

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10991–S11049

Measures Introduced: Seven bills were introduced as follows: S. 1575–1581. **Page S11032**

Measures Reported:

S. 1264, to reauthorize the Federal Communications Commission, with amendments. (S. Rept. No. 108–140)

S. 1046, to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations, with an amendment. (S. Rept. No. 108–141) **Page S11032**

Labor, Health and Human Services, Education Appropriations: Senate continued consideration of H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, taking action on the following amendments proposed thereto: **Pages S10991–S11020**

Pending:

Specter Amendment No. 1542, in the nature of a substitute. **Page S10991**

Byrd Amendment No. 1543 (to Amendment No. 1542), to provide additional funding for education for the disadvantaged. **Page S10991**

Akaka Amendment No. 1544 (to Amendment No. 1542), to provide funding for the Excellence in Economic Education Act of 2001. **Page S10991**

Mikulski Amendment No. 1552 (to Amendment No. 1542), to increase funding for programs under the Nurse Reinvestment Act and other nursing workforce development programs. **Page S11004**

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

By 46 yeas to 48 nays (Vote No. 322), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motive to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Reid/Bingaman Amendment No. 1547 (to Amendment

No. 1542), to increase funding for certain education and related programs. Subsequently, the point of order that the amendment would exceed discretionary spending limits and thus be in violation of section 504 of H. Con. Res. 95, Congressional Budget Resolution, was sustained, and the amendment thus falls. **Pages S10992–S11003**

By 53 yeas to 43 nays (Vote No. 323), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motive to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Dorgan/Inhofe Amendment No. 1553 (to Amendment No. 1542), to provide additional funding for the Impact Aid Program. Subsequently, the point of order that the amendment would exceed discretionary spending limits and thus be in violation of section 504 of H. Con. Res. 95, Congressional Budget Resolution, was sustained, and the amendment thus falls. **Page S11017**

By 42 yeas to 54 nays (Vote No. 324), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motive to waive section 302(f) of the Congressional Budget Act, with respect to Dayton Amendment No. 1554 (to Amendment No. 1542), to increase funding for part B of the Individuals with Disabilities Education Act. Subsequently, the point of order that the amendment would exceed the subcommittee's 302(b) allocations and thus be in violation of section 302(f) of the Congressional Budget Act, was sustained, and the amendment thus falls. **Pages S11017–18**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, September 4, 2003. **Page S11045**

U.S.-Chile Free Trade Agreement Vote Change:

A unanimous-consent request was granted permitting Senator Mikulski to change her yeas vote to a nay vote on Vote No. 319 changing the outcome of the vote to 65 yeas to 32 nays on H.R. 2738, to implement the United States-Chile Free Trade Agreement (passed by the Senate on July 31, 2003). **Page S11024**

Nominations Received: Senate received the following nominations:

Paul S. Atkins, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2008. (Reappointment)

Karen K. Bhatia, of Maryland, to be an Assistant Secretary of Transportation.

Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency.

Bradley D. Belt, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2008.

Jennifer Young, of Ohio, to be an Assistant Secretary of Health and Human Services.

William J. Hudson, of Virginia, to be Ambassador to the Republic of Tunisia.

Hector E. Morales, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank.

James McBride, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

William A. Chatfield, of Texas, to be Director of Selective Service.

Gordon England, of Texas, to be Secretary of the Navy. (Reappointment)

Michael W. Wynne, of Florida, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

1 Army nomination in the rank of general.

Routine lists in the Navy. **Pages S11045–49**

Measures Placed on Calendar: **Page S11027**

Executive Communications: **Pages S11027–32**

Additional Cosponsors: **Pages S11032–33**

Statements on Introduced Bills/Resolutions:
Pages S11033–38

Additional Statements: **Pages S11024–27**

Amendments Submitted: **Pages S11038–39**

Authority for Committees to Meet:
Pages S11040–41

Record Votes: Three record votes were taken today. (Total—324) **Page S11002, S11017, S11018**

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:29 p.m., until 9:30 a.m., on Thursday, September 4, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11045.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary approved for full Committee consideration an original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004.

