

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4383-S4443

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 2350-2352, S. Res. 343, and S. Con. Res. 100. **Page S4428**

Measures Passed:

INTELSAT IPO Extension: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 2315, to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering, and the bill was then passed. **Page S4443**

Internet Tax Non-Discrimination Act: Senate agreed to the motion to proceed to consideration of S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, and then began consideration of the bill, taking action on the following amendments proposed thereto:

Pages S4390-96, S4397-S4402, S4402-22

Pending:

McCain Amendment No. 3048, in the nature of a substitute. **Pages S4402-22**

Daschle Amendment No. 3050 (to the language of the bill proposed to be stricken by Amendment No. 3048), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Pages S4406-22**

Domenici Amendment No. 3051 (to Amendment No. 3050), to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people. **Pages S4413-22**

Rejected:

Hutchison Amendment No. 3049 (to Amendment No. 3048), to change the definition of Internet access service. (By 64 yeas to 32 nays (Vote No. 72), Senate tabled the amendment.) **Pages S4404-06**

Withdrawn:

McCain Amendment No. 2136, in the nature of a substitute. **Page S4402**

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

Stabenow Amendment No. 2141 (to Amendment No. 2136), to express the sense of the Senate that the White House and all Executive Branch agencies should respond promptly and completely to all requests by Members of Congress of both parties for information about public expenditures, fell when McCain Amendment No. 2136 (listed above) was withdrawn. **Page S4402**

A motion was entered to close further debate on Daschle Amendment No. 3050 (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, April 29, 2004. **Pages S4406, S4422**

A motion was entered to close further debate on Domenici Amendment No. 3051 (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, April 29, 2004. **Page S4422**

A motion was entered to close further debate on McCain Amendment No. 3048 (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, April 29, 2004. **Page S4422**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, April 28, 2004. **Page S4443**

Appointments:

Commission on Review of Overseas Military Facility Structure of the United States: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108-132, Section 128, appointed the following individual to the Commission on Review of Overseas Military Facility Structure of the United States: Admiral Thomas Lopez of Virginia. **Page S4443**

Messages From the House: **Page S4428**

Measures Placed on Calendar: **Page S4428**

Enrolled Bills Presented: **Page S4428**

Additional Cosponsors: **Pages S4428-30**

Statements on Introduced Bills/Resolutions
Pages S4430-35

Additional Statements: Pages S4427–28
Amendments Submitted: Pages S4435–42
Notices of Hearings/Meetings: Page S4442
Authority for Committees to Meet Pages S4442–43
Record Votes: One record vote was taken today.
 (Total—72) Pages S4405–06

Adjournment: Senate convened at 9:45 a.m., and adjourned at 8:27 p.m., until 9:30 a.m., on Wednesday, April 28, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4443.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller), Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy, and Jerald S. Paul, of Florida, to be Principal Deputy Administrator for Defense Programs, National Nuclear Security Administration, who was introduced by Senator Nelson (FL), after each nominee testified and answered questions in their own behalf.

TELECOMMUNICATIONS POLICY

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine telecommunications policy, focusing on lessons learned from the Telecommunications Act of 1996, including opening the telephone exchange market to competition, after receiving testimony from David Dorman, AT&T Corporation, Bedminster, New Jersey; Richard C. Notebaert, Qwest Communications, Denver, Colorado; and James Geiger, Cbeyond Communications, Atlanta, Georgia, on behalf of the Association for Local Telecommunications Services.

Hearings recessed subject to the call.

INTERNATIONAL SPACE EXPLORATION PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space held a hearing to examine International Space Exploration Program, focusing on competition and cooperation in the space exploration arena globally, receiving testimony from Marcia S. Smith, Specialist in Aerospace and Telecommunications Policy, Congressional Research Service, Library of Congress; Sven Grahn, Swedish Space Corporation, Solna, Sweden; John M. Logsdon, George Washington University Elliot School of International Affairs, Washington, D.C.;

and James Oberg, Soaring Hawk Productions, Dickinson, Texas.

Hearings recessed subject to the call.

ELECTRICITY GENERATION

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine sustainable, low emission, electricity generation, focusing on clean coal, wind, geothermal, and solar energy technologies, biomass, and nuclear waste management, after receiving testimony from David K. Garman, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Richard E. Smalley, Rice University, Houston, Texas; Ernest J. Moniz, Massachusetts Institute of Technology Laboratory for Energy and the Environment, Cambridge; Francis P. Burke, CONSOL Energy, Inc., Pittsburgh, Pennsylvania, on behalf of the National Mining Association.

