

Thursday, June 24, 2004

Daily Digest

HIGHLIGHTS:

Senate passed H.R. 4613, Department of Defense Appropriations Act.

House Committees ordered reported 13 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S7403–S7505

Measures Introduced: Thirty-four bills and eight resolutions were introduced, as follows: S. 2572–2605, S. Res. 391–397, and S. Con. Res. 120.
Pages S7434–35

Measures Reported:

Report to accompany S. 2559, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005. (S. Rept. No. 108–284)

H.R. 1572, To designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida, as the “Winston E. Arnow United States Courthouse”.

S. 2385, to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the “Santiago E. Campos United States Courthouse”.

S. 2398, to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V. Hansen Federal Building. **Page S7432**

Measures Passed:

Department of Defense Appropriations Act: By a unanimous vote of 98 yeas (Vote No. 149), Senate passed H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, striking all after the enacting clause and inserting in lieu thereof the text of S. 2559, Senate companion measure, and the bill as amended be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto:

Pages S7357–59, S7366–92

Adopted:

Stevens (for Baucus) Amendment No. 3490, to set aside an amount for a grant to Rocky Mountain College, Montana, for the purchase of aircraft for support of aviation training. **Pages S7366–67**

Stevens (for Corzine) Amendment No. 3491, to make available, from amounts appropriated for “Research, Development, Test, and Evaluation, Navy”, \$4,000,000 for Aviation Data Management and Control System, Block II. **Page S7367**

Stevens (for Kennedy) Amendment No. 3492, to make \$50,000,000 available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs. **Page S7367**

Stevens (for Leahy) Amendment No. 3497, to set aside an amount for procurement of aircrew bladder relief (ABRD) kits. **Page S7370**

DeWine Amendment No. 3493, to appropriate funds for the crisis in Darfur and Chad.

Pages S7367, S7370–72

Stevens (for Warner/Allen) Amendment No. 3498, to increase amounts for certain Navy shipbuilding and conversion programs, projects, and activities; and to provide an offset. **Page S7372**

Stevens (for Roberts) Amendment No. 3499, to make available, from amounts appropriated for “Research, Development, Test, and Evaluation, Air Force”, \$10,000,000 for the Science, Mathematics, and Research for Transformation (SMART) Pilot Scholarship Program. **Pages S7372–73**

Stevens (for Santorum) Amendment No. 3500, to make available, from amounts appropriated for “Operation and Maintenance, Defense-Wide”, \$5,000,000 for Department of Defense Education Activity for the upgrading of security at Department of Defense dependents schools. **Page S7373**

Stevens (for Santorum) Amendment No. 3501, to make available from amounts appropriated for “Research, Development, Test, and Evaluation, Army”, \$3,000,000 for Medical Advanced Technology for the Intravenous Membrane Oxygenator. **Page S7373**

Stevens (for Lott/Cochran) Amendment No. 3503, to express the sense of Congress on the expansion of the Global Hawk Maritime Demonstration Program to include forward deployed forces of the Navy and

the Marine Corps in the United States Central Command area of operations. **Pages S7374–75**

Stevens (for Reed) Amendment No. 3504, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, \$3,000,000 to establish the Consortium of Visualization Excellence for Underseas Warfare Modeling and Simulation (COVE). **Page S7375**

Stevens (for Bayh/Lugar) Amendment No. 3505, to make \$21,900,000 available for M1A1 Tank transmission maintenance. **Page S7375**

Stevens (for Reed) Amendment No. 3506, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, \$2,000,000 to conduct a demonstration of a prototype of the Improved Shipboard Combat Information Center. **Page S7375**

Stevens (for Biden) Amendment No. 3507, to provide certain authorities related to the transfer of defense articles. **Pages S7375–76**

Stevens (for Mikulski/Sarbanes) Amendment No. 3516, to make available, from amounts appropriated for “Research, Development, Test, and Evaluation, Air Force”, \$7,000,000 for AN/APG–68(V)10 radar development for F–16 aircraft. **Page S7376**

Stevens (for Nelson (FL)) Amendment No. 3517, to make available up to \$5,000,000 for the Joint Test and Training Rapid Advanced Capabilities (JTTRAC) Program. **Pages S7376–77**

