18) that prohibits the use of funds to finalize, issue, implement, or enforce the

proposed policy of the EPA entitled National Pollutant Discharge Elimination System Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions dated November 3, 2003;

Pages H3665–69

Solis amendment that prohibits the use of funds for the Administrator of the EPA to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides;

Pages H3670–71

Garrett amendment (No. 3 printed in the Congressional Record of May 17) that prohibits the use of funds to send or otherwise pay for the attendance of more than 50 Federal employees at any single conference occurring outside the U.S.;

Pages H3671–72

Costa amendment that prohibits the use of funds for the Department of the Interior to enter into or renew any concession contract except a concession contract that includes a provision that requires that merchandise for sale at units of the National Park System be made in any State of the U.S., D.C., the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, or the Commonwealth of the Northern Mariana Islands; and

Page H3672

Rahall amendment (No. 1 printed in the Congressional Record of May 16) that prohibits the use of funds for the sale or slaughter of wild free-roaming horses and burros (by a recorded vote of 249 ayes to 159 noes, Roll No. 196).

Pages H3659–63, H3672–73

Rejected:

Hefley amendment that sought to increase funding for the Payments in Lieu of Taxes program (agreed to limit the time for debate on the amendment) (by a recorded vote of 109 ayes to 311 noes, Roll No. 191);

Pages H3623–26, H3648

Peterson of Pennsylvania enbloc amendment that sought to insert the word “oil” after the word “offshore” in section 104; and strike the words “natural gas” from sections 105 and 106 of the bill (agreed to limit time for debate on the amendment) (by a recorded vote of 157 ayes to 262 noes, Roll No. 192);

Pages H3626–31, H3649

Terry amendment (No. 4 printed in the Congressional Record of May 17) that sought to increase funding the EPA’s Hazardous Substance Superfund (by a recorded vote of 76 ayes to 344 noes, Roll No. 193);

Pages H3638–40, H3649–50

Obey amendment that sought to increase funding for the Clean Water State Revolving Fund (by a recorded vote of 186 ayes to 235 noes, Roll No. 194);

Pages H3640–44, H3650–51

Beauprez amendment (No. 6 printed in the Congressional Record of May 18) that sought to increase funding for the Forest Service to fight wildfires (by a recorded vote of 122 ayes to 298 noes, Roll No. 195); and

Pages H3646–48, H3651

Hefley amendment (No. 11 printed in the Congressional Record of May 18) that reduces the bill’s total discretionary spending by 1 percent (by a recorded vote of 90 ayes to 326 noes, Roll No. 197).

Pages H3664–65, H3673–74

Withdrawn:

Tiahrt amendment (No. 8 printed in the Congressional Record of May 18) that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without outside auditing to determine the authenticity of the scientific method used to develop such regulations.

Pages H3669–70

Point of Order sustained against:

Wu amendment that sought to prohibit the use of funds to permit class III gaming activities under the Indian Gaming Regulatory Act on non-reservation Indian land;

Pages H3631–32

Istook amendment (No. 14 printed in the Congressional Record of May 18) that sought to state that the bill’s ban on funding for offshore oil and gas drilling activities in the eastern Gulf of Mexico would not apply if the Energy Information Administration publishes data demonstrating that the net imports of crude oil account for more than $\frac{2}{3}$ of U.S. consumption;

Pages H3634–38

Obey amendment that sought to insert a new section into Title II regarding Clean Water State Revolving Fund;

Page H3641

Section beginning on page 67 line 17 with the words “except that” through line 22 at the word “contaminants”;

Pages H3641–42

Section on page 68 line 23 through page 69 line 3;

Page H3642

Section beginning on page 69 line 19 with the word “That” through line 22 at the word “further”;

Page H3642

Section 413 of the bill regarding Government-wide administrative functions;

Page H3658

Section of the bill beginning on page 121 line 11 with the words “not withstanding” through the comma on line 12;

Page H3658

Section of the bill beginning on page 121 line 22 with the words “not withstanding” through the word “laws” on line 23;

Page H3658

Section of the bill beginning on page 124 line 6 with the words “not withstanding” through the end of line 7;

Page H3658

Section of the bill on page 124 line 15 through line 25;

Page H3658

Chabot amendment (No. 7 printed in the Congressional Record of May 18) that sought to prohibit the use of funds for the designing or construction of forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals; and

Pages H3658–59

Pombo amendment (No. 9 printed in the Congressional Record of May 18) that sought to allow funds in the bill for the Bureau of Land Management, Fish and Wildlife Service, National Park Service, and U.S. Geological Survey to be used only for programs that have been authorized before or after the date of enactment. **Page H3670**

H. Res. 287, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 215 yeas to 194 nays, Roll No. 190. **Page H3594**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, May 23 for Morning Hour debate. **Page H3677**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 25. **Page H3677**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 109–28). **Pages H3677–78**

Read a message from the President wherein he submitted a report on the 2005 Comprehensive Report on U.S. Trade and Investment Policy Towards Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act—referred to the Committee on Ways and Means and ordered printed (H. Doc. 109–29). **Page H3678**

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H3594, H3648, H3649, H3649–50, H3650–51, H3651, H3672–73, H3673–74, H3674–75, and H3675. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:08 p.m.

