

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2989, Transportation/Treasury Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S13067–S13185

Measures Introduced: Nine bills and five resolutions were introduced, as follows: S. 1776–1784, S.J. Res. 20, S. Res. 250–252, and S. Con. Res. 75.

Page S13134

Measures Reported:

S. 1400, to develop a system that provides for ocean and coastal observations, to implement a research and development program to enhance Security at United States ports, to implement a data and information system required by all components of an integrated ocean observing system and related research, with an amendment in the nature of a substitute. (S. Rept. No. 108–171)

S. 269, to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species, with amendments. (S. Rept. No. 108–172)

S. Res. 239, designating November 7, 2003, as “National Native American Veterans Day” to honor the Service of Native Americans in the United States Armed Forces and the contribution of Native Americans to the defense of the United States.

S. Res. 240, designating November 2003 as “National American Indian Heritage Month”.

S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, with an amendment in the nature of a substitute.

S. 1743, to permit reviews of criminal records of applicants for private Security officer employment.

Page S13133

Measures Passed:

Transportation/Treasury Appropriations Act: By 91 yeas to 3 nays (Vote No. 410), Senate passed H.R. 2989, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending Sep-

tember 30, 2004, after taking action on the following amendments proposed thereto:

Pages S13076–S13124

Adopted:

Shelby/Murray Amendment No. 1899, in the nature of a substitute. (Amendment, as agreed to, will be considered original text for the purpose of further amendment.)

Page S13079

Craig Amendment No. 1901 (to Amendment No. 1900), of a perfecting nature.

Pages S13079–87

Dorgan Amendment No. 1900, to prohibit the enforcement of the ban on travel to Cuba. (By 36 yeas to 59 nays (Vote No. 405), Senate earlier failed to table the amendment.)

Pages S13079–87

Harkin Amendment No. 1905, to prohibit the Internal Revenue Service from using funds to go forward with its proposed cash balance regulation.

Pages S13089–91

By 95 yeas to 1 nay (Vote No. 407), Thomas/Voinovich Amendment No. 1923, to substitute a requirement for an annual report on competitive Sourcing activities on lists required under the Federal Activities Inventory Reform Act of 1998 that are performed for executive agencies by Federal Government sources.

Pages S13101–05

Dodd Amendment No. 1928, to fund the Election Assistance Commission for fiscal year 2004.

Pages S13106–12

Shelby (for Durbin) Amendment No. 1936, to insert a provision relating to notification information concerning pharmacy services.

Page S13116

Shelby (for Chambliss) Amendment No. 1937, to make a technical correction.

Page S13117

Shelby (for Feinstein) Amendment No. 1938, to modify section 130 to extend the prohibition under that section to the use of funds to provide maximum hours of service for certain drivers engaged for motion picture or television production.

Page S13117

Shelby (for Bingaman) Amendment No. 1939, to prohibit the obligation of funds for the establishment or implementation of an EAS local participation pilot program.

Pages S13117–18

Shelby (for Bayh) Amendment No. 1940, to expand aviation capacity and alleviate congestion in the greater Chicago metropolitan area. **Page S13118**

Shelby (for Reid/Murray) Amendment No. 1941, to require notice of regulations relating to travel agent service fees. **Page S13118**

Shelby (for Hollings) Amendment No. 1942, to modify a Federal share for a specific project under 49 U.S.C. 5307. **Page S13118**

Shelby (for Murray) Amendment No. 1943, to clarify the use of GSA funds. **Page S13118**

Shelby (for Reed) Amendment No. 1944, to provide that no funds may be used to remove any area within a locality pay area established under section 5304 of title 5, United States Code, from coverage under that locality pay area. **Page S13118**

Shelby (for Levin) Amendment No. 1945, to make certain technical modifications to previous transportation acts. **Pages S13118–19**

Shelby (for Specter) Amendment No. 1947, to clarify that allocated funds may be used for the Corridor One Light Rail Project. **Page S13120**

Shelby (for Carper/Biden) Amendment No. 1948, to express the Sense of the Senate that the Secretary of Transportation must consider the impact on northern Delaware of aircraft noise related to the Philadelphia International Airport Capacity Enhancement Program. **Page S13120**