APPROPRIATIONS: DEPARTMENTS OF TRANSPORTATION AND TREASURY

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government approved for full Committee consideration an original bill making appropriations for the Department of Transportation and related agencies, Department of the Treasury, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2004.

MILITARY OPERATIONS WORLDWIDE

Committee on Armed Services: Committee met in closed session to receive a briefing regarding ongoing military operations and areas of concern around the world from Lieutenant General Norton A. Schwartz, USAF, Director for Operations, J–3; Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J–2; and Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs.

BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Committee concluded hearings to examine the budget and economic outlook, including the Congressional Budget Office's update of its baseline budget projections for fiscal years 2003 through 2013, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office.

SPACE SHUTTLE COLUMBIA ACCIDENT

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the Columbia Accident Investigation Board's findings and recommendations from its investigation of the Columbia shuttle tragedy, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration; and Admiral Harold W. Gehman, Jr., USN (Ret.), Chairman, Columbia Accident Investigation Board.

AIR FORCE-BOEING TANKERS LEASE PROPOSAL

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the proposed leasing of 100 Boeing 767 Tankers by the United States Air Force for aerial refueling, after receiving testimony from James G. Roche, Secretary of the Air Force; Douglas Holtz-Eakin, Director, Congressional Budget Office; Neal P. Curtin, Director, Defense Capabilities and Management, General Accounting Office; Christopher Bolkcom, Specialist in National Defense, Congressional Research Service, Library of Congress; Lt. Gen. John B. Sams, Jr., USAF (Ret.), The Boeing Company, Arlington, Virginia; J. Richard Nelson, Institute for Defense Analyses, Alexandria, Virginia; and Steven Ellis, Taxpayers for Common Sense, and Eric Miller, Project on Government Oversight, both of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Marcia A. Crone, to be United States District Judge for the Eastern District of Texas, who was introduced by Senators Hutchison and Cornyn; Phillip S. Figa, to be United States District Judge for the District of Colorado, who was introduced by Senators Campbell and Allard; Carlos T. Bea, of California, to be United States Circuit Judge for the Ninth Circuit, William Q. Hayes and John A. Houston, both to be United States District Judge for the Southern District of California, who were all introduced by Senator Boxer; Robert Clive Jones, to be United States District Judge for the District of Nevada, who was introduced by Senators Ensign and Reid; and Ronald A. White, to be United States District Judge for the

Eastern District of Oklahoma, who was introduced by Senator Nickles, after each nominee testified and answered questions in their own behalf.

TERRORISM: FIRST RESPONDERS

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded hearings to examine certain measures to improve America's preparedness to address terrorist activity, focusing on the requirements of state and local emergency responders, after receiving testimony from Representatives Cox and Jim Turner; former Senator Rudman, and Richard A. Clarke, both of the Independent Task Force on Emergency Responders; and Paul L. Posner, Managing Director, Federal Budget Issues and Intergovernmental Relations, Strategic Issues, General Accounting Office.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 2990–2998; and 6 resolutions, H.J. Res. 67; H. Con. Res. 270, and H. Res. 350, 352–354, were introduced. **Pages H7838–39**

Additional Cosponsors: **Pages H7839–40**

Reports Filed: Reports were filed as follows:

Filed on July 30, H.R. 2989, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004 (H. Rept. 108–243);

Filed on August 4, H.R. 1085, to make certain workforce authorities available to the National Aeronautics and Space Administration, amended (H. Rept. 108–244, Pt. 1);

Filed on August 4, H.R. 2692, to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974 for fiscal years 2004 through 2006, amended (H. Rept. 108–245);

Filed on August 14, H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program, amended (H. Rept. 108–246, Pt. 1);

H.R. 1837, to improve the Federal acquisition workforce and the process for the acquisition of services by the Federal Government, amended (H. Rept. 108–117, Pt. 2);