Stevens (for Shelby) Amendment No. 3518, clarifying the availability of highway trust funds. **Page S7377**

By 89 yeas to 9 nays (Vote No. 147), Byrd Amendment No. 3502, to express the sense of the Senate on budgeting and funding of ongoing military operations overseas. **Pages S7373–74, S7377**

Stevens (for Dodd/Lieberman) Amendment No. 3522, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, \$10,000,000 for the Broad Area Unmanned Responsive Resupply Operations aircraft program. **Page S7379**

Stevens (for Nickles) Amendment No. 3523, to make available from amounts appropriated for “Research, Development, Test, and Evaluation, Navy”, \$2,000,000 for Handheld Breath Diagnostics. **Page S7379**

Stevens (for Landrieu) Amendment No. 3524, to set aside an amount for the Joint Logistics Information System program for the automated scheduling tool. **Page S7379**

Stevens (for Bunning) Amendment No. 3525, to set aside an amount for the Anti-Sniper Infrared Targeting System. **Page S7379**

Stevens (for Voinovich/DeWine) Amendment No. 3526, to make available, from amounts appropriated

for Research, Development, Test, and Evaluation, Army, \$3,500,000 for Laser Peening for Army helicopters. **Page S7379**

Stevens (for Voinovich/DeWine) Amendment No. 3527, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Air Force, \$2,000,000 for All Composite Military Vehicles. **Page S7379**

Stevens (for Boxer) Amendment No. 3528, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Defense-wide, \$4,500,000 for development of the Suicide Bomber Detection System Using a Portable Electronic Scanning Millimeter-Wave Imaging RADAR. **Pages S7379–80**

Stevens (for Burns) Amendment No. 3529, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, up to \$3,000,000 for the Mobile On-Scene Sensor Aircraft Intelligence Command, Control, and Computer Centers. **Page S7380**

Stevens (for Burns) Amendment No. 3530, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, up to \$2,000,000 for the “Care of Battlefield Wounds”. **Page S7380**

Stevens (for Roberts) Amendment No. 3531, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Army, \$8,000,000 for the United States Army Intelligence and Security Command’s Information Dominance Center. **Page S7380**

Stevens (for Kyl) Amendment No. 3532, to specify the availability of amounts for the Subterranean Target Identification Program. **Page S7380**

Stevens (for Kyl) Amendment No. 3533, to specify the availability of amounts for the Program for Intelligence Validation. **Page S7380**

Stevens (for Kyl) Amendment No. 3534, to express the sense of Congress on the continued development of an end-to-end point of care clinical diagnostic network to combat terrorism. **Pages S7380–81**

Stevens (for Kyl) Amendment No. 3535, to specify the availability of amounts for the Versatile, Advanced Affordable Turbine Engine. **Page S7381**

Stevens (for Talent) Amendment No. 3536, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Air Force, \$5,000,000 for X–43C development. **Page S7381**

Stevens (for Pryor) Amendment No. 3537, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Defense-Wide, \$5,000,000 for medical equipment and combat casualty care technologies. **Page S7381**

Stevens (for Sununu) Amendment No. 3538, to make available up to \$2,000,000 for the Advanced Composite Radome Project. **Page S7381**

Stevens (for Levin) Amendment No. 3539, to authorize the demolition of facilities and improvements on certain military installations approved for closure under the defense base closure and realignment process. **Page S7381**

Stevens (for Conrad) Amendment No. 3540, to set aside an amount for F-16 Theater Airborne Reconnaissance System upgrades. **Pages S7381-82**

Stevens (for Kohl/Reed) Amendment No. 3541, to ensure the availability of sufficient fiscal year 2004 funding for the Manufacturing Extension Partnership program of the National Institute of Standards and Technology. **Page S7382**

Stevens (for DeWine) Amendment No. 3542, to require reports on mental health services available to members of the Armed Forces of the United States and their dependents. **Pages S7382-83**

Stevens (for Feinstein) Amendment No. 3543, to make available, from amounts appropriated for Research, Development, Test, and Evaluation, Navy, \$5,000,000 for support of the TIGER pathogen detection system. **Page S7383**

Inouye (for Dorgan) Amendment No. 3544, to provide funds for the North Dakota State School of Science, Bismarck State College, and Minot State University. **Page S7383**

