

Daily Digest

HIGHLIGHTS

House Committees ordered reported 42 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S9241–S9361

Measures Introduced: Seven bills and five resolutions were introduced, as follows: S. 2805–2811, S. Res. 426–429, and S. Con. Res. 137. **Pages S9286–87**

Measures Reported:

S. 2806, making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–342)

H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government. (S. Rept. No. 108–343)

S. 2809, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–344)

S. 2810, making appropriations for the Departments of Labor, Health, and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005. (S. Rept. No. 108–345)

Page S9286

Measures Passed:

Sudan Membership Suspension: Senate agreed to S. Con. Res. 137, calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights. **Pages S9313–15**

Federal Trade Commission Reauthorization Act: Senate passed S. 1234, to reauthorize the Federal Trade Commission, after agreeing to the committee amendment in the nature of a substitute and the following amendment proposed thereto: **Pages S9316–21**

Frist (for McCain/Hollings/Smith) Amendment No. 3662, in the nature of a substitute. **Page S9321**

Commending Maryland Olympic Athletes: Senate agreed to S. Res. 426, commending Maryland's

Olympians on their accomplishments at the 2004 Summer Olympic Games in Athens, Greece.

Pages S9321–22

National Historically Black College and Universities Week: Committee on the Judiciary was discharged from further consideration of S. Res. 422, expressing the sense of the Senate that the President should designate the week beginning September 12, 2004, as "National Historically Black Colleges and Universities Week", and the resolution was then agreed to.

Pages S9322–23

Fish Passage and Screening Facilities: Senate passed S. 1307, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects, after agreeing to a committee amendment in the nature of a substitute.

Pages S9323–25

Wallowa Lake Dam Rehabilitation and Water Management Act: Senate passed S. 1355, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, after agreeing to a committee amendment in the nature of a substitute.

Pages S9325–26

Alaska Native Allotment Subdivision Act: Senate passed S. 1421, to authorize the subdivision and dedication of restricted land owned by Alaska Natives, after agreeing to a committee amendment in the nature of a substitute.

Page S9326

Southwest Forest Health and Wildfire Prevention Act: Senate passed H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West, clearing the measure for the President.

Page S9326

New Mexico Water Conservation Project: Senate passed S. 1071, to authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation

project within the Arch Hurley Conservancy District in the State of New Mexico, after agreeing to a committee amendment. **Pages S9326–27**

Valles Caldera Preservation Act: Senate passed S. 1582, to amend the Valles Preservation Act to improve the preservation of the Valles Caldera, after agreeing to a committee amendment in the nature of a substitute. **Pages S9327–28**

Manhattan Project National Historical Study Act: Senate passed S. 1687, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, after agreeing to a committee amendment in the nature of a substitute. **Pages S9328–29**

Craig Recreation Land Purchase Act: Senate passed S. 1778, to authorize a land conveyance between the United States and the City of Craig, Alaska, after agreeing to a committee amendment in the nature of a substitute. **Pages S9329–30**

Lease Lot Conveyance Amendments: Senate passed S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund. **Page S9330**

Johnstown Flood National Memorial Boundary Adjustment Act: Senate passed H.R. 1521, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, clearing the measure for the President. **Page S9330**

Forest Counties Payments Committee: Senate passed H.R. 3249, to extend the term of the Forest Counties Payments Committee, clearing the measure for the President. **Page S9330**

Arapaho and Roosevelt National Forests Land Exchange Act: Senate passed S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, after agreeing to a committee amendment in the nature of a substitute. **Pages S9330–31**

Alaska Hydroelectric Project Extension: Senate passed S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. **Page S9332**

Carpinteria and Montecito Water Distribution Systems Conveyance Act: Senate passed 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, clearing the measure for the President. **Page S9332**

Williamson County Water Recycling Act: Senate passed 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, clearing the measure for the President. **Page S9332**

North Loup Irrigation Project: Senate passed 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, clearing the measure for the President. **Page S9332**

National Aviation Heritage Area Act: Senate passed S. 180, to establish the National Aviation Heritage Area, after agreeing to a committee amendment in the nature of a substitute. **Pages S9332–35**

Northern Rio Grande National Heritage Area Act: Senate passed S. 211, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico. **Pages S9335–36**

Atchafalaya National Heritage Area Act: Senate passed S. 323, to establish the Atchafalaya National Heritage Area, Louisiana, after agreeing to a committee amendment in the nature of a substitute. **Pages S9336–38**

