

# Daily Digest

## HIGHLIGHTS

- House and Senate agreed to the Conference Report on H.J. Res. 2, Omnibus Appropriations.
- House and Senate agreed to H. Con. Res. 41, Adjournment Resolution.
- House passed H.R. 4, Personal Responsibility, Work and Family Promotion.
- House Committees ordered reported seven sundry measures.

## Senate

### Chamber Action

*Routine Proceedings, pages S2371–S2503*

**Measures Introduced:** Twenty-nine bills and seven resolutions were introduced, as follows: S. 385–413, S.J. Res. 6, S. Res. 57–59, and S. Con. Res. 5–7.

**Pages S2456–57**

#### Measures Reported:

S. Res. 57, authorizing expenditures by the Committee on Armed Services.

**Page S2456**

#### Measures Passed:

**Enrollment Correction:** Senate agreed to H. Con. Res. 35, directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.J. Res. 2.

**Page S2499**

**Adjournment Resolution:** Senate agreed to H. Con. Res. 41, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

**Page S2499**

**Do Not Call Registry:** Senate passed H.R. 395, to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a “do-not-call” registry, clearing the measure for the President.

**Page S2500**

**Government Consent to Assemble:** Senate agreed to H. Con. Res. 1, regarding consent to assemble outside the seat of Government.

**Page S2500**

**U.N. Resolution Support:** Committee on Foreign Relation was discharged from further consideration of S. Con. Res. 4, welcoming the expression of support of 18 European nations for the enforcement of

United Nations Security Council Resolution 1441, and the resolution was then agreed to. **Pages S2500–02**

**Ronald Reagan Birthday Recognition:** Senate passed H.J. Res. 19, recognizing the 92d birthday of Ronald Reagan, clearing the measure for the President.

**Page S2502**

**Congratulating the University of Portland Women’s Soccer Team:** Senate agreed to S. Res. 59, congratulating the University of Portland women’s soccer team for winning the 2002 NCAA Division I national championship.

**Pages S2502–03**

**Omnibus Appropriations Conference Report:** By 76 yeas to 20 nays (Vote No. 34), Senate agreed to the conference report on H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, clearing the measure for the President.

**Pages S2428–39**

**Nomination Considered:** Senate continued consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

**Pages S2372–89, S2391–S2413**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 10 a.m., on Friday, February 14, 2003.

**Page S2398**

**Protect Act—Agreement:** A unanimous-consent agreement was reached providing for the consideration of S. 151, to amend title 18, United States Code, with respect to the sexual exploitation of children, at 3:30 p.m., on Monday, February 24, 2003, that there be two hours of debate, and that upon the use or yielding back of time, the Senate vote in relation to the bill.

**Page S2500**

**Discharged and Referred—Agreement:** A unanimous-consent agreement was reached providing that S. Res. 55, authorizing expenditures by the Committee on Small Business and Entrepreneurship be discharged from the Committee on Small Business and Entrepreneurship and referred to the Committee on Rules and Administration. **Page S2502**

**Authority for Committees:** All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Thursday, February 20th, 2003, from 10 a.m. until 12 noon. **Page S2389**

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

Transmitting, pursuant to law, a report concerning the justification of the Australia Group and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; to the Committee on Foreign Relations. (PM-16) **Pages S2453-54**

**Nominations Confirmed:** Senate confirmed the following nominations:

William H. Donaldson, of New York, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2007.

Routine lists in the Foreign Service.

**Pages S2389, S2499-S2500**

**Messages From the House:** **Page S2454**

**Measures Referred:** **Page S2454**

**Executive Communications:** **Page S2454**

**Petitions and Memorials:** **Pages S2455-56**

**Executive Reports of Committees:** **Page S2456**

**Additional Cosponsors:** **Pages S2457-58**

**Statements on Introduced Bills/Resolutions:**  
**Pages S2458-98**

**Additional Statements:** **Pages S2450-53**

**Authority for Committees to Meet:** **Pages S2498-99**

**Record Votes:** One record vote was taken today. (Total—34) **Page S2439**

**Adjournment:** Senate met at 11 a.m., and adjourned at 11:09 p.m., until 10 a.m., on Friday, February 14, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2389.)