NATIONAL PARKS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 1064, to establish a commission to commemorate the sesquicentennial of the American Civil War, S. 1092, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans, S. 1748, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 2046, to authorize the exchange of certain land in Everglades National Park, S. 2052, to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail, and S. 2319, to authorize and facilitate hydroelectric power licensing of the Tapoco Project, after receiving testimony from Senators DeWine and Hutchison; Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish, Wildlife and Parks; J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission; Kathy Copeland, South Florida Water Management District, West Palm Beach; Brian Rooney, Remembering Veterans Who Earned Their Stripes, Northridge, California; Richard Moe, National Trust for Historic Preservation, Washington, D.C.; Randall M. Overbey, Alcoa, Inc., Knoxville, Tennessee; Faye Phillips, Louisiana State University, Baton Rouge; John L. Nau III, Texas Historical Commission, Houston, Texas on behalf of the Advisory Council on Historic Preservation.

INTERNATIONAL TRADE AND PHARMACEUTICALS

Committee on Finance: Subcommittee on International Trade and Subcommittee on Health Care held a joint hearing to examine international trade and

pharmaceuticals, focusing on name-brand prescription drug prices, trade initiatives that promote innovation and ensure access to lifesaving medicines, importation of prescription drugs, drug counterfeiting, the Medicare Importation Study and Task Force, and making greater use of generics, receiving testimony from Grant D. Aldonas, Under Secretary of Commerce for International Trade; Josette Sheeran Shiner, Deputy U.S. Trade Representative; William K. Hubbard, Associate Commissioner for Policy and Planning, Public Health Service, Food and Drug Administration, Department of Health and Human Services; John E. Calfee, American Enterprise Institute, Washington, D.C.; and Gerard Anderson, Johns Hopkins University School of Bloomberg of Public Health, Baltimore, Maryland.

Hearings recessed subject to the call of the chair.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of John D. Negroponte, of the District of Columbia, to be Ambassador to Iraq, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Brett M.

Kavanaugh, of Maryland, to be a United States Circuit Judge for the District of Columbia Circuit, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in his own behalf.

INDEPENDENT AGING

Special Committee on Aging: Committee concluded a hearing to examine opportunities and challenges relating to assistive technologies for independent aging, focusing on how to accelerate and amplify the development of these technologies crucial to the nation's future security and economic well-being, after receiving testimony from Eric Dishman, Intel Corporation, Hillsboro, Oregon, on behalf of the Center for Aging Services Technologies; Martha E. Pollack, University of Michigan Department of Electrical Engineering and Computer Science, Ann Arbor; Lydia Lundberg, Elite Care-Oatfield Estates, Milwaukie, Oregon; Joseph F. Coughlin, Massachusetts Institute of Technology Age Lab & New England University Transportation Center, Cambridge; Stephen McConnell, Alzheimer's Association, Washington, D.C.; and Ronald Seiler, University of Idaho Center on Disabilities and Human Development, Moscow.

House of Representatives

Chamber Action

Measures Introduced: 7 public bills, H.R. 4218–4224; and 1 resolution, H. Res. 607, were introduced. **Pages H2405–06**

Additional Cosponsors: **Pages H2406–07**

Reports Filed: Reports were filed today as follows:

H. Res. 607, providing for consideration of H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns (H. Rept. 108–470);

H. Res. 516, a resolution supporting the goals of National Manufacturing Week, congratulating manufacturers and their employees for their contributions to growth and innovation, and recognizing the challenges facing the manufacturing sector, amended (H. Rept. 108–471); and

H.R. 3866, to amend the Controlled Substances Act to provide increased penalties for anabolic ster-

oid offenses near sports facilities, amended (H. Rept. 108–461 Pt. 2);

H.R. 1914. A bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement (H. Rept. 108–472 Pt. 1);

H.R. 2768. A bill to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall (H. Rept. 108–473 Pt. 1);

H.R. 3277. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center (H. Rept. 108–474 Pt. 1); and

H.R. 2179. A bill to enhance the authority of the Securities and Exchange Commission to investigate, punish, and deter securities laws violations, and to improve its ability to return funds to defrauded investors, and for other purposes, amended (H. Rept. 108–475 Pt. 1).