Shelby (for Grassley) Amendment No. 1949, to provide that none of the funds appropriated or made available under this Act may be used to implement proposed regulations relating to the detail of executive branch employees to the legislative branch. **Pages S13120–21**

Shelby (for Stevens) Amendment No. 1950, to provide funds for the operation of the Midway Atoll Airfield by the Federal Aviation Administration pursuant to an operational agreement with the Department of the Interior. **Page S13121**

Shelby (for Lott) Amendment No. 1951, to set aside an amount for air traffic control facilities, John C. Stennis International Airport, Hancock County, Mississippi. **Page S13121**

Shelby (for Roberts) Amendment No. 1952, to provide that unexpended funds made available for improvements to Council Grove Lake, Kansas, may be used to make improvements to Richey Cove, Santa Fe Recreation Area, Canning Creek Recreation Area, and other areas in the State of Kansas. **Page S13121**

Shelby (for Landrieu) Amendment No. 1953, to require the Internal Revenue Service to conduct a study on the earned income tax credit pre-certification program. **Page S13121**

Shelby (for Hutchison) Amendment No. 1954, to set aside funds made available for Texas State-wide

ITS Deployment and Integration for the deployment and integration of Intelligent Transportation Systems at Port of Galveston, Texas, and City of Lubbock, Texas. **Page S13121**

Shelby (for Thomas) Amendment No. 1955, to provide clarifying language that instructs the Federal Highway Administration to extend through February 29, 2004, existing research contracts funded under the TEA–21. **Page S13121**

Shelby (for Thomas) Amendment No. 1956, to provide for the acquisition of an ASR–11 radar for the Jackson Hole, Wyoming Airport. **Page S13121**

Shelby (for Lautenberg) Amendment No. 1957, to provide funds for the FAA Technical Center. **Page S13121**

Shelby (for Frist) Amendment No. 1958, to provide funding for the Memphis Medical Center light rail extension project. **Page S13121**

Shelby (for Warner/Jeffords) Amendment No. 1959, to make available from amounts available for the Federal Highway Administration for the Transportation and Community and System Pilot Preservation Program, \$850,000 for interior air quality demonstration activities at the Bristol, Virginia, control facility to evaluate Standard industrial fuel system performance and efficiency with drive-by-wire engine management and emissions systems. **Pages S13121–22**

Shelby (for Warner) Amendment No. 1960, to provide funding for Intelligent transportation System Research. **Page S13122**

Shelby (for Murray/Hollings) Amendment No. 1961, to provide funding for improvements to Bowman Road and Johnnie Dodds Boulevard, Highway 17, Mt. Pleasant, South Carolina. **Page S13122**

Shelby (for Frist) Amendment No. 1962, relative to the Memphis-Shelby International Airport intermodal facility. **Page S13122**

Shelby (for Chambliss/Miller) Amendment No. 1963, to provide from amounts available for Lee Gilmer Memorial Airport, Gainesville, Georgia. **Page S13122**

McConnell (for Collins) Amendment No. 1964, to limit the use of funds for converting to contractor performance of executive agency activities and functions. **Page S13124**

Rejected:

Feingold Amendment No. 1904, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2003. (By 60 yeas to 34 nays (Vote No. 406), Senate tabled the amendment.) **Pages S13087–89**

By 47 yeas to 48 nays (Vote No. 408), Mikulski Amendment No. 1917, to prohibit the use of funds

for implementing the 2003 revision of Office of Management and Budget Circular A-76.

Pages S13091-S13101, S13105-06

Withdrawn:

Shelby (for Akaka) Amendment No. 1946, to prohibit the use of funds for the Debt Indicator program.

Pages S13119-20

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

By yeas 63 and nays 31 (Vote No. 409), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive Section 302(f) of the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 1928, to fund the Election Assistance Commission for fiscal year 2004. The point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 was not sustained.

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 Shelby, Specter, Bond, Bennett, Campbell, Hutchison, DeWine, Brownback, Stevens, Murray, Byrd, Mikulski, Reid, Kohl, Durbin, Dorgan, and Inouye.

International Religious Freedom Day: Senate agreed to S. Res. 251, designating October 27, 2003, as "International Religious Freedom Day".