## Committee Meetings

(Committees not listed did not meet)

### 2004 BUDGET: DEFENSE

*Committee on Armed Services:* Committee concluded hearings on proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; and General Richard B. Myers, U.S. Air Force, Chairman, Joint Chiefs of Staff.

### COMMITTEE FUNDING RESOLUTION

*Committee on Armed Services:* Committee ordered favorably reported an original resolution (S. Res. 57), authorizing expenditures by the Committee.

### ORGANIZATIONAL BUSINESS

*Committee on the Budget:* on Wednesday, February 12, Committee adopted its rules of procedure for the 108th Congress, and ordered favorably reported an original resolution (S. Res. 56) authorizing expenditures by the Committee.

### 2004 BUDGET: TRANSPORTATION

*Committee on the Budget:* Committee concluded hearings on the President's proposed budget for fiscal year 2004, focusing on the Department of Transportation and safety issues, after receiving testimony from Michael P. Jackson, Deputy Secretary of Transportation.

### U.S. OLYMPIC COMMITTEE REFORM

*Committee on Commerce, Science, and Transportation:* Committee held hearings to examine the current organizational structure and culture of the United States Olympic Committee, including possible reforms for increased effectiveness and efficiency, receiving testimony from Fred F. Fielding, Wiley, Rein, and Fielding, Washington, D.C.; Donald M. Fehr, Major League Baseball Players Association, and Harvey W. Schiller, Assante U.S., both of New York, New York; Anita L. DeFrantz, Amateur Athletic Foundation, Los Angeles, California, and Donna de Varona, Greenwich, Connecticut, both of the United States Olympic Committee; David F. D'Alessandro, John Hancock Financial Services, Boston, Massachusetts.

Hearing recessed subject to call.

## MINORITY INSTITUTION TECHNOLOGY PROGRAM

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine S. 196, to establish a digital and wireless network technology program for minority serving institutions, after receiving testimony from William B. DeLauder, Delaware State University, Dover; Ricardo Fernandez, City University of New York, West Bronx, on behalf of the Hispanic Association of College and Universities and Hispanic-serving Institutions; Floyd H. Flake, Wilberforce University, Wilberforce, Ohio; Marie V. McDemmond, Norfolk State University, Norfolk, Virginia; and Gerald Monette, Turtle Mountain Community College, Belcourt, North Dakota, on behalf of the American Indian Higher Education Consortium.

## 2004 BUDGET: FOREST SERVICE

*Committee on Energy and Natural Resources:* Committee concluded hearings to examine the President's proposed budget request for fiscal year 2004 for the Forest Service of the Department of Agriculture, including the Healthy Forests Initiative, after receiving testimony from Mark Rey, Under Secretary for Natural Resources and the Environment, and Dale N. Bosworth, Chief, Forest Service, both of the Department of Agriculture.

## OIL SUPPLY AND PRICES

*Committee on Energy and Natural Resources:* Committee concluded hearings to examine the current U.S. energy situation, focusing on oil, natural gas, and hydrogen supplies, energy conservation, and the outlook for global oil supply and prices, after receiving testimony from Robert E. Ebel, Center for Strategic and International Studies, Red Cavaney, American Petroleum Institute, James C. May, Air Transport Association of America, all of Washington, D.C.; and Matthew R. Simmons, Simmons and Company International, Houston, Texas.

## NRC OVERSIGHT

*Committee on Environment and Public Works:* Subcommittee on Clean Air, Climate Change, and Nuclear Safety, concluded oversight hearings to examine the licensing and regulatory responsibilities of the Nuclear Regulatory Commission, after receiving from Richard A. Meserve, Chairman, and Greta Joy Dicus, Nils J. Diaz, Edward McGaffigan, Jr., and Jeffrey S. Merrifield, each a Commissioner, and Hubert T. Bell, Inspector General, all of the U.S. Nuclear Regulatory Commission.