Committee Meetings

COMPETITIVENESS IN MATH AND SCIENCE

Committee on Education and the Workforce, Subcommittee on 21st Century Competitiveness, hearing entitled “Challenges to American Competitiveness in Math and Science.” Testimony was heard from public witnesses.

DRUG FREE SPORTS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection concluded hearings on H.R. 1862, Drug Free Sports

Act. Testimony was heard from David Stern, Commissioner, National Basketball Association; William Hunter, Executive Basketball Players Associate; Paul Tagliabue, Commissioner, National Football League; and Gene Upshaw, Executive Director, National Football League Players Association.

FINANCIAL SERVICES REGULATORY RELIEF

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Financial Services Regulatory Relief: Private Sector Perspectives.” Testimony was heard from public witnesses.

STEROID USE IN SPORTS

Committee on Government Reform: Held a hearing entitled “Steroid Use in Sports Part III: Examining Basketball Association’s Steroid Testing Program.” Testimony was heard from the following officials of the National Basketball Association: David Stern, Commissioner, and Richard W. Buchanan, Senior Vice President and General Counsel; William Hunter, Executive Director, National Basketball Players Association; Keith Jones, Athletic Trainer, Houston Rockets; and Juan Dixon, Player, Washington Wizards.

RECREATIONAL BOATERS STREAMLINED INSPECTION ACT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing on H.R. 1509, Recreational Boaters Streamlined Inspection Act. Testimony was heard from Representative Foley; Robert Jacksta, Executive Director, Border Security and Facilitation, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; and a public witness.

REFORMING THE UNITED NATIONS

Committee on International Relations: Held a hearing on Reforming the United Nations: Budget and Management Perspectives. Testimony was heard from Mark P. Lagon, Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; former Senator Timothy E. Wirth of Colorado and President UN Foundation; and Catherine Bertini, former Under Secretary-General, Management, United Nations.

The Committee also held a briefing on this subject. Testimony was heard from Mark Malloch Brown, Chief of Staff to the Secretary-General, United Nations.

OVERSIGHT—HIGH ENERGY COSTS

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled “The Impacts of High Energy Costs to the American Consumer.” Testimony was heard from public witnesses.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on H.R. 50, National Oceanic and Atmospheric Administration Act. Testimony was heard from Representative Ehlers; VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, Oceans and Atmosphere, Department of Commerce; and public witnesses.

ARCTIC NATIONAL WILDLIFE REFUGE DRILLING—BENEFITS SMALL BUSINESSES

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on the benefits small businesses will receive if drilling is allowed in the Arctic National Wildlife Refuge. Testimony was heard from Representative King of Iowa; and public witnesses.

OVERSIGHT—TRANSITION FROM ACTIVE DUTY TO VETERANS’ STATUS

Committee on Veterans’ Affairs: Subcommittee on Oversight and Investigations held an oversight hearing regarding the Department of Veterans Affairs’ and the Department of Defense’s efforts to assist military personnel in making a “seamless transition” from active duty to veterans’ status. Testimony was heard from Cynthia A. Bascetta, Director, Health Care—Veterans’ Health and Benefits Issues, GAO; the following officials of the Department of Veterans Affairs: Brenda Faas, Social Worker, Veterans Health Administration; Linda Petty, Benefits Counselor,

Veterans Benefits Administration; and John Brown, Director, Office of Seamless Transition; the following officials of the Department of Defense: MAJ Ladda Tammy Duckworth, USA, Patient, Walter Reed Army Medical Center; COL Gwendolyn Fryer, USA, Southern Regional Medical Command Military Liaison to James E. Haley Veterans Affairs Medical Center, Tampa, Florida; and COL Timothy Frank, USMC, Liaison Officer to the Secretary of Veterans Affairs; and a representative of a veterans organization.

AGING SOCIETY—RETIREMENT POLICY CHALLENGES AND OPPORTUNITIES

Committee on Ways and Means: Held a hearing on the Retirement Policy Challenges and Opportunities of our Aging Society. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; Hal Daub, Chairman, Social Security Advisory Board; and public witnesses.

PATRIOT ACT

Permanent Select Committee on Intelligence: Concluded hearings on the PATRIOT Act, Part II. Testimony was heard from public witnesses.

**COMMITTEE MEETINGS FOR FRIDAY,
MAY 20, 2005**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Government Reform, hearing entitled “Declaration of Education: Toward a Culture of Achievement in D.C. Public School,” 10 a.m., 2154 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Friday, May 20

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, May 23

Senate Chamber

Program for Friday: Senate will continue consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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