

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 2660, Labor/HHS/Education Appropriations Act.

House committees ordered reported 10 sundry measures.

The House passed H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003.

## Senate

### Chamber Action

*Routine Proceedings, pages S11263–S11364*

**Measures Introduced:** Four bills and two resolutions were introduced, as follows: S. 1603–1606 and S. Res. 222–223. **Pages S11349–50**

**Measures Passed:**

*Labor, Health and Human Services, Education Appropriations:* By a unanimous vote of 94 yeas (Vote No. 347), Senate passed 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, after taking action on the following amendments proposed thereto:

**Pages S11263–S11303, S11307–15, S11321–41**

Adopted:

By 54 yeas to 45 nays (Vote No. 334), Harkin Amendment No. 1580 (to Amendment No. 1542), to protect the rights of employees to receive overtime compensation. **Pages S11263–69**

By 51 yeas to 44 nays (Vote No. 339), Corzine Amendment No. 1602 (to Amendment No. 1542), to restore cuts in student aid. **Pages S11263, S11274–75**

Subsequently, a unanimous-consent request was granted permitting Senator Murkowski to change her nay vote to a yea vote on Vote No. 339 changing the outcome of the vote to 51 yeas to 44 nays relative to Corzine Amendment No. 1602.

**Page S11275**

Dodd Modified Amendment No. 1572 (to Amendment No. 1542), to provide additional funding for grants to States under part B of the Individuals with Disabilities Education Act.

**Pages S11263, S11273, S11275–80**

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

**Pages S11263, S11296**

DeWine Modified Amendment No. 1560 (to Amendment No. 1542), to provide funds to support open control centers. **Pages S11263, S11296**

DeWine Modified Amendment No. 1578 (to Amendment No. 1542), to provide funding for the Underground Railroad Education and Cultural Program. **Pages S11263, S11296**

Kohl Modified Amendment No. 1558 (to Amendment No. 1542), to provide additional funding for the ombudsman program for the protection of vulnerable older Americans. **Pages S11263, S11296**

Mikulski Modified Amendment No. 1552 (to Amendment No. 1542), to provide for the conduct of studies concerning the program established under the Mammography Quality Standards Act of 1992.

**Pages S11263, S11296**

Subsequently, the amendment was further modified.

Stevens (for Collins/Feingold) Amendment No. 1616 (to Amendment No. 1542), to provide additional funding for grants for innovative programs to address dental workforce needs of designated dental health professional shortage areas. **Page S11297**

Stevens (for Inhofe) Amendment No. 1617 (to Amendment No. 1542), to provide additional funding for Impact Aid programs. **Page S11297**

Stevens (for Wyden) Amendment No. 1618 (to Amendment No. 1542), to provide for a report on the availability and affordability of products developed with public funding. **Page S11297**

Stevens (for Ensign) Amendment No. 1619 (to Amendment No. 1542), to provide for annually updated educational agency level census poverty data.

**Page S11297**

Stevens (for Specter) Amendment No. 1620 (to Amendment No. 1542), to provide an offset for additional spending. **Page S11297**

Ensign Amendment No. 1621 (to Amendment No. 1542), to provide funding for statewide, longitudinal data systems under section 208 of the Education Sciences Reform Act of 2002. **Pages S11309, S11311**

Harkin (for Bingaman) Amendment No. 1624 (to Amendment No. 1542), to provide funding for the Dropout Prevention Program. **Pages S11321–24**

Cantwell Modified Amendment No. 1612 (to Amendment No. 1542), to restore funding for certain programs under the Workforce Investment Act of 1998. **Pages S11321–24**

Harkin (for Mikulski) Amendment No. 1625 (to Amendment No. 1542), to provide for the conduct of studies concerning the program established under the Mammography Quality Standards Act of 1992. **Pages S11321–24**

Harkin (for Daschle) Amendment No. 1626 (to Amendment No. 1542), to provide funds for the conduct of a grant program to strengthen local capacity on Native American reservations to screen for and treat sexually transmitted diseases. **Pages S11321–24**

