

# Daily Digest

## HIGHLIGHTS

See *Résumé of Congressional Activity*.

Senate agreed to S. Res. 233, Hurricane Katrina Resolution.

## Senate

### Chamber Action

*Routine Proceedings, pages S9607–S9692*

**Measures Introduced:** Eight bills and two resolutions were introduced as follows: S. 1610–1617, S. Res. 233, and S. Con. Res. 52. **Pages S9645–46**

#### Measures Reported:

S. 1410, to reauthorize the Neotropical Migratory Bird Conservation Act. (S. Rept. No. 109–132)

**Page S9644**

#### Measures Passed:

**Use of Capitol Catafalque:** Senate agreed to S. Con. Res. 52, providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page S9630**

**Hurricane Katrina Resolution:** By a unanimous vote of 94 yeas (Vote No. 221), Senate agreed to S. Res. 233, expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts. **Pages S9630–31**

**Native Hawaiian Government Reorganization Act—Cloture Vote Vitiating:** A unanimous-consent agreement was reached providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. **Page S9607**

**Death Tax Permanency Act—Cloture Vote Vitiating:** A unanimous-consent agreement was reached

providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 8, to make the repeal of the estate tax permanent. **Page S9607**

**Executive Reports of Committees:** Senate received on Wednesday, August 31, 2005 during the adjournment of the Senate, the following executive report of a committee:

Report to accompany U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16) (Ex. Rept. 109–4) **Pages S9644–45**

**Notification to the Senate:** Senate received a communication from Associate Justice of the Supreme Court of the United States, the Honorable Antonin Scalia, notifying the Senate of the death of the Chief Justice of the United States, the late Honorable William H. Rehnquist. **Page S9691**

**Nominations Received:** Senate received the following nominations:

John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture.

Michael W. Wynne, of Florida, to be Secretary of the Air Force.

Donald C. Winter, of Virginia, to be Secretary of the Navy.

Delores M. Etter, of Maryland, to be an Assistant Secretary of the Navy.

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

Jeffrey D. Jarrett, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development.

Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

John E. Maupin, Jr., of Tennessee, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2010.

Ellen R. Sauerbrey, of Maryland, to be an Assistant Secretary of State (Population, Refugees, and Migration).

Jacqueline Ellen Schafer, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008.

Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica.

Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea.

David B. Dunn, of California, to be Ambassador to the Togolese Republic.

Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Thomas O. Barnett, of Virginia, to be an Assistant Attorney General.

James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

Lisette M. Mondello, of Texas, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

3 Air Force nominations in the rank of general.

38 Army nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Air Force. **Page S9692**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nomination:

John G. Roberts, Jr., of Maryland, to be an Associate Justice of the Supreme Court of the United

States, which was sent to the Senate on July 29, 2005. **Page S9692**

**Messages From the House:** **Page S9634**

**Executive Communications:** **Pages S9634–44**

**Additional Cosponsors:** **Pages S9646–48**

**Statements on Introduced Bills/Resolutions:** **Pages S9648–91**

**Additional Statements:** **Pages S9632–33**

**Authority for Committees to Meet:** **Page S9691**

**Record Votes:** One record vote was taken today. (Total—221) **Page S9631**

**Adjournment:** Senate convened at 12 noon, and by unanimous consent adjourned at 6:24 p.m., until 10:30 a.m., on Wednesday, September 7, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9630.)

## Committee Meetings

*(Committees not listed did not meet)*

### GAS PRICES

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine gasoline prices and factors contributing to current high prices such as global oil demand, constraints on refinery capacity, and increased speculation in the futures market, after receiving testimony from Rebecca Watson, Assistant Secretary of the Interior for Land and Minerals Management; Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; James A. Overdahl, Chief Economist, Commodity Futures Trading Commission; Bob Slaughter, National Petrochemical and Refiners Association, Washington, D.C.; William S. Shipley III, Shipley Stores, LLC, York, Pennsylvania, on behalf of the National Association of Convenience Stores and the Society of Independent Gasoline Marketers of America; Robert L. Darbelnet, AAA, Heathrow, Florida; and John Dowd, Sanford C. Bernstein and Co., LLC, New York, New York.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 17 public bills, H.R. 3647–3663; and 4 resolutions, H. Con. Res. 233, and H. Res. 422–424, were introduced. **Pages H7672–73**

**Additional Cosponsors:** **Pages H7673–74**

**Reports Filed:** There were no reports filed today.

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific:*

H. Res 360, commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific, by a  $\frac{2}{3}$  yeas-and-nays vote of 394 yeas with none voting “nay”, Roll no. 454; and

**Pages H7650–55, H7659**

*Recognizing the 30th anniversary of the Helsinki Final Act:* S.J. Res. 19, amended, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, by a  $\frac{2}{3}$  yeas-and-nays vote of 393 yeas to one nay, Roll no. 455.