Inouye Amendment No. 3545, to set aside an amount for small business development and transition. **Pages S7383-84**

Rejected:

Biden Modified Amendment No. 3520, to appropriate funds for bilateral economic assistance. (By 53 yeas to 45 nays (Vote No. 148), Senate tabled the amendment.) **Pages S7377-79, S7382, S7384**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison, Burns, Inouye, Hollings, Byrd, Leahy, Harkin, Dorgan, Durbin, Reid, and Feinstein. **Page S7392**

Burma Sanctions: By 96 yeas to 1 nay (Vote No. 150), Senate passed H. J. Res. 97, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. **Pages S7392-95**

Middle East Peace Process: By 95 yeas to 3 nays (Vote No. 151), Senate agreed to S. Res. 393, expressing the sense of the Senate in support of United States policy for a Middle East peace process. **Pages S7395-97**

United Nations Democracy Caucus: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 83, promoting the establishment of a democracy caucus within the United Nations, and the resolution was then agreed to. **Pages S7494-95**

Western Shoshone Claims Distribution Act: Senate passed H.R. 884, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, clearing the measure for the President. **Pages S7495-96**

AGOA Acceleration Act: Senate passed H.R. 4103, to extend and modify the trade benefits under the African Growth and Opportunity Act, clearing the measure for the President. **Page S7496**

Recognizing J. Robert Oppenheimer: Senate agreed to S. Res. 321, recognizing the loyal service and outstanding contributions of J. Robert Oppenheimer to the United States and calling on the Secretary of Energy to observe the 100th anniversary of Dr. Oppenheimer's birth with appropriate programs at the Department of Energy and the Los Alamos National Laboratory. **Page S7496**

Legal Representation Authorization: Senate agreed to S. Res. 394, to authorize testimony and representation in the United States v. Daniel Bayly, et al. **Pages S7496-97**

Legal Representation Authorization: Senate agreed to S. Res. 395, to authorize testimony, document production, and legal representation in Ulysses J. Ward v. Dep't of the Army. **Page S7497**

Commemorating Pennsylvania State University 150th Anniversary: Senate agreed to S. Res. 396, commemorating the 150th anniversary of the founding of The Pennsylvania State University. **Page S7497**

Iraq Transition: Senate agreed to S. Res. 397, expressing the sense of the Senate on the transition of Iraq to a constitutionally elected government. **Pages S7497-99**

GAO Human Capital Reform Act: Committee on Governmental Affairs was discharged from further consideration of H.R. 2751, to provide new human capital flexibilities with respect to the GAO, and the bill was then passed, clearing the measure for the President. **Page S7499**

D.C. Courts Long-Term Care Insurance Participation: Senate passed S. 2322, to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees. **Page S7499**

Adjournment Resolution: Senate agreed to S. Con. Res. 120, providing for a conditional adjournment or recess of the Senate and the House of Representatives.

Page S7499

Burma Sanctions—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, that the statutory time limit be yielded back, the resolution be read a third time, and then returned to the Senate calendar.

Page S7392

National Defense Authorization Act—Conferees: A unanimous-consent agreement was reached relative to H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, previously passed by the Senate on Wednesday, June 23, 2004, that the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint the following conferees on the part of the Senate: Senators Warner, McCain, Inhofe, Roberts, Allard, Sessions, Collins, Ensign, Talent, Chambliss, Graham (SC), Dole, Cornyn, Levin, Kennedy, Byrd, Lieberman, Reed, Akaka, Nelson (FL), Nelson (NE), Dayton, Bayh, Clinton, and Pryor.

Page S7503

Also, a unanimous-consent agreement was reached with respect to further consideration of S. 2400, S. 2401, S. 2402, and S. 2403, Senate companion measures (all passed by the Senate on Wednesday, June 23, 2004); that if the Senate receives a message, with respect to any of these bills, from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses; that the Chair be authorized to appoint conferees on the part of the Senate; and that the foregoing occur without intervening action or debate.

Pages S7499–S7500

Appointments:

Parents Advisory Council on Youth Drug Abuse: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–277, Section 710, 2(A)(ii), appointed the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse: Laurens Tullock, of Tennessee.