Page H2405

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker Pro Tempore for today. Page H2379

Recess: The House recessed at 12:57 p.m. and reconvened at 2 p.m. Page H2382

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

Rhode Island Veterans Post Office Building Re-designation Act: H.R. 3942, to redesignate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as the "Rhode Island Veterans Post Office Building", by a $\frac{2}{3}$ yeas-and-nays vote of 395 yeas with none voting "nay", Roll No. 131;

Pages H2384–85, H2392–93

Honoring the life and legacy of Melvin Jones: H. Res. 399, honoring the life and legacy of Melvin Jones and recognizing the contributions of Lions Clubs International, by a $\frac{2}{3}$ yeas-and-nays vote of 395 yeas with none voting "nay", Roll No. 132; and

Pages H2385–87, H2393

Supporting the goals and ideals of Financial Literacy Month: H. Res. 578, supporting the goals and ideals of Financial Literacy Month, by a $\frac{2}{3}$ yeas-and-nays vote of 391 yeas with none voting "nay", Roll No. 133.

Pages H2388–92, H2394

Recess: The House recessed at 3:03 p.m. and reconvened at 6:30 p.m. Page H2392

Committee Resignation: Read a letter from Representative Tauzin wherein he resigned from the Select Committee on Homeland Security, effective immediately. Pages H2395–96

Committee Appointment: The Chair announced the Speaker's appointment of Representative Barton of Texas to the Select Committee on Homeland Security. Page H2396

Discharge Petition: Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 584, to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan (Discharge Petition No. 8).

Senate Message: Message received from the Senate today appears on page H2383.

Quorum Calls—Votes: Three yeas-and-nays votes developed during the proceedings today and appear on pages H2392–93, H2393, and H2394. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:40 p.m.

Committee Meetings

LABOR, HHD, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

VOCATIONAL EDUCATION EXAMINING SUCCESS

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "Examining Success in Vocational Education." Testimony was heard from public witnesses.

NUCLEAR SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Nuclear Security: Can DOE Meet Physical Facility Security Requirements?" Testimony was heard from Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; the following officials of the Department of Energy: Linton F. Brooks, Administrator, National Nuclear Security Administration; and Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance; and a public witness.

INTERNAL REVENUE CODE— PERMANENTLY EXTEND CERTAIN PROVISIONS

Committee on Rules: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the amendment printed in part A of the Rules Committee report accompanying the resolution shall be considered as adopted, and that the bill shall be considered as read. The rule provides for consideration of the amendment printed in part B of the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York, or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Weller, Gerlach and Rangel.

RUSSIA

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Russia. Testimony was heard from departmental witnesses.

**COMMITTEE MEETINGS FOR WEDNESDAY,
APRIL 28, 2004**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine medical programs in the armed services, 10 a.m., SD-192.

Committee on Armed Services: to hold a closed briefing on the performance of force protection equipment for ground forces in Iraq, including the Up-Armored HMMWV, and potential alternatives to meet force protection needs of the Combatant Commander, 11 a.m., SR-222.

Committee on Commerce, Science, and Transportation: to continue hearings to examine telecommunications policy, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 11:30 a.m., SD-366.

Committee on Environment and Public Works: to hold hearings to examine the reauthorization of the Economic Development Administration, 9:30 a.m., SD-406.

Committee on Finance: to hold hearings to examine fraud and abuse in Medicare's power wheelchair program, 10 a.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the nominations of James Francis Moriarty, of Virginia, to be Ambassador to Nepal, Michele J. Sison, of Maryland, to be Ambassador to the United Arab Emirates, Thomas Charles Krajeski, of Virginia, to be Ambassador to Yemen, Richard LeBaron, of Virginia, to be Ambassador to Kuwait, and Jeffrey D. Feltman, of Ohio, to be Ambassador to Lebanon, and David Michael Satterfield, of Virginia, to be Ambassador to Jordan, 10 a.m., SD-419.

Full Committee, to hold hearings to examine the nominations of Constance Berry Newman, to be an Assistant Secretary of State for African Affairs, Aubrey Hooks, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire, Thomas Neil Hull III, of New Hampshire, to be Ambassador to Sierra Leone, and Roger A. Meece, of Washington, to be Ambassador to the Congo, 3 p.m., SD-419.