Page S13183

Recognizing Dr. Samuel D. Harris National Museum of Dentistry: Senate passed H.J. Res. 52, recognizing the Doctor Samuel D. Harris National Museum of Dentistry, an affiliate of the Smithsonian Institution in Baltimore, Maryland, as the official national museum of dentistry in the United States, clearing the measure for the President.

Pages S13183-84

National Cancer Prevention Month: Senate agreed to S. Res. 252, designating the month of February 2004 as "National Cancer Prevention Month".

Page S13184

National Consumer Credit Reporting System Improvement Act Agreement: A unanimous-consent agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, but not before Monday, October 27, 2003, Senate proceed to the consideration of S. 1753, to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to limit the Sharing of certain consumer information, to improve financial education and literacy.

Page S13124

Nomination Considered: Senate began consideration of the nomination of Michael O. Leavitt, of Utah, to be Administrator of the Environmental Protection Agency.

Pages S13182-83

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 5:30 p.m., on Monday, October 27, 2003.

Pages S13182-83

Nominations Received: Senate received the following nominations:

Carol Kinsley, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2006.

Routine lists in the Air Force.

Page S13185

Messages From the House:

Page S13132

Measures Read First Time:

Page S13132

Enrolled Bills Presented:

Page S13132

Executive Communications:

Pages S13132-33

Executive Reports of Committees:

Pages S13133-34

Additional Cosponsors:

Pages S13134-35

Statements on Introduced Bills/Resolutions:

Pages S13135-49

Additional Statements:

Pages S13131-32

Amendments Submitted:

Pages S13149-50

Notices of Hearings/Meetings:

Page S13175

Authority for Committees to Meet:

Page S13176

Privilege of the Floor:

Page S13176

Record Votes: Six record votes were taken today. (Total-410)

Pages S13087, S13089, S13105, S13106, S13112, S13123

Adjournment: Senate met at 9:30 a.m., and adjourned at 8:22 p.m., until 9:30 a.m., on Friday, October 24, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13185.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nomination of Maj. Gen. Robert T. Clark for appointment in the United States Army to the grade of Lieutenant General.

HOUSING GSE'S

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals

for improving the regulation of the Housing government-sponsored enterprises (GSEs), focusing on regulatory independence, the exposure of taxpayers to risks from the GSEs, and including regulation of the Federal Home Loan Banks, Fannie Mae, and Freddie Mac, after receiving testimony from John T. Korsmo, Chairman, Federal Housing Finance Board; Armando Falcon, Jr., Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; Douglas Holtz-Eakin, Director, Congressional Budget Office; John D. Koch, Charter One Bank, Cleveland, Ohio, on behalf of America's Community Bankers; Dale J. Torpey, Federation Bank, Washington, Iowa, on behalf of the Independent Community Bankers of America; Allen J. Fishbein, Consumer Federation of America, and Robert M. Couch, Mortgage Bankers Association, both of Washington, D.C.; and Iona C. Harrision, Realty Executives—Main Street, U.S.A., Upper Marlboro, Maryland, on behalf of the National Association of Realtors.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Roger Walton Ferguson, Jr., of Massachusetts, to be Vice Chairman of the Board of Governors of the Federal Reserve System, Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System, and Paul S. Atkins, of Virginia, to be a Member of the Securities and Exchange Commission.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Karen K. Bhatia, of Maryland, to be an Assistant Secretary of Transportation, Gwendolyn Brown, of Virginia, to be Chief Financial Officer, National Aeronautics and Space Administration, Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, and certain nominations for promotion in the U.S. Coast Guard.

RAILROAD COMPETITION ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded a hearing to examine railroad shipper issues and S. 919, to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates, after receiving testimony from Roger Nober, Chairman, Surface Transportation Board, Department of Transportation; Edward R. Hamberger, Association of American Railroads, Washington, D.C.; Terry C. Whiteside,

Whiteside and Associates, Billings, Montana, on behalf of several farm producer groups; Charles E. Platz, Basell North America, Inc., Wilmington, Delaware, on behalf of the Consumers United for Rail Equity and the American Chemistry Council; and Randall Linville, The Scoular Company, Overland Park, Kansas.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism, with amendment in the nature of a substitute; and

S. 1757, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, with an amendment.

COMPANY OWNED LIFE INSURANCE

Committee on Finance: Committee concluded a hearing to examine current-federal tax treatment, proposals, and issues relating to company owned life insurance, focusing on the uses of corporate-owned life insurance, identify where any problems might exist, and suggest how those problems should be addressed, after receiving testimony from Gregory F. Jenner, Deputy Assistant Secretary of the Treasury for Tax Policy; Davi M. D'Agostino, Director, Financial Markets and Community Investment, General Accounting Office; Frank Keating, American Council of Life Insurers, and Andrew D. Pike, American University Washington College of Law, both of Washington, D.C.; Robert Plybon, Association for Advanced Life Underwriting, Falls Church, Virginia; and Spencer Tillman, Sugar Land, Texas.