## ENRON

*Committee on Finance:* Committee held hearings to examine the activities and transactions related to Enron's tax returns, focusing on the Joint Committee on Taxation's investigative report, receiving testimony from Lindy L. Paull, Chief of Staff, Joint Committee on Taxation; Jim A. Seida, University of Notre Dame, Notre Dame, Indiana; George A. Plesko, Massachusetts Institute of Technology, Cambridge; Edmund Outslay, Michigan State University, East Lansing; and Kathryn J. Kennedy, John Marshall Law School, Chicago, Illinois.

Hearing recessed subject to the call.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

## BUSINESS MEETING

*Committee on Rules and Administration:* Committee adopted its rules of procedure for the 108th Congress.

## COMMITTEE FUNDING RESOLUTION

*Committee on Rules and Administration:* Committee concluded hearings on proposed legislation authorizing expenditures by the Committee on Foreign Relations, after receiving testimony from Senators Lugar and Biden.

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# House of Representatives

## Chamber Action

**Measures Introduced:** 111 public bills, H.R. 756–866; 1 private bill, H.R. 867; and 23 resolutions, H.J. Res. 22–23, H. Con. Res. 40–51, and H. Res. 77–86, were introduced. **Pages H698–H705, H706**

## Additional Cosponsors:

**Page H706**

## Reports Filed: Reports were filed today as follows:

H.R. 342, to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases (H. Rept. 108–12);

H.R. 389, to authorize the use of certain grant funds to establish an information clearinghouse that provides information to increase public access to defibrillation in schools (H. Rept. 108–13);

H.R. 398, to revise and extend the Birth Defects Prevention Act of 1998, amended (H. Rept. 108–14); and

H.R. 399, to amend the Public Health Service Act to promote organ donation (H. Rept. 108–15).

**Page H698**

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

**Page H465**

**Guest Chaplain:** The prayer was offered by Rev. Jim Schetler, Pastor, Pensacola Christian College Campus Church of Pensacola, Florida.

**Page H465**

**Personal Responsibility, Work and Family Promotion:** The House passed H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families and improve access to quality child care by a ye-and-nay vote of 230 yeas to 192 nays, Roll No. 30.

**Pages H471–H546, H547–52**

Rejected the Cardin motion that sought to recommit the bill to the Committee on Ways and Means with instructions to report it back forthwith with amendments that increase child care funding by \$11 billion by a ye-and-nay vote of 197 yeas to 221 nays, Roll No. 29.

**Pages H550–52**

Rejected:

Kucinich amendment in the nature of a substitute No. 1 printed in H. Rept. 108–9, that sought to provide states with poverty reduction bonuses, maintain current work requirements, remove the cap on vocation education participation, extend time limit on education, provide \$20 billion for Child Care development Block grant, require states to address barriers to work, and restore eligibility to immigrants (rejected by recorded vote of 124 yeas to 300 noes, Roll No. 27); and

**Pages H513–30**

Cardin amendment in the nature of a substitute No. 2 printed in H. Rept. 108–9 that sought to expand state flexibility to provide training and education, increases to 70% the number that are required to be engaged in work related activities, provide states with an employment credit, maintain the current participation requirement, maintain time limit on Temporary Assistance for Needy Families (TANF) benefits, increase child care funding by \$11 billion over the next 5 years, and remove barriers to serving legal immigrants (rejected by recorded vote of 197 yeas to 225 noes, roll No. 28).

**Pages H530–46, H547–50**

H. Res. 69, the rule that provided for consideration of the bill was agreed to by voice vote.

**Pages H465–71**

**Committee Election—Minority Members:** The House agreed to H. Res. 79, electing the following named minority members, delegates, and resident commissioners to standing committees of the House of Representatives:

**Committee on Agriculture:** Representative Case to rank immediately after Resident Commissioner Acevedo-Vilá, and Representatives Pomeroy, Boswell, Thompson of California, Udall of Colorado, Larsen of Washington, and Davis of Tennessee.

**Pages H552–53**

**Committee on Education and the Workforce:** Representative Davis of Illinois to rank immediately after Representative McCollum and Representative Van Hollen to rank immediately after Representative Majette.

**Pages H552–53**

**Committee on Government Reform:** Representatives Cooper and Bell.

**Pages H552–53**

**Committee on Science:** Representatives Sherman, Baird, Moore, Weiner, and Matheson.

**Pages H552–53**

**Committee on Small Business:** Representative Napolitano, Resident Commissioner Acevedo-Vilá, and Representatives Case, Bordallo, Marshall, and Michaud.

