

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S759–S955

Measures Introduced: Six bills were introduced, as follows: S. 2058–2063. **Page S792**

Measures Reported:

Report to accompany S. 1245, to provide for homeland security grant coordination and simplification. (S. Rept. No. 108–225) **Page S792**

Measures Passed:

Enrollment Correction: Senate agreed to H. Con. Res. 354, to correct technical errors in the enrollment of the bill S. 610. **Page S953**

SAFE Transportation Equity Act: Senate continued consideration of S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Pages S760–81**

Pending:

Inhofe Amendment No. 2285, in the nature of a substitute. **Page S769**

Warner Modified Amendment No. 2286 (to Amendment No. 2285), to provide a highway safety improvement program that includes incentives to States to enact primary safety belt laws. **Pages S770, S954**

Withdrawn:

Dorgan Amendment No. 2276 (to the language proposed to be stricken by the committee amendment), to modify the penalty for nonenforcement of open container requirements. **Page S769**

Modified committee amendment in the nature of a substitute. **Page S769**

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

Dorgan Amendment No. 2267, to exempt certain agricultural producers from certain hazardous materials transportation requirements, fell when the modified committee amendment (listed above) was withdrawn. **Page S760**

Gregg Amendment No. 2268 (to Amendment No. 2267), to provide that certain public safety officials have the right to collective bargaining, fell

when the modified committee amendment (listed above) was withdrawn. **Page S760**

A motion was entered to close further debate on Inhofe Amendment No. 2285 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, February 12, 2004. **Page S769**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, February 12, 2004. **Page S781**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, February 11, 2004. **Page S954**

Appointments:

Board of Visitors of the U.S. Military Academy: The Chair, on behalf of the President Pro Tempore, pursuant to 10 U.S.C. 4355 (a) (2), appointed Senator Sessions, from the Armed Services Committee, to the Board of Visitors of the U.S. Military Academy. **Pages S953–54**

Veteran's Disability Benefits Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–136, Title XV, Section 1501 (b)(1)(C), appointed the following individual to serve on the Veteran's Disability Benefits Commission: Vice Admiral Dennis Vincent McGinn. **Page S954**

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: David C. Guth of Tennessee, vice June Martin Milam, term expired. **Page S954**

Measures Read First Time: **Pages S788, S953**

Petitions and Memorials: **Pages S788–92**

Additional Cosponsors: **Pages S792–93**

Statements on Introduced Bills/Resolutions: **Pages S793–S809**

Additional Statements: **Pages S786–88**

Amendments Submitted: **Pages S809–S953**

Notices of Hearings/Meetings:	Page S953
Authority for Committees to Meet:	Page S953
Privilege of the Floor:	Page S953

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:24 p.m., until 9:30 a.m., on Wednesday, February 11, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S954.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Homeland Security, after receiving testimony from Tom Ridge, Secretary of Homeland Security.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Department of Defense authorization request for fiscal year 2005 and the Future Years Defense Program, after receiving testimony from General Peter J. Schoomaker, USA, Chief of Staff, United States Army; Admiral Vernon E. Clark, USN, Chief of Naval Operations; General Michael W. Hagee, USMC, Commandant of the Marine Corps; and General John P. Jumper, USAF, Chief of Staff, United States Air Force.

GSE'S

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals for improving the regulatory regime of government sponsored enterprises (GSE's) and oversight, focusing on the application of federal securities law disclosure and reporting requirements to Fannie Mae, Freddie Mac and the federal home lone bands, after receiving testimony from David M. Walker, Comptroller General of the United States; Alan L. Beller, Director, Division of Corporation Finance, U.S. Securities and

Exchange Commission, General Accounting Office; Richard S. Carnell, Fordham University School of Law, New York, New York; and James R. Rayburn, Jackson, Mississippi, on behalf of the National Association of Home Builders.

DEPARTMENT OF ENERGY BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Energy, after receiving testimony from Kyle E. McSarrow, Deputy Secretary of Energy.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Samuel W. Bodman, to be Deputy Secretary of the Treasury, after the nominee testified and answered questions in his own behalf.

