

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1149–S1218

Measures Introduced: Seventeen bills were introduced, as follows: S. 324–340. **Pages S1198–99**

Class Action Fairness Act Agreement: Senate continued consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, taking action on the following amendments proposed thereto:

Pages S1150–52, S1157–89

Pending:

Durbin (Modified) Amendment No. 3, to preserve State court procedures for handling mass actions.

Page S1157

Feingold Amendment No. 12, to establish time limits for action by Federal district courts on motions to remand cases that have been removed to Federal court.

Page S1184

Rejected:

Pryor Amendment No. 5, to exempt class action lawsuits brought by the attorney general of any State from the modified civil procedures required by this Act. (By 60 yeas to 39 nays (Vote No. 5), Senate tabled the amendment.)

Pages S1157–65

By 40 yeas to 59 nays (Vote No. 6), Kennedy Amendment No. 2, to amend the definition of class action in title 28, United States Code, to exclude class actions relating to civil rights of the payment of wages.

Pages S1165–66, S1180–83

By 38 yeas to 61 nays (Vote No. 7), Feinstein/Bingaman Amendment No. 4, to clarify the application of State law in certain class actions.

Pages S1166–71, S1183–84

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11:30 a.m., on Thursday, February 10, 2005.

Page S1218

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report concerning the plan for securing nuclear weapons, material, and expertise of the states of the former Soviet

Union; which was referred to the Committee on Armed Services. (PM–4) **Page S1197**

Appointments:

Board of Regents of the Smithsonian Institution: The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, appointed Senator Leahy as a member of the Board of Regents of the Smithsonian Institution.

Page S1218

Senate National Security Working Group: The Chair announced, 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: Senators Byrd (Democratic Administrative Co-Chairman), Levin (Democratic Co-Chairman), Biden (Democratic Co-Chairman), Kennedy, Sarbanes, Dorgan, Durbin, Nelson (FL) and Dayton.

Page S1218

Nominations Received: Senate received the following nominations:

2 Air Force nominations in the rank of general.

Page S1218

Messages From the House:

Page S1197

Measures Referred:

Page S1197

Executive Communications:

Pages S1197–98

Additional Cosponsors:

Page S1199

Statements on Introduced Bills/Resolutions:

Pages S1199–S1215

Additional Statements:

Pages S1195–97

Amendments Submitted:

Pages S1215–17

Notices of Hearings/Meetings:

Page S1217

Authority for Committees to Meet: **Pages S1217–18**

Privilege of the Floor: Page S1218

Record Votes: Three record votes were taken today. (Total—7) Pages S1165, S1183, S1184

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:58 p.m., until 9:30 a.m., on Thursday, February 10, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page S1218.)

Committee Meetings

(Committees not listed did not meet)

2006 BUDGET

Committee on the Budget: Committee held a hearing to examine the President's proposed budget for fiscal year 2006, receiving testimony from Joshua B. Bolten, Director, Office of Management and Budget.

BUSINESS MEETING

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

S. 47, 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;

S. 63, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, with an amendment;

S. 74, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System;

S. 134, to adjust the boundary of Redwood National Park in the State of California;

S. 153, 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;

S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, with an amendment;

S. 163, to establish the National Mormon Pioneer Heritage Area in the State of Utah, with an amendment;

S. 176, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska;

S. 177, to further the purposes 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 and demonstration program to control salt cedar and Russian olive;

S. 178, to provide assistance to the State of New Mexico for the development of comprehensive State water plans;

S. 200, to establish the Arabia Mountain National Heritage Area in the State of Georgia, with an amendment;

S. 203, to reduce temporarily the royalty required to be paid for sodium produced on Federal lands;

S. 204, to establish the Atchafalaya National Heritage Area in the State of Louisiana;

S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers;

S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana;

S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera;

S. 214, 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;

S. 225, 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, with an amendment in the nature of a substitute;

S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project;

S. 231, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon;

S. 232, 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;

S. 243, to establish a program and criteria for National Heritage Areas in the United States;

S. 244, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming;

S. 249, to establish the Great Basin National Heritage Route in the States of Nevada and Utah;

S. 252, 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;

S. 253, 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, with an amendment;

S. 254, to direct the Secretary of the Interior to convey certain land to Lander County, Nevada, and