**Pages H552–53**

**Committee on Veterans' Affairs:** Representatives Hooley, Reyes, Strickland, Berkley, Udall of New Mexico, Davis of California, and Ryan of Ohio.

**Pages H552–53**

**Interim Expenses of the Select Committee on Homeland Security:** The House agreed to H. Res. 77, providing amounts for interim expenses of the Select Committee on Homeland Security in the first session of the One Hundred Eighth Congress.

**Page H553**

**Omnibus Appropriations Conference Report:** The House agreed to the conference report to accompany H.J. Res. 2, making further continuing appropriations for the fiscal year 2003 by a recorded vote of 338 yeas to 83 noes, Roll No. 32.

**Pages H558–H673**

Rejected the Obey motion to recommit the conference report to the committee on conference with instructions to the managers on the part of the House to (1) disagree to section 323 in Division F, expanding logging in Federal forests, (2) disagree to section 335 in Division F, preventing administrative or judicial review of the Tongass Land Management Plan, (3) reconsider its decisions on the Bureau of Land Management, Energy and Minerals Program, (4) fund, within the scope of conference, conservation

spending category items in division F, including National Park Service grants to States and U.S. Fish and Wildlife Service programs, at no less than current rate, and (5) increase funding for training, equipment, and assistance for first responders provided through the Office of Domestic Preparedness to levels as close to the levels requested by the President by a yea-and-nay vote of 193 yeas to 226 nays, Roll No. 31. **Pages H671–72**

The House agreed to H. Res. 71, the rule that waived points of order against the conference report and provided for the corrections in the enrollment of H.J. Res. 2, making further continuing appropriations for the fiscal year 2003 by voice vote. **Pages H554–58**

**Enrollment Correction:** Pursuant to the provisions of H. Res. 71, and upon the adoption of the omnibus appropriations conference report, the House was considered to have agreed to H. Con. Res. 35, directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.J. Res. 2, making further continuing appropriations for the fiscal year 2003.

**Disposition of Rules Committee Resolution:** Agreed to lay H. Res. 48, providing for consideration of H.J. Res. 18, making further continuing appropriations for the fiscal year 2003, on the table. **Page H675**

**Committee Resignation—Minority Member:** Without objection, the Chair accepted the resignation from Representative Jackson-Lee of Texas from the Committee on Science. **Page H675**

**Presidential Message—Effectiveness of the Australia Group:** Message whereby he certified pursuant to condition 7(C)(I), Effectiveness of the Australia Group, of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, that the Australia Group members continue to maintain equally effective control over exports and that it remains a viable mechanism for limiting the spread of chemical and biological weapons related materials and technology—referred to the Committee on International Relations. **Page H675**

**President's Day District Work Period:** The House agreed to H. Con. Res. 41, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page H676**

**Message from the Senate Pertaining to Conference Report and Concurrent Resolution:** Agreed that when the House adjourns today it adjourn to meet at 2 p.m. on Friday, February 14, 2003 unless it sooner has received a message or mes-

sages from the Senate transmitting both its adoption of the conference report to accompany H.J. Res. 2 and its adoption of H. Con. Res. 41, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H676**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, Feb. 26. **Page H676**

**George Washington Birthday Observance:** Agreed that it be in order for the Speaker to appoint two members of the House, one upon the recommendation of the Minority Leader, to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's Birthday to be held on Friday, February 21, 2003. **Pages H676–77**

**Speaker Pro Tempore During District Work Period:** Read a letter from the Speaker wherein he appointed Representative JoAnn Davis of Virginia or if not available to perform this duty Representative Bartlett to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 25. **Page H677**

**United States Group of the North Atlantic Assembly:** The Chair announced the Speaker's appointment of Representative Bereuter, Chairman, and Representatives Regula, Hefley, Gillmor, Goss, Ehlers, McInnis, and Bilirakis to the United States Group of the North Atlantic Assembly. **Page H680**

**Quorum Calls—Votes:** Three yea-and-nay votes and three recorded votes developed during the proceedings of the House today and appear on pages H529–30, H549–50, H551–52, H552, H671–72, and H672–73. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 9:52 p.m. pursuant to the provisions of H. Con. Res. 41, the House stands adjourned until 2 p.m. on Friday, February 14, 2003, unless it sooner has received a message or messages from the Senate transmitting both its adoption of the conference report to accompany H.J. Res. 2 and its adoption of H. Con. Res. 41, in which case the House shall stand adjourned until 2 p.m. on Tuesday, February 25, 2003, pursuant to H. Con. Res. 41.