H.R. 1985, to amend the National Housing Act to increase the maximum mortgage amount limit for FHA-insured mortgages for multifamily housing located in high-cost areas, amended (H. Rept. 108–247);

H.R. 1533, to amend the securities laws to permit church pension plans to be invested in collective trusts (H. Rept. 108–248);

H. Res. 234, condemning bigotry and violence against Arab-Americans, Muslim-Americans, South Asian-Americans, and Sikh-Americans (H. Rept. 108–249);

H.R. 292, to amend title 4, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed (H. Rept. 108–250);

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 (Private Bill, H. Rept. 108–251);

S. 233, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System (H. Rept. 108–252);

S. 278, to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area (H. Rept. 108–253);

H.R. 1409, to provide for a Federal land exchange for the environmental, educational, and cultural benefit of the American public and the Eastern Band of Cherokee Indians (H. Rept. 108–254);

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 (H. Rept. 108–255);

H.R. 1651, to provide for the exchange of land within the Sierra National Forest, California, amended (H. Rept. 108–256);

H.R. 2059, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark (H. Rept. 108–257); and

H.R. 351, providing for consideration of H.R. 2989, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004 (H. Rept. 108–258). **Pages H7837–38**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Schrock to act as Speaker pro tempore for today. **Page H7791**

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

Winston E. Arnow Federal Building, Pensacola, Florida: H.R. 1572, amended, to designate the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the “Winston E. Arnow Federal Building”; **Pages H7798–H7800**

Ed Edmondson United States Courthouse, Muskogee, Oklahoma: H.R. 1668, to designate the United States courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the “Ed Edmondson United States Courthouse”; **Page H7800**

Congratulating Lance Armstrong: H. Res. 350, congratulating Lance Armstrong for winning the 2003 Tour de France (agreed to by a yea-and-nay vote of 396 yeas with none voting nay, Roll No. 460); **Pages H7800–03, H7809–10**

J. Stephen Horn Post Office, Signal Hill, California: H.R. 2309, amended, to designate the facility of the United States Postal Service located at 2300 Redondo Avenue in Signal Hill, California, as the “J. Stephen Horn Post Office Building” (agreed to by a yea-and-nay vote of 395 yeas to 1 nay, Roll No. 461); and **Pages H7803–07, H7810**

Amending Securities Laws: H.R. 1533, to amend the securities laws to permit church pension plans to be invested in collective trusts (agreed to by a yea-and-nay vote of 397 yeas with none voting nay, Roll No. 462). **Pages H7808–09, H7810–11**

Tax Relief, Simplification, and Equity Act Motions to Instruct Conferees: Representative Cooper announced his intention to offer a motion to instruct conferees on H.R. 1308, Tax Relief, Simplification, and Equity Act. **Pages H7811–12**

Recess: The House recessed at 3:28 p.m. and reconvened at 6:30 p.m. **Page H7809**

Senate Messages: Messages received from the Senate today appears on pages H7791–92.

Senate Referrals: S. 523 was referred to the Committee on Resources; S. 926 and S. Con. Res 25 were referred to the Committee on Government Reform; S. 1547 was referred to the committee on Energy & Commerce; S. 1571 was referred to the Committee on Financial Services; and S. Con. Res 63, S. 678, and S. 929 were ordered held at the desk. **Page H7826**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H7840–42.

Adjournment: The House met at 2 p.m. and adjourned at 9:45 p.m.

Committee Meetings

“BLACKOUT 2003: HOW DID IT HAPPEN AND WHY?”

Committee on Energy and Commerce: Held a hearing entitled “Blackout 2003: How Did It Happen and Why?” Testimony was heard from the following officials of the Department of Energy: Spencer Abraham, Secretary; and Patrick Wood, Chairman, Federal Energy Regulatory Commission; the following officials of the State of Ohio: Bob Taft, Governor; and Alan R. Schriber, Chairman, Public Utilities Commission; the following officials of the State of Michigan: Jennifer M. Granholm, Governor; Kwame Kilpatrick, Mayor, Detroit; and J. Peter Lark, Chairman, Public Service Commission; William M. Flynn, Chairman, Public Service Commission, State of New York; and public witnesses.