Harkin (for Dodd/Lincoln) Amendment No. 1627 (to Amendment No. 1542), to provide funding for newborn and child screening for heritable disorders. **Pages S11321–24**

Harkin (for Kennedy) Amendment No. 1628 (to Amendment No. 1542), to provide funding for the mass layoff statistics program. **Pages S11321–24**

Specter (for McCain/Bayh) Amendment No. 1629 (to Amendment No. 1542), to increase funding for the Special Volunteers for Homeland Security program. **Pages S11321–24, S11327–28**

Specter (for Campbell) Amendment No. 1548 (to Amendment No. 1542), to provide for the establishment of summer health career introductory programs for middle and high school students. **Pages S11321–24**

Specter Amendment No. 1630 (to Amendment No. 1542), to provide protection for nationals and residents of the Islamic Republic of Iran who are targets of persecution. **Pages S11321–24**

Harkin (for Schumer) Amendment No. 1631 (to Amendment No. 1542), to authorize funding for the Daniel Patrick Moynihan Global Affairs Institute Act. **Pages S11321–24**

Specter (for Sessions) Amendment No. 1632 (to Amendment No. 1542), to require the Centers for Disease Control and Prevention to prepare a comprehensive plan to address blood safety and injection safety in Africa under the Global AIDS Program. **Pages S11321–24**

Harkin (for Feingold) Amendment No. 1633 (to Amendment No. 1542), to require the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Education to report to Congress on acquisitions made by each Department of articles, materials, or supplies manufactured outside the United States. **Pages S11321–24**

Harkin (for Boxer) Amendment No. 1569 (to Amendment No. 1542), to provide for a report concerning how Federal funds are expended relating to Hansen's Disease. **Pages S11321–24**

Harkin (for Hollings) Amendment No. 1634 (to Amendment No. 1542), to provide for the accurate and timely process of Medicare claims. **Pages S11321–24**

Specter (for Alexander/Dodd) Amendment No. 1635 (to Amendment No. 1542), to provide funding for the Child Abuse Prevention and Treatment Act. **Pages S11321–24**

Harkin (for Daschle) Amendment No. 1636 (to Amendment No. 1542), to provide additional funding to the Office of Minority Health to conduct a demonstration project to reduce SIDS disparity rates. **Pages S11321–24**

Harkin (for Kennedy) Amendment No. 1637 (to Amendment No. 1542), to provide funds for programs on community automatic external defibrillators. **Pages S11321–24**

Specter (for Bond/Clinton) Amendment No. 1638 (to Amendment No. 1542), to require the Department of Labor to cease the implementation of closing procedures for the Department of Labor Employment and Training Administration regional office in New York City, New York, and the Employment and Training Administration affiliate offices in Seattle, Washington, Kansas City, Missouri, and Denver, Colorado until September 30, 2004. **Pages S11321–24**

Harkin (for Feingold) Amendment No. 1639 (to Amendment No. 1542), to provide additional funding for the purchase of automatic external defibrillators and the training of individuals in cardiac life support in rural areas. **Pages S11321–24**

Reid Modified Amendment No. 1603 (to Amendment No. 1542), to increase funding for certain education and related programs. **Pages S11263, S11299–S11302, S11321–27**

Specter (for Chambliss) Amendment No. 1641 (to Amendment No. 1542), to reallocate funds within the CDC construction account. **Pages S11321–24**

Specter Amendment No. 1640 (to Amendment No. 1542), to allow continued funding of the Council on Graduate Medical Education. **Pages S11321–24**

Specter (for Roberts/Conrad) Amendment No. 1642 (to Amendment No. 1542), to provide funding

for the rural emergency medical service training and equipment assistance program. **Pages S11321–24**

Specter Amendment No. 1643 (to Amendment No. 1542), to provide an additional offset for increased spending. **Pages S11321–24**

Specter Amendment No. 1644 (to Amendment No. 1542), to provide for the issuance of rules relating to Personal Dust Monitor prototypes. **Pages S11321–24, S11328–29**

