

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

Chair sustained a point of order against Schumer Amendment No. 1872, to express the sense of Congress concerning the appointment of a special counsel to conduct a fair, thorough, and independent investigation into a national security breach, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislating on an appropriations bill, and the amendment thus fell.

Pages S12661–69

Chair sustained a point of order against Durbin Amendment No. 1873, to provide funds for the prevention, treatment, and control of, and research on HIV/AIDS, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislating on an appropriations bill, and the amendment thus fell.

Pages S12667–68

A unanimous-consent agreement was reached providing that at 9 a.m., on Friday, October 17, 2003, Senate will begin a series of votes on certain pending amendments.

Page S12759

A unanimous-consent agreement was reached providing for further consideration of the bill at 9 a.m., on Friday, October 17, 2003.

Page S12759

Nominations Received: Senate received the following nominations:

Timothy John Dunn, of Illinois, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Deputy Permanent Representative to the Organization of American States.

Stuart W. Holliday, of Texas, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Zalmay Khalilzad, of Maryland, to be Ambassador to the Transitional Islamic State of Afghanistan.

Adam Marc Lindemann, of New York, to be Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2005.

James Curtis Struble, of California, to be Ambassador to the Republic of Peru.

The following named officer for appointment to the grade indicated in the United States Air Force under title 10, U.S.C., section 624:

1 Army nomination in the rank of general.

18 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Navy.

Pages S12759–67

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Thomas Thomas Riley, of California, to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term

expiring September 22, 2005, which was sent to the Senate on February 27, 2003.

Page S12767

Messages From the House: **Page S12735**

Measures Referred: **Page S12735**

Measures Placed on Calendar: **Page S12735**

Measures Read First Time: **Page S12735**

Executive Communications: **Pages S12735–37**

Executive Reports of Committees: **Page S12737**

Additional Cosponsors: **Pages S12737–39**

Statements on Introduced Bills/Resolutions:
Pages S12739–48

Additional Statements: **Page S12734**

Amendments Submitted: **Pages S12749–54**

Authority for Committees to Meet:
Pages S12754–55

Privilege of the Floor: **Page S12755**

Record Votes: Five record votes were taken today. (Total—389) **Pages S12669 S12672 S12682 S12709 S12710**

Adjournment: Senate met at 9:31 a.m., and adjourned at 1:05 a.m., on Friday, October 17, 2003 and will reconvene at 9 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12759.)

Committee Meetings

(Committees not listed did not meet)

EMERGENCY SUPPLEMENTAL APPROPRIATIONS: INTELLIGENCE

Committee on Armed Services: Committee met in closed session to receive a briefing to discuss the intelligence provisions of S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004 (pending on Senate Calendar) from members of the intelligence community.

HOUSING GSE'S

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine proposals for improving the regulation of the Housing government-sponsored enterprises (GSEs), focusing on essential elements and proposals of regulatory reform, resolution of accounting issues, funding of new oversight offices, receiving testimony from John W. Snow, Secretary of the Treasury; Mel Martinez, Secretary of Housing and Urban Development; Franklin D. Raines, Chairman and Chief Executive Officer, Fannie Mae; George D. Gould, Presiding Director, Freddie Mac; and Norman B. Rice, President and

Chief Executive Officer, Federal Home Loan Bank of Seattle.

Hearings continue on Thursday, October 23.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing on the pursuit of security and democracy in Afghanistan, focusing on providing adequate resources and support to the Afghan government, and related provisions of S. 1689, Emergency Supplemental Appropriations for Iraq and Afghanistan Security and Reconstruction Act 2004, (pending on Senate Calendar), after receiving testimony from William B. Taylor, Jr., Coordinator for Afghanistan, Department of State; Peter W. Rodman, Assistant Secretary for International Security Affairs, and Brig. General Gary L. North, Deputy J-5 for Political and Military Affairs, The Joint Staff, both of the Department of Defense; Peter Tomsen, McLean, Virginia, former United States Special Envoy and Ambassador on Afghanistan; and William J. Durch, Henry L. Stimson Center, The Future of Peace Operations Project, and Nancy Lindborg, Mercy Corps, both of Washington, D.C.

U.S.-EUROPEAN UNION COOPERATION

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine United States-European Union Cooperation on regulatory affairs, focusing on non-tariff barriers, the history of transatlantic regulatory cooperation, innovative and informal approaches, and global growth, after receiving testimony from Charles P. Ries, Principal Deputy Assistant Secretary of State for the Bureau of European and Eurasian Affairs; Eric Stewart, Deputy Assistant Secretary of Commerce for Europe; Gerard Depayre, European Commission to the United States, Stuart E. Eizenstat, European-American Business Council, Gary Litman, U.S. Chamber of Commerce, and Thomas L. Farmer, American Bankers' Association, all of Washington, D.C.