Hearings continue tomorrow.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 2989, Transportation, Treasury, and Independent Agencies Appropriations Act, 2004. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Istook, Flake, Olver, Hastings of Florida, Delahunt, Hooley of Oregon, Davis of Florida and Ruppertsberger.

Joint Meetings

DUTCH LEADERSHIP OF OSCE

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded hearings to examine and review Dutch leadership of the Organization for Security and Cooperation in Europe (OSCE), focusing on multilateralism and regional matters, after receiving testimony from Jaap de Hoop Scheffer, Foreign Minister of The Netherlands, Amsterdam.

**COMMITTEE MEETINGS FOR
THURSDAY, SEPTEMBER 4, 2003**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2004, proposed legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, proposed legislation making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2004, and proposed legislation making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2004, 2 p.m., SD-106.

Committee on Armed Services: to hold hearings to examine the proposed lease of 100 KC-767 aerial refueling tanker aircraft by the U.S. Air Force, to be followed by a closed hearing in Room SH-219, 9:30 a.m., SH-216.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings to examine A New Kind of Science, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: to hold hearings to examine the Department of Energy polygraph program, 10 a.m., SD-366.

Committee on Finance: to hold hearings to examine the economic relations between the United States and Cuba, 10 a.m., SD-215.

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

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine what is needed to defend the bipartisan Defense of Marriage Act of 1996, 2 p.m., SD-226.

House

Committee on Appropriations, Subcommittee on Homeland Security, on Information Analysis and Infrastructure Protection, 10 a.m., 2359 Rayburn.

Committee on the Budget, hearing on Update of the Budget and Economic Outlook, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, hearing on "Strengthening Pension Security and Defined Benefit Plans: Examining the Financial Health of the Pension Benefit Guaranty Corporation," 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to continue hearings entitled "Blackout 2003: How Did It Happen and Why?" 9:30 a.m., 2123 Rayburn.

Committee on International Relations, hearing on Government Accountability: Efforts to Identify and Eliminate Waste and Mismanagement, 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, oversight hearing on "Competition in College Athletic Conferences and Antitrust Aspects of the Bowl Championship Series," 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on "Internet Domain Name Fraud—the U.S. Government's Role in Ensuring Public Access to Accurate Whois Data," 2 p.m., 2141 Rayburn.

Committee on Resources, to mark up H.J. Res. 63, Compact of Free Association Amendments Act of 2003, 11 a.m., 1324 Longworth.

Committee on Science, hearing on "The Columbia Accident Investigation Board Report," 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing to discuss attracting economic growth for the rural economy and whether the federal government is adequately supporting a policy of growth in the rural portions of the country, 9:30 a.m., 2360 Rayburn.

Permanent Select Committee on Intelligence, executive, to consider pending business, 2 p.m., H-405 Capitol.

Subcommittee on Intelligence Policy and National Security, executive, briefing on Global Intelligence Update, 3 p.m., H-405 Capitol.

Subcommittee on Terrorism and Homeland Security, executive, briefing on Recent Counterterrorism Success: Hambali, 10:15 a.m., H-405 Capitol.

Select Committee on Homeland Security, Subcommittee on Cybersecurity, Science, and Research and Development and the Subcommittee on Infrastructure and Border Security, joint hearing entitled "Implications of Power Blackouts for the Nation's Cybersecurity and Critical Infrastructure Protection: The Electric Grid, Critical Interdependencies, Vulnerabilities, and Readiness," 1 p.m., 2237 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 4

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 4

Senate Chamber

Program for Thursday: Senate will continue consideration of H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004.

House Chamber

Program for Thursday: Consideration of H.R. 2989, Transportation, Treasury, and Independent Agencies Appropriations Act for Fiscal Year 2004 (open rule, one hour of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Eshoo, Anna G., Calif., E1672, E1674
 Hoyer, Steny H., Md., E1671, E1672, E1674, E1675,
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