Harkin/Daschle Amendment No. 1645 (to Amendment No. 1542), to rename the NIH Muscular Dystrophy Cooperative Research (MDCRC) program in honor of the late Senator Paul D. Wellstone of Minnesota. **Pages S11329–30**

DeWine Amendment No. 1623 (to Amendment No. 1542), to increase funding for activities to prevent the mother-to-child transmission of HIV. **Pages S11321–24, S11330–31**

Specter Amendment No. 1542, in the nature of a substitute. **Pages S11263–S11303, S11307–15, S11321–31**

Rejected:

By 28 yeas to 67 nays (Vote No. 342), Durbin Amendment No. 1611 (to Amendment No. 1542), to prohibit funds appropriated in this Act from being used by the Department of Education to enforce any requirement under section 1116 of the Elementary and Secondary Education Act of 1965, or to implement penalties or sanctions under part A of title I of such Act, if the amount appropriated to carry out such part A for fiscal year 2004 is less than \$18,500,000,000. **Pages S11285–90, S11295–96**

By 7 yeas to 87 nays (Vote No. 344), Ensign Amendment No. 1585 (to Amendment No. 1542), to provide an additional \$100,000,000 to carry out the 21st Century Community Learning Centers Program under part B of title IV of the Elementary and Secondary Education Act of 1965. **Pages S11291–92, S11302–03, S11307**

Withdrawn:

Bingaman Amendment No. 1588 (to Amendment No. 1542), to increase funding for the Low Income Home Energy Assistance Program. **Pages S11297–99**

DeWine Amendment No. 1561 (to Amendment No. 1542), to provide funds to support graduate medical education programs in children's hospitals. **Pages S11263, S11331**

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

By 44 yeas to 53 nays (Vote No. 335), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Schumer Amendment No. 1598 (to Amendment No. 1542), to provide additional for programs under the Ryan White Care Act. 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 S11263, S11269–70**

By 49 yeas to 46 nays (Vote No. 336), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Reed Amendment No. 1595 (to Amendment No. 1542), to provide funding for home energy assistance needs under the Low-Income Home Energy Assistance Act of 1981. 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 S11263, S11270–72**

By 47 yeas to 49 nays (Vote No. 337), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reed Amendment No. 1592 (to Amendment No. 1542), to increase funding for immunization services. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus falls. **Pages S11263, S11272–73**

By 47 yeas to 49 nays (Vote No. 338), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Reed Amendment No. 1596 (to Amendment No. 1542), to increase funding for certain literacy, library, and museum 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 S11263, S11273–74**

By 46 yeas to 49 nays (Vote No. 340), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Boxer/Lautenberg Amendment No. 1609 (to Amendment No. 1542), to provide additional funding for afterschool programs under the Elementary and Secondary Education Act of 1965. 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 S11280–82, S11293–94**

By 49 yeas to 46 nays (Vote No. 341), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Landrieu Amendment No. 1610 (to Amendment No. 1542), to increase funding for the promoting safe and stable families 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.

**Pages S11282–85, S11294–95**

By 43 yeas to 51 nays (Vote No. 343), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Durbin Amendment No. 1613 (to Amendment No. 1542), to provide additional funding for teacher quality programs under the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 and for the Mathematics and Science Partnerships and the school leadership program under the Elementary and Secondary Education Act of 1965. 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 S11290–91, S11302**

By 46 yeas to 49 nays (Vote No. 345), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 504 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Landrieu Amendment No. 1614 (to Amendment No. 1542), to provide additional funds for programs relating to West Nile Virus and to fund the Mosquito Abatement for Safety and Health Act. 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 S11292–93, S11308–09**

By 52 yeas to 43 nays (Vote No. 346), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 502(c)(5) of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Specter Amendment No. 1622 (to Amendment No. 1542), to increase funding for the National Institutes of Health.

Subsequently, a point of order that the emergency designation provision would violate section 502(c)(5) of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point of order that the amendment would exceed the subcommittee's 302(b) allocation and the amendment thus falls.

**Pages S11309–11, S11311–15**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Specter, Cochran, Gregg, Craig, Hutchison, Stevens, DeWine, Shelby, Domenici, Harkin, Hollings, Inouye, Reid, Kohl, Murray, Landrieu, and Byrd.