VISA REFORMS

Committee on Foreign Relations: Subcommittee on International Operations and Terrorism concluded a hearing to examine how to achieve the necessary security improvements in a global environment relating to the post-9/11 visa reforms and new technology, focusing on the economic impact of tourism, travel by students and scholars, and the negative perception of U.S. visa policies, after receiving testimony from C. Stewart Verdery, Jr., Assistant Secretary of Homeland Security for Policy, Border, and Transportation Security; Janice L. Jacobs, Deputy Assistant Secretary of State for Consular Affairs; David M. Hardy, Acting Assistant Director, Records Management Division, Federal Bureau of Investigation, Department of Justice; William C. Oberlin, American Chamber of Commerce in Korea and Boeing International Corporation, Seoul, Korea; John Aber, University of New Hampshire, Durham; and

Jose Estorino, Orlando/Orange County Convention and Visitors Bureau, Orlando, Florida, on behalf of the Travel Industry Association of America.

PRESCRIPTION DRUGS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine State and federal oversight to ensure the safety and quality of drug compounding—the process of mixing, combining, or altering ingredients to create a customized medication for an individual patient—by pharmacies, after receiving testimony from Janet Heinrich, Director, Health Care-Public Health Issues, General Accounting Office; Steven K. Galson, Acting Director, Center for Drug Evaluation and Research, Food and Drug Administration, Department of Health and Human Services; Sarah L. Sellers, Center for Pharmaceutical Safety, Barrington, Illinois; Daniel A. Herbert, Richmond, Virginia, on behalf of the American Pharmacists Association; Kevin Kinkade, Missouri Board of Pharmacy, Jefferson City; and William P. Kennedy, Nephron Pharmaceuticals Corporation, Orlando, Florida.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1545, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to

permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents, with an amendment in the nature of a substitute;

S. 1743, to permit reviews of criminal records of applicants for private Security officer employment;

S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice Systems, with an amendment in the nature a substitute;

S. Res. 239, designating November 7, 2003, as “National Native American Veterans Day” to honor the Service of Native Americans in the United States Armed Forces and the contribution of Native Americans to the defense of the United States;

S. Res. 240, designating November 2003 as “National American Indian Heritage Month”; and

The nominations of Dale S. Fischer, to be United States District Judge for the Central District of California, and Gary L. Sharpe, to be United States District Judge for the Northern District of New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 10 a.m. on Friday, October 24 in a pro forma session and at 12:30 p.m. on Tuesday, October 28 for morning hour debate.

Committee Meetings

OPEN FOR BUSINESS—ENSURING SAFETY AT FORMER BRENTWOOD POSTAL FACILITY

Committee on Government Reform: Held a hearing entitled “Open for Business: Ensuring Employee and Customer Safety at the Former Brentwood Postal Facility.” Testimony was heard from Bernard L. Unger, Director, Physical Infrastructure Issues, Comptroller General, GAO; R. Davis Layne, Deputy Assistant Secretary, Occupational Safety and Health Adminis-

tration, Department of Labor; the following officials of the U.S. Postal Service: Thomas Day, Vice President, Engineering; and Jerry Lane, Manager, Capitol Metro Operations; Theodore J. Gordon, Senior Deputy Director, Environmental Health Science and Regulation, Department of Health, District of Columbia; and public witnesses.

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 24, 2003

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are Scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, October 24

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, October 24

Senate Chamber

House Chamber

Program for Friday: After the transaction of any morning business (not to extend beyond 10 a.m.), Senate may consider H.R. 2800, Foreign Operations Appropriations Act.

Program for Friday: Pro forma session.



Congressional Record

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