DEPARTMENT OF VETERANS AFFAIRS BUDGET

Committee on Veterans Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2005 for the Department of Veterans Affairs, after receiving testimony from Anthony J. Principi, Secretary of Veterans Affairs, who was accompanied by several of his associates; Richard B. Jones, AMVETS, Lanham, Maryland; and Paul A. Hayden, Veterans of Foreign Wars of the United States, Rick Surratt, Disabled American Veterans, Richard B. Fuller, Paralyzed Veterans of America, and Peter S. Gaytan, American Legion, all of Washington, D.C.

ELDERCARE

Special Committee on Aging: Committee concluded a hearing to examine tax relief strategies for eldercare, focusing on Senior Elder Care Relief and Empowerment (SECURE) Act, after receiving testimony from Sandra Markwood, National Association of Area Agencies on Aging, Flora Green, The Senior's Coalition, and Richard Teske, all of Washington, D.C.; Gail Gibson Hunt, National Alliance for Caregiving, Bethesda, Maryland; and Trudy Elliott, Coer d'Alene, Idaho.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 3783–3793; 1 private bill, H.R. 3794; and; 3 resolutions, H. Con. Res. 360, and H. Res. 521–522 were introduced.

Pages H433–34

Additional Cosponsors:

Pages H434–35

Reports Filed: Reports were filed today as follows:

H.R. 1768, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, amended (H. Rept. 108–416); and

H. Res. 520, providing for consideration of the Senate amendment to H.R. 743, to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections (H. Rept. 108–417).

Page H433

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker Pro Tempore for today.

Page H397

Recess: The House recessed at 1 p.m. and reconvened at 2 p.m.

Page H400

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

Printing of “History of the United States Capitol” as a House Document: H. Con. Res. 358, authorizing the printing of “History of the United States Capitol” as a House document, by a two-thirds yea-and-nay vote of 402 yeas to 1 nay, Roll No. 19;

Pages H402–03, H411–12

Permitting the use of the rotunda of the Capitol for a ceremony remembering victims of the Holocaust: H. Con. Res. 359, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, by a 2/3 yea-and-nay vote of 402 yeas with none voting “nay”, Roll No. 20;

Pages H403–405, H412

Permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Dr. Dorothy Height: H. Con. Res. 357, permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional Gold Medal to Dr. Dorothy Height; and

Pages H406–09

Requesting that the President issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi: H. Con. Res. 264,

authorizing and requesting the President to issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi, by a 2/3 yea-and-nay vote of 404 yeas with none voting “nay”, Roll No. 21.

Pages H409–411, H413

Recess: The House recessed at 3:11 p.m. and reconvened at 6:30 p.m.

Page H411

Message from the Clerk: Read a letter from the Clerk notifying the House that he received a message from the President on Monday, February 9, containing the Economic Report of the President.

Pages H400–01

Presidential Message: Read a communication from the President wherein he transmitted to Congress the Economic Report of the President—referred to the Joint Economic Committee and ordered printed (H. Doc. 108–145).

Page H401

Amendments: Amendments printed pursuant to the rule appear today on

Page H435

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages H411–12, H412, and H413. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:41 p.m.

Committee Meetings

PUBLIC DIPLOMACY IN THE MIDDLE EAST

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on “Public Diplomacy in the Middle East.” Testimony was heard from Margaret Tutwiler, Under Secretary, Public Diplomacy and Public Affairs, Department of State; Kenneth Y. Tomlinson, Chairman, Broadcasting Board of Governors; Jess T. Ford, Director, International Affairs and Trade, GAO; Harold Pachios, Chairman, Advisory Commission on Public Diplomacy; Stephen P. Cohen, member, Advisory Group on Public Diplomacy for the Arab and Muslim World; and public witnesses.

STATUS OF INTERNATIONAL RELIGIOUS FREEDOM

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on the Status of International Religious Freedom: An Analysis of the State Department’s 2003 Annual Report. Testimony was heard from Ambassador-at-Large for International

Religious Freedom John V. Hanford III, Department of State; and public witnesses.

DEFENSE OF PRIVACY ACT; OVERSIGHT— PRIVACY IN THE HANDS OF THE GOVERNMENT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action, as amended, H.R. 338, Defense of Privacy Act.

The Subcommittee also held an oversight hearing on Privacy in the Hands of the Government: The Privacy Officer for the Department of Homeland Security. Testimony was heard from Nuala O'Connor Kelly, Chief Privacy Officer, Department of Homeland Security; and public witnesses.