**Page S11341**

**FCC Media Ownership—Agreement:** A unanimous-consent agreement was reached providing that at 1 p.m., on Thursday, September 11, 2003, Senate will consider S.J. Res. 17, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership, with three hours of debate; following which, Senate will resume consideration of the resolution at 4:30 p.m., on Monday, September 15, 2003, with 60 minutes of debate remaining, the bill be read a third time, and a vote occur on final passage.

**Page S11315**

**Energy and Water Development Appropriations Agreement:** A unanimous-consent agreement was reached providing that following consideration of S.J. Res. 17 (listed above), on Thursday, September 11, 2003, Senate will consider H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004.

**Page S11315**

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

Transmitting, pursuant to law, a report relative to the national emergency with respect to the terrorist attacks of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs. (PM–48)

**Page S11345**

**Nominations Received:** Senate received the following nominations:

Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2004. (Reappointment)

Roger Walton Ferguson, Jr., of Massachusetts, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years. (Reappointment)

Routine lists in the Army, Coast Guard.

**Pages S11315–20**

**Messages From the House:**

**Page S11345**

Measures Placed on Calendar:	Page S11345
Additional Cosponsors:	Page S11350
Statements on Introduced Bills/Resolutions:	Pages S11351–55
Additional Statements:	Pages S11344–45
Amendments Submitted:	Pages S11355–61
Authority for Committees to Meet:	Page S11361
Privilege of the Floor:	Page S11361
Record Votes: Fourteen record votes were taken today. (Total—347)	Pages S11269–70, S11272–75, S11294–96, S11302, S11307–09, S11315, S11341

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 8:54 p.m., until 8:30 a.m., on Thursday, September 11, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11315.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Finance:* Committee ordered favorably reported the following bills:

H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, with an amendment in the nature of a substitute; and

S. 622, to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid

program for such children, with an amendment in the nature of a substitute.

### 2003 BLACKOUTS

*Committee on Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing on the cause of the August 2003 Northeast blackouts, and the response and role of the federal government to ensure that blackouts of this magnitude do not occur again, focusing on the U.S.-Canada Power Outage Task Force investigation into the August 14th blackout, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy; Pat Wood III, Chairman, Federal Energy Regulatory Commission; Alan R. Schriber, Public Utilities Commission of Ohio, Columbus; James Y. Kerr II, North Carolina Utilities Commission, Raleigh; James P. Torgerson, Midwest Independent Transmission System Operator, Inc., Carmel, Indiana; William J. Museler, New York Independent System Operator, Schenectady; and Mark N. Cooper, Consumer Federation of America, and Craig A. Glazer, PJM Interconnection, L.L.C., both of Washington, D.C.

### TERRORISM

*Committee on the Judiciary:* Subcommittee on Technology, Terrorism, and Government Information concluded a hearing to examine terrorism two years after 9/11, focusing on institutionalized Islam, Saudi Arabia, and foreign sponsorship of a militant Islamic agenda in the United States, after receiving testimony from Simon Henderson, Saudi Strategies, London, United Kingdom; and Matthew Epstein, The Investigative Project, Washington, D.C.

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# House of Representatives

## Chamber Action

**Measures Introduced:** 21 public bills, H.R. 3054–3074 and; 4 resolutions, H. Con. Res. 276–277, and H. Res. 365–366 were introduced.

Pages H8174–75

**Additional Cosponsors:** Pages H8175–76

**Reports Filed:** Reports were filed as follows:

Supplemental report on H.R. 1038, to increase the penalties to be imposed for a violation of fire regulations applicable to the public lands, National Park System lands, or National Forest System lands when the violation results in damage to public or

private property, to specify the purpose for which collected fines may be used, (H. Rept. 108–218, Pt. 2).

Page H8174

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

Page H8089

**Chaplain:** The prayer was offered today by the Reverend Dr. Kathryn A. Towne, President, Life in Faith and Trust Ministries in Lakewood Colorado.

Page H8089

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