Page S7499

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

Transmitting, pursuant to law, the report of the continuation of the national emergency with respect to the Western Balkans; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–89)

Pages S7427

Nominations Confirmed: Senate confirmed the following nominations:

By 70 yeas 27 nays (Vote No. Ex. 152), Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Pages S7360–66, S7397

Dora L. Irizarry, of New York, to be United States District Judge for the Eastern District of New York.

Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit.

Robert Bryan Harwell, of South Carolina, to be United States District Judge for the District of South Carolina.

George P. Schiavelli, of California, to be United States District Judge for the Central District of California.

William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit.

John C. Danforth, of Missouri, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John C. Danforth, of Missouri, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

10 Air Force nominations in the rank of general.

14 Army nominations in the rank of general.

8 Marine Corps nominations in the rank of general.

31 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy.

Pages S7399–S7401

Nominations Received: Senate received the following nominations:

Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board for a term of four years.

Cathy M. MacFarlane, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Dennis C. Shea, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

Romolo A. Bernardi, of New York, to be Deputy Secretary of Housing and Urban Development.

Kirk Van Tine, of Virginia, to be Deputy Secretary of Transportation.

Sue Ellen Wooldridge, of Virginia, to be Solicitor of the Department of the Interior.

Charles Johnson, of Utah, to be Chief Financial Officer, Environmental Protection Agency.

Ann R. Klee, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

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

Edward Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2007.

Beverly Allen, of Georgia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008.

Gail Daly, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Donald Leslie, of Wisconsin, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2006. (New Position)

Amy Owen, of Utah, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2008. (New Position)

Sandra Pickett, of Texas, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2005. (New Position)

Renee Swartz, of New Jersey, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2007. (New Position)

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2004. (New Position)

Juanita Alicia Vasquez-Gardner, of Texas, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2009 (Reappointment), to which position she was appointed during the last recess of the Senate.

Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission for a term of six years.

1 Army nomination in the rank of general.

A routine list in the Navy.

Pages S7397–99

Messages From the House: Page S7427

Measures Referred: Page S7427

Measures Read First Time: Page S7494

Executive Communications: Pages S7428–29

Petitions and Memorials: Pages S7429–32

Executive Reports of Committees: Pages S7432–34

Additional Cosponsors: Pages S7435–37

Statements on Introduced Bills/Resolutions: Pages S7437–87

Additional Statements: Pages S7424–27

Amendments Submitted: Pages S7487–93

Authority for Committees to Meet: Pages S7493–94

Privilege of the Floor: Page S7494

Record Votes: Six record votes were taken today. (Total—152) Pages S7377, S7384, S7392, S7395–97

Adjournment: Senate convened at 10:01 a.m., and adjourned at 9:06 p.m., until 9:30 a.m., on Friday, June 25, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7397.)

Committee Meetings

(Committees not listed did not meet)

HEALTHY FORESTS RESTORATION ACT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded a hearing to examine the implementation of the Healthy Forests Restoration Act (P.L. 108–148), after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Chad Calvert, Deputy Assistant Secretary of the Interior for Land and Minerals Management; James L. Sledge, Mississippi Forestry Commission, Jackson, on behalf of the National Association of State Foresters; Robert Cope, Lemhi County Board of Commissioners, Salmon, Idaho, on behalf of the National Association of Counties and the Idaho Association of Counties; Carol Daly, Communities Committee of the Seventh American Forest Congress, Columbia Falls, Montana, on behalf of the Society of American Foresters; James R. Crouch, Jim Crouch and Associates, Russellville, Arkansas, on behalf of sundry organizations; Tom Partin, American Forest Resource Council, Portland, Oregon; and James Earl Kennamer, National Wild Turkey Federation, Edgefield, South Carolina.

AIRLINE DENIAL AUTHORITY

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government concluded an oversight hearing to examine passenger screening and airline authority to deny plane boarding, after receiving testimony from Jeff Rosen, General Counsel, Department of Transportation; Tom Blank, Assistant Administrator, Office of Transportation Security Policy, Transportation Security Administration, Department of Homeland Security; Michael Smerconish, WPHT–AM, Philadelphia, Pennsylvania; Peggy Sterling, American Airlines, Dallas, Texas; and Christy E. Lopez, Relman and Associates, Washington, D.C.