**Pages H7655–58, H7659–60**

**Recess:** The House recessed at 3:02 p.m. and reconvened at 6:30 p.m. **Page H7658**

**Member Sworn—Second Congressional District of Ohio:** Representative-elect Jean Schmidt presented herself in the well of the House and was administered the Oath of Office by the Speaker.

**Page H7658**

**Moment of Silence:** The House observed a moment of silence in memory of the victims of Hurricane Katrina. **Page H7659**

**Communication from Associate Justice Antonin Scalia:** Justice Scalia formally notified the House of the death of the Chief Justice of the United States, William H. Rehnquist. **Page H7660**

**Expressing the profound sorrow of the House of Representative on the death of the Honorable William H. Rehnquist:** The House agreed to without objection H. Res. 422, expressing the profound sorrow of the House of Representatives on the death of the Honorable William H. Rehnquist, Chief Justice of the United States. **Page H7660**

**Providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol:** The House agreed to without objection S. Con. Res 52, providing for the use of the catafalque in the

crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page H7660**

**Senate Message:** Messages received from the Senate today appear on pages H7647 and H7658.

**Senate Referrals:** S. 172 was referred to the Committee on Energy and Commerce; S. 397 was held at the desk; and S. 501 was referred to the Committee on Transportation and Infrastructure.

**Page H7670**

**Recess:** The House recessed at 7:23 p.m. and reconvened at 10:41 p.m. **Page H7661**

**Quorum Calls—Votes:** There were two yeas-and-nays votes, and there were no Recorded votes. There were no quorum calls. **Pages H7659, H7659–60**

**Adjournment:** The House met at 2 p.m. and adjourned at 11:44 p.m.

## Committee Meetings

### MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT

*Committee on Rules:* Testimony was heard from Chairman Boehlert and Representatives Ehlers, Carnahan and Larson of Connecticut, but action was deferred on H.R. 250, Manufacturing Technology Competitiveness Act of 2005.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D865)

H.R. 3512, to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. Signed on July 30, 2005. (Public Law 109–42)

H.R. 3423, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees. Signed on August 1, 2005. (Public Law 109–43)

H.R. 38, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System. Signed on August 2, 2005. (Public Law 109–44)

H.R. 481, to further the purposes of the Sand Creek Massacre National Historic Site Establishment

Act of 2000. Signed on August 2, 2005. (Public Law 109-45)

H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries. Signed on August 2, 2005. (Public Law 109-46)

H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona. Signed on August 2, 2005. (Public Law 109-47)

H.R. 1046, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. Signed on August 2, 2005. (Public Law 109-48)

H.J. Res. 59, expressing the sense of Congress with respect to the woman suffragists who fought for and won the right of women to vote in the United States. Signed on August 2, 2005. (Public Law 109-49)

S. 571, to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building". Signed on August 2, 2005. (Public Law 109-50)

S. 775, to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office". Signed on August 2, 2005. (Public Law 109-51)

S. 904, to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building". Signed on August 2, 2005. (Public Law 109-52)

H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement. Signed on August 2, 2005. (Public Law 109-53)

H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006. Signed on August 2, 2005. (Public Law 109-54)

H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006. Signed on August 2, 2005. (Public Law 109-55)

S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices. Signed on August 2, 2005. (Public Law 109-56)

S. 1395, to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled

substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied. Signed on August 2, 2005. (Public Law 109-57)

H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. Signed on August 8, 2005. (Public Law 109-58)

H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Signed on August 10, 2005. (Public Law 109-59)

H.R. 1132, to provide for the establishment of a controlled substance monitoring program in each State. Signed on August 11, 2005. (Public Law 109-60)

H.R. 3645, making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005. Signed on September 2, 2005. (Public Law 109-61)

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## CONGRESSIONAL PROGRAM AHEAD

Week of September 7 through September 10,  
2005

### Senate Chamber

On *Wednesday*, at 12 noon Senate expects to vote on a resolution relative to the death of Chief Justice of the Supreme Court, William H. Rehnquist.