Kate Mullany National Historic Act: Senate passed S. 1241, to establish the Kate Mullany National Historic Site in the State of New York, after agreeing to a committee amendment in the nature of a substitute. **Pages S9338–39**

Dam Safety Authorization: Senate passed S. 1727, to authorize additional appropriations for the Reclamation Safety of Dams Act of 1978, after agreeing to a committee amendment in the nature of a substitute. **Pages S9339–40**

U.S.-Mexico Transboundary Aquifer Assessment Act: Senate passed S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, after agreeing to a committee amendment in the nature of a substitute. **Pages S9340–42**

Everglades Land Exchange: Senate passed S. 2046, to authorize the exchange of certain land in Everglades National Park, after agreeing to a committee amendment in the nature of a substitute. **Page S9342**

Tapoco Project Licensing Act: Senate passed S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, after agreeing to a committee amendment in the nature of a substitute.

Pages S9342–44

Wyoming Land Conveyance: Senate passed S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, after agreeing to a committee amendment.

Page S9344

Rio Grande Outstanding Natural Area Act: Senate passed S. 1467, to establish the Rio Grande Natural Area in the State of Colorado, after agreeing to a committee amendment in the nature of a substitute.

Pages S9344–47

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: Senate passed S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, after agreeing to committee amendments.

Pages S9347–48

Railroad Right-of-Way Conveyance Validation Act: Senate passed H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, after agreeing to a committee amendment.

Page S9348

Big Horn Bentonite Act: Senate passed S. 203, to provide for the sale of bentonite in Big Horn County, Wyoming, after agreeing to a committee amendment in the nature of a substitute.

Pages S9348–49

Federal Land Recreational Visitor Protection Act: Senate passed S. 931, to direct the Secretary of Agriculture to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, after agreeing to a committee amendment in the nature of a substitute.

Pages S9349–50

El Camino Real de los Tejas National Historic Trail Act: Senate passed S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, after agreeing to a committee amendment in the nature of a substitute.

Page S9350

Lewis and Clark National Historical Park Act: Senate passed S. 2167, to establish the Lewis and Clark National Historical Park in the States of

Washington and Oregon, after agreeing to committee amendments.

Page S9351

Sand Creek Massacre National Historic Site Trust Act: Senate passed S. 2173, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, after agreeing to a committee amendment in the nature of a substitute.

Pages S9351–52

Utah Land Conveyance: Senate passed S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah, after agreeing to a committee amendment in the nature of a substitute.

Pages S9352–53

Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act: Senate passed S. 2287, to adjust the boundary of the Barataria Preserve Unit of Jean Lafitte National Historical Park and Preserve in the State of Louisiana, after agreeing to committee amendments.

Page S9353

New Mexico Water Planning Assistance Act: Senate passed S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, after agreeing to a committee amendment in the nature of a substitute.

Pages S9353–54

Lake Nighthorse Designation: Senate passed S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, after agreeing to a committee amendment.

Page S9354

Chimayo Water Supply System and Espanola Filtration Facility Act: Senate passed S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, after agreeing to a committee amendment in the nature of a substitute.

Pages S9354–56

National Heritage Partnership Act: Senate passed S. 2543, to establish a program and criteria for National Heritage Areas in the United States, after agreeing to a committee amendment in the nature of a substitute.

Pages S9356–60

Mount Rainier National Park Boundary Adjustment Act: Senate passed H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park, clearing the measure for the President.

Page S9360

San Gabriel Basin Demonstration Project Authorization: Senate passed H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs

of the San Gabriel Basin demonstration project, after agreeing to a committee amendment. **Page S9360**

Martin Luther King Land Exchange: Senate passed H.R. 1616, to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia, clearing the measure for the President. **Page S9360**

Timucuan Ecological and Historic Preserve Boundary Revision Act: Senate passed H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida, clearing the measure for the President. **Page S9360**

Water Supply, Reliability, and Environmental Improvement: Senate passed 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, after taking action on the following amendment:

Pages S9360–61

Frist (for Feinstein/Domenici/Bingaman) Amendment No. 3663, in the nature of a substitute.

Page S9360

Military Construction Appropriations: Pursuant to the order of September 14, 2004, Senate completed consideration of H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2674, Senate companion measure, and after taking action on the following amendments proposed thereto: **Pages S9242–45**

Adopted:

Hutchison/Feinstein Amendment No. 3660, to direct the Defense Department to assess the impacts on the military family housing program if the family housing privatization limitation is not eliminated.