SOCIAL SECURITY PROTECTION ACT

Committee on Rules: Granted, by voice vote, a rule providing for consideration of a motion offered by the chairman of the Committee on Ways and Means, or his designee, to concur in the Senate amendment to the bill H.R. 743, Social Security Protection Act of 2003. The rule provides one hour of debate in the House on the motion equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the Senate amendment and the motion shall be considered as read. The rule waives all points of order against consideration of the motion to concur in the Senate amendment. Finally, the rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion. Testimony was heard from Representative Shaw.

PRESIDENT'S BUDGET PROPOSALS FISCAL YEAR 2005—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2005 Budget for the Department of Health and Human Services. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

Joint Meetings

PRESIDENT'S ECONOMIC REPORT

Joint Economic Committee: Committee concluded a hearing to examine the economic report of the President, after receiving testimony from N. Gregory Mankiw, Chairman, and Harvey S. Rosen and Kristin J. Forbes, both members, all of the Council of Economic Advisors.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 11, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance, to hold hearings to examine economic and financial reconstruction in Iraq, 1 p.m., SD-538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine protecting children from violent and indecent programming, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 10 a.m., SD-366.

Committee on Foreign Relations: business meeting to consider United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the "Convention"), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the "Agreement"), and signed by the United States, subject to ratification, on July 29, 1994 (Treaty Doc.103-39), 10 a.m., SD-419.

Committee on Indian Affairs: to hold hearings to examine the President's fiscal year 2005 budget request, 9:30 a.m., SR-485.

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine cable industry competition, 10:30 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Diane S. Sykes, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, James L. Robart, to be United States District Judge for the Western District of Washington, and Juan R. Sanchez, to be United States District Judge for the Eastern District of Pennsylvania, 2 p.m., SD-226.

House

Committee on Armed Services, hearing on the Department of Defense aviation safety initiatives, 11 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Department of Defense Information Systems Architecture: Are We on the Right Path to Achieving Net-Centricity and Ensuring Interoperability? 3 p.m., 2118 Rayburn.

Committee on the Budget, hearing on the Department of Education Budget Priorities Fiscal Year 2005, 11 a.m., 210 Cannon.

Committee on Education and the Workforce, Subcommittee on Education Reform, hearing entitled "Prevention Underage Drinking: What Works," 11:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Telecommunications and the Internet, hearing on H.R. 3717, Broadcast Decency Enforcement Act of 2004, 10:30 a.m., 2123 Rayburn.

Committee on Financial Services, hearing on Monetary Policy and the State of the Economy, 11 a.m., 2128 Rayburn.

Committee on Government Reform, Special Panel on Postal Reform and Oversight, to continue hearings entitled “Answering the Administration’s Call for Postal Reform, Part III” 1 p.m., 2154 Rayburn.

Subcommittee on Civil Service and Agency Organization, hearing entitled “Espirit de Corps: Recruiting and Retaining America’s Best for the Federal Civil Service (H.R. 3737; H.R. 1601; S. 129)” 11:30 a.m., 2203 Rayburn.

Subcommittee on Government Efficiency and Financial Management, oversight hearing entitled “The President’s Management Agenda—Are Agencies Getting to Green?” 2 p.m., 2247 Rayburn.

Committee on International Relations, hearing on the President’s International Affairs Budget Request for Fiscal Year 2005, 12 p.m., 2172 Rayburn.

Committee on Science, hearing on An Overview of the Federal R&D Budget for Fiscal Year 2005, 11 a.m., 2318 Rayburn.

Committee on Small Business, hearing on How Does the President’s Fiscal Year 2005 Budget Request Affect Small Business? 2 p.m., 2360 Rayburn.

Committee on Ways and Means, hearing on the President’s Fiscal Year 2005 Budget Tax Proposals, 11 a.m., and a hearing on the President’s Fiscal Year 2005 Budget with OMB Director Bolten, 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Iraqi Survey Group Development 2 p.m., H-405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 11

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 11

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 1072, SAFE Transportation Equity Act.

House Chamber

Program for Wednesday: Consideration of suspensions: H.R. ___—Surface Transportation Extension Act of 2004.

Consideration of H.R. 743, Social Security Protection Act of 2003 (one hour of general debate).

Extensions of Remarks, as inserted in this issue

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