On *Thursday*, Senate expects to begin consideration of H.R. 2862, Science, State, Justice, Commerce, Appropriations.

During the balance of the week, Senate expects to consider any other cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Banking, Housing, and Urban Affairs:* September 8, to hold hearings to examine the Commodity Futures Modernization Act of 2000 and recent market developments, 10 a.m., SD-538.

*Committee on Foreign Relations:* September 8, to hold hearings to examine the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development, and Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, 2:30 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* September 8, committee will meet to discuss rebuilding lives and communities regarding Hurricane Katrina, 10 a.m., SD-430.

September 8, Full Committee, business meeting to consider proposed Higher Education Amendment Acts of 2005, proposed Defined Benefit Security Act of 2005, and Title VII to proposed 2005 Spending Reconciliation Bill, 3 p.m., SD-430.

*Committee on the Judiciary*: September 8, business meeting to consider pending calendar business, 9:30 a.m., SD-226.

*Select Committee on Intelligence*: September 7, to receive a closed briefing regarding certain intelligence matters, 1:30 p.m., SH-219.

### House Committees

*Committee on Agriculture*, September 7, to review. *Kelo v. City of New London* U.S. Supreme Court decision and H.R. 3405, Strengthening the Ownership of Private Property Act of 2005, 10 a.m., 1300 Longworth.

*Committee on Appropriations*, September 7, Subcommittee on Foreign Operations, Export Financing, and Related Programs, hearing on Iraq Reconstruction, 10 a.m., 2359 Rayburn.

*Committee on Energy and Commerce*, September 7, hearing on Recovering from Hurricane Katrina, 11 a.m., 2123 Rayburn.

September 8, Subcommittee on Environment and Hazardous Materials, hearing entitled "Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role," 1 p.m., 2322 Rayburn.

*Committee on Government Reform*, September 7, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Women and Cancer—Where Are We in Prevention, Early Detection and Treatment of Gynecologic Cancers?" 10 a.m., 2154 Rayburn.

*Committee on Homeland Security*, September 7, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, hearing entitled "The London Bombings: Protecting Civilian Targets from Terrorist Attacks," 10 a.m., 311 Cannon.

September 8, Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled "WMD Terrorism and Proliferant States," 11 a.m., room to be announced.

*Committee on International Relations*, September 8, hearing entitled "The U.S. and India: An Emerging Entente?" 10:30 a.m., 2172 Rayburn.

*Committee on the Judiciary*, September 8, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled "Review of U.S. Patent and Trademark Office operations, including analysis of Government Accountability Office, Inspector General, and National Academy of Public Administration Reports," 1 p.m., 2141 Rayburn.

September 8, Subcommittee on Immigration, Border Security, and Claims, to mark up H.R. 1219, Security and Fairness Enhancement for America Act of 2005, 10:30 a.m., followed by an oversight hearing entitled "Sources and Methods of Foreign Nationals in Economic and Military Espionage," 11:30 a.m., 2141 Rayburn.

*Committee on Small Business*, September 8, Subcommittee on Workforce, Empowerment, and Government Programs, hearing entitled "Freedom in the Workplace—An Examination of a National Right to Work Law," 10 a.m., 311 Cannon.

*Permanent Select Committee on Intelligence*, September 8, executive, Briefing on Global Updates/Hotspots, 9 a.m., H-405 Capitol.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 4 through July 31, 2005