Committee on Governmental Affairs: to hold hearings to examine the use and prevention of abuse of government purchase cards, 10 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Substance Abuse and Mental Health Services, to hold hearings to examine mental health in children and youth, focusing on issues throughout the developmental process, 10 a.m., SD-430.

Subcommittee on Children and Families, to hold hearings to examine how to promote a healthy marriage, 2 p.m., SD-430.

Committee on Indian Affairs: to hold hearings to examine S. 2172, to make technical amendments to the provisions of the Indian Self Determination and Education Assistance Act relating to contract support costs, 10 a.m., SR-485.

Committee on the Judiciary: to hold hearings to examine the Playwrights Licensing Antitrust Initiative Act, focusing on safeguarding the future of American live theater, 2 p.m., SD-226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House

Committee on Agriculture, hearing to review Agricultural Trade Negotiations, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Global Disease, 10:15 a.m., 2358 Rayburn.

Subcommittee on Legislative, on GOP, and Capitol Police, 1 p.m., H-140 Capitol.

Subcommittee on Transportation, Treasury and Independent Agencies, on Federal Transit Administration, 10 a.m., 2358 Rayburn.

Committee on Education and the Workforce, hearing entitled "Assessing the Impact of the Labor Department's Final Overtime Regulations on Workers and Employers Overtime Regulations," 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Telecommunications and the Internet, to mark up a measure authorizing the Satellite Home Viewer Improvement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprise and the Subcommittee on Oversight and Investigations, joint hearing entitled: "A Review of TRIA and Its Effect on the Economy: Helping America Move Forward", 10 a.m., 2128 Rayburn.

Subcommittee on Domestic and International Monetary Policy, Trade and Technology, hearing entitled "Money Matters: Coin and Currency Design and Counterfeiting Issues; followed immediately by consideration of H.R. 3916, Presidential \$1 Coin Act of 2004, 2 p.m., 2128 Rayburn.

Committee on House Administration, oversight hearing on GPO, 10 a.m., 1310 Longworth.

Committee on International Relations, hearing on the United Nations Oil-for-Food Program: Issues of Accountability and Transparency, 10:30 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism, Nonproliferation and Human Rights, joint hearing on North Korea: Human Rights, Refugees and Humanitarian Challenges, 1:30 p.m., 2172 Rayburn.

Subcommittee on Europe, to mark up H. Res. 577, Recognizing 50 years of relations between the United States Government and the European Union, 3 p.m., 2255 Rayburn.

Committee on Resources, hearing on H.R. 2933, Critical Habitat Reform Act of 2003, 10 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 3744, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; S. 33, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; S. 434, Idaho Panhandle National Forest Improvement Act of 2003; S. 435, Sandpoint Land and Facilities Conveyance Act of 2003; and S. 1537, To direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery, 2 p.m., 1334 Longworth.

Committee on Science, Subcommittee on Environment, Technology, and Standards, hearing entitled "Fiscal Year

2005 National Institute of Standards and Technology Budget: Views from Industry," 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on Integrated Deepwater System, 10 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, oversight hearing on Aging Water Supply Infrastructure, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on the Department of Veterans Affairs' research on Alzheimer's, Diabetes and Parkinson's diseases, 10 a.m., 334 Cannon.

Select Committee on Homeland Security, Subcommittee on Emergency Preparedness and Response, oversight hearing entitled "The Office for Domestic Preparedness First Responder Assistance Programs," 10:30 a.m., 2212 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine consumer-directed doctoring, 10 a.m., SD-628.

Next Meeting of the SENATE

9:30 a.m., Wednesday, April 28

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. 150, Internet Tax Nondiscrimination Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 28

House Chamber

Program for Wednesday: Consideration of Suspensions:

(1) S. 1904—Wilkie D. Ferguson, Jr. United States Courthouse Designation Act;

(2) H. Con. Res. 376—Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby;

(3) S. 2043—Ronald Reagan Federal Building Designation Act;

(4) H. Con. Res. 388—Authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service; and

(5) H.R. 3170—Increased Capital Access for Growing Business Act.

Consideration of H.R. 4181, to amend the Internal Revenue Code of 1986 to permanently extend the increased standard deduction, and the 15-percent individual income tax rate bracket expansion, for married taxpayers filing joint returns (modified closed rule, one hour of debate).

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