

district court shall complete all action on the motion unless all parties to the proceeding agree to an extension; and

“(C) notwithstanding section 1447(d), a court of appeals may accept an appeal from an order of a district court granting or denying a motion to remand a class action to the State court from which it was removed if application is made to the court of appeals not less than 7 days after entry of the order.

#### NOTICES OF HEARINGS/MEETINGS

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled “The United Nations’ Management and Oversight of the Oil-for-Food Program.” This is the second of several hearings the Subcommittee intends to hold on this matter. The Subcommittee’s first hearing on the Oil-for-Food Program (“OFF Program”) laid the foundation for future hearings by describing how the OFF Program was exploited by Saddam Hussein. This second hearing will examine the operations of the independent inspection agents retained by the United Nations and their role within the OFF Program. The administration of the OFF Program by the U.N. Office of the Iraq Program and the findings of the U.N. Office of Internal Oversight Services will also be examined.

The Subcommittee hearing is scheduled for Tuesday, February 15, 2004, at 9:30 a.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations, at 224-3721.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Wednesday, February 9 at 11:30 a.m. to consider pending calendar business.

Agenda:

Agenda Item 1: S. 47—A bill to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico.

Agenda Item 8: S. 63—A bill to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, and for other purposes.

Agenda Item 9: S. 74—A bill to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System.

Agenda Item 14: S. 134—A bill to adjust the boundary of Redwood National Park in the State of California.

Agenda Item 17: S. 153—A bill to direct the Secretary of the Interior to conduct a resource study of the Rim of the Valley Corridor in the State of California to evaluate alternatives for protecting the resources of the Corridor, and for other purposes.

Agenda Item 18: S. 156—A bill to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.

Agenda Item 20: S. 163—A bill to establish the National Mormon Pioneer Heritage Area in the State of Utah, and for other purposes.

Agenda Item 22: S. 176—A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska.

Agenda Item 23: S. 177—A bill to further the purpose of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment of demonstration programs to control salt cedar and Russian olive, and for other purposes.

Agenda Item 24: S. 178—A bill to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and for other purposes.

Agenda Item 26: S. 200—A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes.

Agenda Item 27: S. 203—A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

Agenda Item 28: S. 204—A bill to establish the Atchafalaya National Heritage Area in the State of Louisiana.

Agenda Item 29: S. 205—A bill to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

Agenda Item 30: S. 207—A bill to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes.

Agenda Item 31: S. 212—A bill to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera, and for other purposes, to the Committee on Foreign Relations.

Agenda Item 32: S. 214—A bill 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, and for other purposes.

Agenda Item 33: S. 225—A bill to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land.

Agenda Item 34: S. 229—A bill to clear title to certain real property in

New Mexico associated with the Middle Rio Grande Project, and for other purposes.

Agenda Item 35: S. 231—Mr. Smith, et al.—a bill to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, and for other purposes.

Agenda Item 36: S. 232—A bill 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, and for other purposes.

Agenda Item 37: S. 243—A bill to establish a program and criteria for National Heritage Areas in the United States, and for other purposes.

Agenda Item 38: S. 244—Mr. Thomas— a bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming.

Agenda Item 39: S. 249—Mr. Reid, et al.—a bill to establish the Great Basin National Heritage Route in the States of Nevada and Utah.

Agenda Item 40: S. 252—A bill to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

Agenda Item 41: S. 253—A bill to direct the Secretary of the Interior to convey certain land to the 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.

Agenda Item 42: S. 254—A bill to direct the Secretary of the Interior to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka.

Agenda Item 43: S. 263—A bill to provide for the protection of paleontological resources on Federal lands, and for other purposes.

Agenda Item 44: S. 264—A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.

In addition, the Committee may turn to any other measures that are ready for consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, February 9, 2005 at 2:30 p.m. to conduct a hearing to receive testimony on EPA’s proposed budget for fiscal year 2006.

The hearing will be held in SD 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on Wednesday, February 9, 2004 at 11 a.m. to hold a Members' Briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Wednesday, February 9, 2005 at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 9, 2005 at 2:30 p.m. to hold a closed meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent the privilege of the floor be granted to Elizabeth Kennedy, a legal intern in my office, for the duration of consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, appoints the Senator from Vermont, Mr. LEAHY, as a member of the Board of Regents of the Smithsonian Institution.

This chair announces, on behalf of the Democratic leader, pursuant to the provisions of S. Res. 105, adopted April 13, 1989, as amended by S. Res. 149, adopted October 5, 1993, as amended by Public Law 105-275, adopted October 21, 1998, further amended by S. Res. 75, adopted March 25, 1999, amended by S. Res. 383, adopted October 27, 2000, and

amended by S. Res. 355, adopted November 13, 2002, and further amended by S. Res. 480, adopted November 20, 2004, the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 109th Congress: Senator ROBERT C. BYRD, Democratic administrative cochairman; Senator CARL LEVIN of Michigan, Democratic cochairman; Senator JOSEPH R. BIDEN, JR. of Delaware, Democratic cochairman; Senator EDWARD M. KENNEDY of Massachusetts; Senator PAUL S. SARBANES of Maryland; Senator BYRON L. DORGAN of North Dakota; Senator RICHARD J. DURBIN of Illinois; Senator BILL NELSON of Florida; Senator MARK DAYTON of Minnesota.

STAR PRINT—S. 71

Mr. FRIST. Mr. President, I ask unanimous consent that S. 71 be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY,  
FEBRUARY 10, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, February 10. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business for up to 2 hours, with the first 30 minutes under the control of the majority leader or his designee, the second 30 minutes under the control of the Democratic leader or his designee, the third 30 minutes under the control of Senator McCain, and the final 30 minutes under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of S. 5, the class action bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow, following morning business, the Senate will resume consideration of the class action fairness bill. We made real progress today. We were able to work through several key amendments, and it appears we are very close to final passage. The pending amendment is the Feingold amendment, and we hope to have that ready for a vote by 12:30 tomorrow or thereabouts. Again, I thank all Members for their cooperation throughout this bill. We have made substantial progress over the course of the day, and I look forward to completion of the bill at an early hour tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:58 p.m., adjourned until Thursday, February 10, 2005, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 9, 2005:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CLAUDE R. KEHLER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CHARLES E. CROOM, JR., 0000