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	101	87	..
Time in session .....	768 hrs., 58'	665 hrs., 9'	..
Congressional Record:			
Pages of proceedings .....	9,591	7,614	..
Extensions of Remarks .....	..	..	..
Public bills enacted into law .....	9	33	42
Private bills enacted into law .....	..	..	..
Bills in conference .....	5	4	..
Measures passed, total .....	337	392	729
Senate bills .....	93	14	..
House bills .....	46	148	..
Senate joint resolutions .....	2	..	..
House joint resolutions .....	4	6	..
Senate concurrent resolutions .....	14	6	..
House concurrent resolutions .....	25	56	..
Simple resolutions .....	153	162	..
Measures reported, total .....	*155	*205	360
Senate bills .....	120	2	..
House bills .....	13	120	..
Senate joint resolutions .....	2	..	..
House joint resolutions .....	..	2	..
Senate concurrent resolutions .....	1	..	..
House concurrent resolutions .....	..	5	..
Simple resolutions .....	19	76	..
Special reports .....	10	5	..
Conference reports .....	..	6	..
Measures pending on calendar .....	120	62	..
Measures introduced, total .....	1,904	4,360	6,264
Bills .....	1,602	3,644	..
Joint resolutions .....	22	63	..
Concurrent resolutions .....	50	232	..
Simple resolutions .....	230	421	..
Quorum calls .....	3	1	..
Yea-and-nay votes .....	220	204	..
Recorded votes .....	..	248	..
Bills vetoed .....	..	..	..
Vetoes overridden .....	..	..	..

\*These figures include all measures reported, even if there was no accompanying report. A total of 121 reports have been filed in the Senate, a total of 216 reports have been filed in the House.

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through July 31, 2005

Civilian nominations, totaling 349, disposed of as follows:

Confirmed .....	195
Unconfirmed .....	147
Withdrawn .....	5
Returned to White House .....	2

Other Civilian nominations, totaling 1,379, disposed of as follows:

Confirmed .....	1,139
Unconfirmed .....	240

Air Force nominations, totaling 8,300, disposed of as follows:

Confirmed .....	5,829
Unconfirmed .....	2,471

Army nominations, totaling 4,684, disposed of as follows:

Confirmed .....	4,663
Unconfirmed .....	21

Navy nominations, totaling 2,113, disposed of as follows:

Confirmed .....	2,108
Unconfirmed .....	5

Marine Corps nominations, totaling 1,300, disposed of as follows:

Confirmed .....	1,298
Unconfirmed .....	2

#### Summary

Total nominations carried over from the First Session .....	0
Total nominations received this Session .....	18,125
Total confirmed .....	15,232
Total unconfirmed .....	2,886
Total withdrawn .....	5
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House concurrent resolutions .....	25	56	..
Simple resolutions .....	153	162	..
Measures reported, total .....	*163	*205	368
Senate bills .....	127	2	..
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## Next Meeting of the SENATE

10:30 a.m., Wednesday, September 7

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 7

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond 12 noon), Senate expects to vote on a resolution expressing the sense of the Senate relative to the death of William Rehnquist, Chief Justice of the Supreme Court.

## House Chamber

**Program for Wednesday:** Consideration of Suspensions: (1) H.R. 1215, Green Chemistry Research and Development Act of 2005; (2) H.R. 230, National Small Business Regulatory Assistance Act of 2005; and (3) H.R. 3207, Second-stage Small Business Development Act of 2005. Begin consideration of H.R. 250, Manufacturing Technology Competitiveness Act of 2005.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Aderholt, Robert B., Ala., E1752  
 Baca, Joe, Calif., E1753, E1754, E1755  
 Brown-Waite, Ginny, Fla., E1753, E1754, E1755, E1756,  
 E1756, E1756, E1757, E1757  
 Butterfield, G.K., N.C., E1756  
 DeLauro, Rosa L., Conn., E1758, E1759  
 Duncan, John J., Jr., Tenn., E1752  
 Farr, Sam, Calif., E1749, E1756, E1761  
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Kildee, Dale E., Mich., E1759  
 Kind, Ron, Wisc., E1760  
 Kolbe, Jim, Ariz., E1753  
 LaHood, Ray, Ill., E1759  
 McCollum, Betty, Minn., E1757, E1759, E1762  
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 E1753  
 Michaud, Michael H., Me., E1756  
 Miller, Jeff, Fla., E1750  
 Moran, Jerry, Kans., E1760  
 Paul, Ron, Tex., E1758, E1760

Pickering, Charles W. "Chip", Miss., E1763, E1763  
 Rahall, Nick J., II, W.Va., E1761  
 Roybal-Allard, Lucille, Calif., E1758  
 Sánchez, Linda T., Calif., E1757  
 Saxton, Jim, N.J., E1761  
 Scott, David, Ga., E1751  
 Serrano, José E., N.Y., E1755  
 Sherman, Brad, Calif., E1752  
 Stark, Fortney Pete, Calif., E1749  
 Tancredo, Thomas G., Colo., E1751  
 Weller, Jerry, Ill., E1762



# Congressional Record

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