HIGHER EDUCATION ACT AUTHORIZATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing on access to postsecondary education in relation to reauthorizing the Higher Education Act, focusing on the relationship among quality, efficiency, and access to higher education, after receiving testimony from George W. Waldner, York College of Pennsylvania, York; Jamie P. Merisotis, Institute for Higher Education Policy, Washington, D.C.; Shane Hollett, Ohio College Access Network, Cleveland; and Troy Lambert, University of Maryland, College Park.

INDIAN WATER RIGHTS

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the U.S. Army Corps of Engineers' management of the Missouri River, focusing on the effects of the Master Manual (a guide used by the Corps to operate the six dams on the mainstream of the Missouri River) on the effect on federally-reserved Indian water rights, after receiving testimony from Senator Daschle; George S. Dunlop, Deputy Assistant Secretary of the Army for Policy and Legislation; Brigadier General William T. Grisoli, Commander and Division Engineer, North-western Division, U.S. Army Corps of Engineers; John Yellow Bird Steele, Oglala Sioux Tribe, Pine Ridge, South Dakota; and Michael Claymore, Standing Rock Sioux Tribe, Fort Yates, North Dakota.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1691, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; and

The nominations George W. Miller, of Virginia, to be a Judge of the United States Court of Federal Claims, and Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission, Department of Justice.

Also committee began markup of S. 1545, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents, but did not complete action thereon, and recessed subject to call.

LITIGATIONS IN THE FOOD INDUSTRY

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing on S. 1428, to prohibit civil liability actions from being brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for damages or injunctive relief for claims of injury resulting from a person's weight gain, obesity, or any health condition related to weight gain or obesity, after receiving testimony from Senator McConnell; Victor E. Schwartz, Shook, Hardy, and Bacon, LLP, Washington, D.C.; Russel

L. Sutter, Tillinghast-Towers Perrin, St. Louis, Missouri; Wayne Reaves, Manna Enterprises, Inc., Aniston, Alabama, on behalf of the National Res-

taurant Association; and Gerard J. Musante, Structure House, Residential Weight Loss and Life Style Change Clinic, Durham, North Carolina.

House of Representatives

Chamber Action

Measures Introduced: 25 public bills, H.R. 3305–3329; and 7 resolutions, H.J. Res. 72; H. Con. Res. 303–304, and H. Res. 400, 402, 403, 404, were introduced. **Pages H9613–14**

Additional Cosponsors: **Pages H9614–15**

Reports Filed: Reports were filed as follows today:

H.R. 3214, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, amended, (H. Rept. 108–321, Pt. 1); and

H. Res. 401, providing for further consideration of H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004 (H. Rept. 108–322).

Pages H9612–13

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page H9485**

Chaplain: The prayer was offered today by Rev. Dr. Benny Tate, Rock Springs Congregational Methodist Church in Milner, Georgia. **Page H9485**

International Contributions to the Reconstruction of Iraq: The House agreed to H. Res. 198, expressing the sense of the House of Representatives that France, Germany, and Russia can initially best contribute to the reconstruction of Iraq by the forgiveness of outstanding debt between both Iraq and France, Iraq and Germany, and Iraq and Russia, by a yea-and-nay vote of 394 yeas to 31 nays, Roll No. 545. **Pages H9489–91, H9508–09**

Agreed to the amendment in the nature of a substitute by voice vote. **Page H9491**

Agreed to amend the preamble by a voice vote. **Page H9509**

Agreed to amend the title so as to read, “Resolution expressing the sense of the House of Representatives that France, Germany, Russia, and other nations can contribute to Iraq’s reconstruction by forgiving debts owed by Iraq to those nations and by making generous pledges for Iraq’s reconstruction at the International Conference on Reconstruction in Iraq to be held in Madrid.” **Page H9509**

Privileged Resolution: Representative McDermott offered a privileged resolution to correct the Congressional Record of January 28, 2003. **Page H9509**

Emergency Supplemental Appropriations: The House concluded debate on the subject of a bill making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004. **Pages H9509–29**

The House then began consideration of H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004. Further consideration of the bill will resume on Friday, October 17.

Pages H9530–83, H9585–H9606

Agreed to:

Young of Florida amendment that exempts servicemembers with combat-related injuries from the requirement of paying for subsistence charges while hospitalized; **Page H9562**

Maloney amendment that requires \$20 million of the Economic Support Fund be used for programs for women and girls in Afghanistan; **Pages H9593–94**

Slaughter amendment that requires executive agencies to provide specific information to Congress when an agency awards a “no-bid” contract using funds from the Iraq Relief and Reconstruction Fund; and **Pages H9594–95**