Page S9242

Hutchison/Feinstein Amendment No. 3661, to make available additional funds for the Commission on Review of Overseas Military Facility Structure of the United States. **Page S9242**

Subsequently, S. 2674 was returned to the Senate calendar.

Legislative Branch Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 2666, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, on Tuesday, September 21, 2005, at a time to be determined by the Majority Leader, after consultation with the Democratic Leader; that the floor managers' amendment be agreed to and that no other amendments be in order;

that there be one hour for debate; the bill be read a third time and then returned to the Senate calendar; provided further, that the Committee on Appropriations be discharged from further consideration of H.R. 4755, House companion measure; that the text of the bill relating solely to the House remain; that all other texts be stricken and the text of S. 2666, as amended, be inserted and the Senate then proceed to a vote on the H.R. 4755, as amended.

Page S9316

Nominations Received: Senate received the following nominations:

Michael J. Harrison, of Connecticut, to be an Assistant Secretary of Agriculture.

Francis J. Harvey, of California, to be Secretary of the Army.

Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development.

Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation for a term of six years.

J. Michael Seabright, of Hawaii, to be United States District Judge for the District of Hawaii.

Page S9361

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

Francis J. Harvey, of California, to be an Assistant Secretary of Defense, which was sent to the Senate on November 6, 2003.

Page S9361

Messages From the House:

Page S9284

Measures Referred:

Page S9284

Executive Communications:

Pages S9284–86

Additional Cosponsors:

Pages S9287–88

Statements on Introduced Bills/Resolutions:

Pages S9288–95

Additional Statements:

Pages S9283–84

Amendments Submitted:

Pages S9295–S9305

Authority for Committees to Meet:

Page S9305

Privilege of the Floor:

Pages S9305–06

Adjournment: Senate convened at 9:45 a.m., and adjourned at 4:29 p.m., until 10 a.m., on Thursday, September 16, 2004 for a pro forma session. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9361.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: COMMERCE/JUSTICE/ STATE, FOREIGN OPERATIONS/LABOR/ HEALTH AND HUMAN SERVICES/ EDUCATION

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2809) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005;

An original bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005; and

An original bill (S. 2810) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005.

FISHERY CONSERVATION AND MANAGEMENT AMENDMENTS

Committee on Commerce, Science, and Transportation: On September 14, 2004, Subcommittee on Oceans, Fisheries, and Coast Guard concluded a hearing to examine S. 2066, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2004, 2005, 2006, 2007, and 2008, after receiving testimony from William T. Hogarth, Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Rear Admiral R. Dennis Sirois, Assistant Commandant for Operations, U.S. Coast Guard, Department of Homeland Security; Paul L. Kelly, Member, U.S. Commission on Ocean Policy; Stephanie Madsen, Chair, North Pacific Fishery Management Council; Lee R. Crockett, Marine Fish Conservation Network, Washington, D.C.; Madeleine Hall-Arber, Massachusetts Institute of Technology Sea Grant College Program, Cambridge; Terrance J. Quinn, University of Alaska Fairbanks Fisheries Division, Juneau; and Vincent Balzano, Portland, Maine.

CLIMATE CHANGE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine recent scientific research concerning the impacts of climate change, focusing on climate projections, rising sea levels, climate warming, human health, water resources in California, reduced snowpack and stream flow, wine grapes, dairy, and changes in vegetation distribution, after receiving testimony from Daniel

R. Cayan, University of California at San Diego Scripps Institution of Oceanography, La Jolla; Peter Frumhoff, Union of Concerned Scientists, Cambridge, Massachusetts; Claudia Tebaldi, National Center for Atmospheric Research, Boulder, Colorado; and Sheila Watt-Cloutier, Inuit Circumpolar Conference, Iqaluit, Nunavut, Canada.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. Con. Res. 121, supporting the goals and ideals of the World Year of Physics;

S. 437, to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, with an amendment in the nature of a substitute;

S. 511, to provide permanent funding for the Payment In Lieu of Taxes program, with an amendment in the nature of a substitute;

S. 1614, to designate a portion of White Salmon River as a component of the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute;

S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, with an amendment in the nature of a substitute;

S. 1852, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, with an amendment in the nature of a substitute;

S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, with an amendment in the nature of a substitute;

S. 2142, to authorize appropriations for the New Jersey Coastal Heritage Trail Route;

S. 2181, to adjust the boundary of Rocky Mountain National Park in the State of Colorado, with an amendment;

S. 2334, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System;

S. 2374, to provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, with an amendment in the nature of a substitute;

S. 2408, to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in