## *Committee Meetings*

### STATE DEPARTMENT BUDGET PRIORITIES FISCAL YEAR 2004

*Committee on the Budget:* Held a hearing on the Department of State Budget priorities Fiscal Year 2004. Testimony was heard from Colin L. Powell, Secretary of State.

### MUSEUM AND LIBRARY SERVICES ACT; KEEPING CHILDREN AND FAMILIES SAFE ACT

*Committee on Education and the Workforce:* Ordered reported the following bills: H.R. 13, Museum and Library Services Act of 2003; and H.R. 14, amended, Keeping Children and Families Safe Act of 2003.

### PENSION SECURITY ACT—NEW PENSION PROTECTIONS

*Committee on Education and the Workforce:* Subcommittee on Employer-Employee Relations held a hearing on “The Pension Security Act: New Pension Protections to Safeguard the Retirement Savings of American Workers.” Testimony was heard from Ann L. Combs, Assistant Secretary, Employee Benefits Security, Department of Labor; and public witnesses.

### MISCELLANEOUS MEASURES; BUDGET VIEWS AND ESTIMATES

*Committee on Financial Services:* Ordered reported the following bills: H.R. 254, to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank; H.R. 258, amended, American 5-Cent Coin Design Continuity Act of 2003; H.R. 239, Brownfields Redevelopment Enhancement Act; H.R. 659, Hospital Mortgage Insurance Act of 2003; and H.R. 657, Emergency Securities Response Act of 2003.

The Committee also approved for submission to the Committee on the Budget a committee print entitled “Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2004.”

### COMMITTEE ORGANIZATION; OVERSIGHT PLAN; BUDGET VIEWS AND ESTIMATES

*Committee on Government Reform:* Met for organizational purposes.

The Committee also approved the following: an Oversight Plan for the 108th Congress; and Committee Budget Views and Estimates for Fiscal Year 2004 for submission to the Committee on the Budget.

### OVERSIGHT—NORTH KOREA’S NUCLEAR PROGRAM

*Committee on International Relations:* Subcommittee on Asia and the Pacific held an oversight hearing on North Korea’s Nuclear Program: The Challenge to Stability in Northeast Asia. Testimony was heard from James A. Kelly, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

### FEDERAL R&D BUDGET OVERVIEW

*Committee on Science:* Held a hearing on An Overview of the Federal R&D Budget for fiscal year 2004. Testimony was heard from John Marburger, Director, Office of Science and Technology Policy; Samuel W. Bodman, Deputy Secretary, Department of Commerce; Rita R. Colwell, Director, NSF; and Robert Card, Under Secretary, Energy, Science and Environment, Department of Energy.

### MEDICARE REGULATORY AND CONTRACTING REFORM

*Committee on Ways and Means:* Subcommittee on Health held a hearing on Medicare Regulatory and Contracting Reform. Testimony was heard from Thomas Scully, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

### FREE ELECTRONIC FILING NATIONAL TAXPAYER ADVOCATE ANNUAL REPORT

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing on Free Electronic Filing National Taxpayer Advocate Annual Report. Testimony was heard from the following officials of the IRS, Department of the Treasury: Robert Wenzel, Acting Commissioner; and Nina E. Olson, National Taxpayer Advocate; and public witnesses.

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### COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 14, 2003

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Governmental Affairs:* to hold hearings to examine the President’s proposal to create a terrorist threat integration center, including consolidating intelligence analysis, 9:30 a.m., SD-342.

#### House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, February 14

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, February 25

Senate Chamber

**Program for Friday:** Senate will continue consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

House Chamber

**Program for Tuesday:** To be announced

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