

Daily Digest

HIGHLIGHTS

- The House passed H.R. 3550, Transportation Equity Act: A Legacy for Users.
- The House agreed to the conference report on H.R. 3108, Pension Funding Equity Act of 2003.
- The House agreed to H. Con. Res. 404, providing for an adjournment or recess of the two Houses.

Senate

Chamber Action

Routine Proceedings, pages S3599–S3622

Measures Introduced: Two resolutions were submitted, as follows: S. Res. 329–330. **Page S3605**

Measures Passed:

Ricin Claims Authorization: Senate agreed to S. Res. 329, authorizing the Sergeant at Arms and Doorkeeper of the Senate to ascertain and settle claims arising out of the discovery of lethal ricin powder in the Senate Complex. **Page S3610**

Standards Development Organization Advancement Act: Senate passed H.R. 1086, to encourage the development and promulgation of voluntary consensus standards by providing relief under the anti-trust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S3610–19**

McConnell (for Hatch/Leahy) Amendment No. 3010, in the nature of a substitute. **Page S3619**

Pregnancy and Trauma Care Access Protection Act: Senate began consideration of the motion to proceed to consideration of S. 2207, to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services. **Pages S3599–S3600**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII

of the Standing Rules of the Senate, a vote on cloture will occur at 2:15 p.m., on Wednesday, April 7, 2004. **Pages S3599–S3600, S3609**

Subsequently, the motion to proceed was withdrawn. **Page S3600**

Additional Cosponsors: **Page S3605**

Statements on Introduced Bills/Resolutions: **Pages S3605–07**

Additional Statements: **Pages S3604–05**

Amendments Submitted: **Pages S3607–09**

Authority for Committees to Meet: **Page S3609**

Adjournment: Senate convened at 9 a.m., and adjourned at 11:24 a.m., until 1 p.m., on Monday, April 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3619.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the Department of Defense Counternarcotics Program, after receiving testimony from Thomas W. O'Connell, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Rear Admiral Bruce W. Clingan, USN, Deputy Director of Operations, U.S. Central Command; and Brigadier General Benjamin R. Mixon, USA, Director for Operations, U.S. Southern Command.

House of Representatives

Chamber Action

Measures Introduced: 43 public bills, H.R. 4127–4169; and; 7 resolutions, H.J. Res. 92; H. Con. Res. 404–406, and H. Res. 595–597 were introduced. **Pages H2151–53**

Additional Cosponsors: **Pages H2154–55**

Reports Filed: Reports were filed today as follows:

H.R. 27, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, amended (H. Rept. 108–458);

H.R. 3818, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, amended (H. Rept. 108–459);

H.R. 3266, to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes, amended (H. Rept. 108–460, Pt. 1); and

H.R. 3866, to amend the Controlled Substances Act to provide increased penalties for anabolic steroid offenses near sports facilities, and for other purposes, amended (H. Rept. 108–461, Pt. 1). **Page H2151**

Speaker: Read a letter from the Speaker wherein he appointed Representative Nethercutt to act as Speaker Pro Tempore for today. **Page H2065**

Transportation Equity Act—A Legacy for Users: The House passed H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs by a yea-and-nay vote of 357 yeas to 65 nays, Roll No. 114. The bill was also considered on Thursday, April 1. **Pages H2066–H2122**

The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendments printed in part A of H. Rept. 108–456 was considered as adopted and the bill as amended was considered as the original bill for the purpose of further amendment. **Page H2083**

Point of order sustained against the Davis of Tennessee motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with amendments. **Pages H2083–H2121**

Rejected a second motion offered by Representative Davis of Tennessee to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the

House promptly with amendments, by a recorded vote of 198 ayes to 225 noes, Roll No. 113. **Page H2121**

Agreed to:

Petri amendment (considered under a unanimous consent agreement) that makes technical changes to sections 3037(c) and 3038; and **Page H2066**

Kennedy of Minnesota amendment No. 22 printed in H. Rept. 108–456 that repeals the authority to indefinitely charge tolls on existing highway lanes, replacing it with language that allows tolls only on new voluntary-use lanes, with revenues dedicated to new highway capacity (agreed to by a recorded vote of 231 ayes to 193 noes, Roll No. 111). **Pages H2066–70, H2081–82**

Rejected:

Bradley amendment No. 20 printed in H. Rept. 108–456, that was debated on Thursday, April 1, that sought to increase the allowable weight of vehicles permitted to travel on interstate highways 93 and 89, in New Hampshire, from 80,000 to 99,000 pounds and instructs the New Hampshire Department of Transportation to conduct a study to discern the economic, safety and infrastructure impact to the exemption (rejected by a recorded vote of 90 ayes to 334 noes, Roll No. 110); and **Pages H2080–81**

Isakson amendment No. 23 printed in H. Rept. 108–456 that sought to include high priority projects and projects of national regional significance under the Minimum Guarantee, consistent with current law (rejected by a recorded vote of 170 ayes to 254 noes, Roll No. 112). **Pages H2070–76, H2082**

Agreed that the Clerk of the House be authorized to make technical and conforming changes to the bill. **Page H2122**

General debate on the bill proceeded according to a unanimous consent agreement reached on Tuesday, March 30 and it was agreed today that the period of further general debate contemplated in the previous order of the House be in order before the conclusion of the consideration of the bill for amendment. **Page H2076**

Further consideration of the bill proceeded according to H. Res. 593 which was agreed to on Thursday, April 1. **Pages H2076–77**

Pension Funding Equity Act of 2003: The House agreed to the conference report to accompany H.R. 1308, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and

other provisions, by a recorded vote of 336 ayes to 69 noes, Roll No. 117. **Pages H2123–32**

Rejected the Andrews motion to recommit the conference report to the committee of conference with instructions by a yea-and-nay vote of 195 yeas to 217 nays, Roll No. 116. **Pages H2131–32**

Spring District Work Period: The House agreed to H. Con. Res. 404, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate, by a recorded vote of 211 ayes to 201 noes, Roll No. 115. **Pages H2122–23**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 4 p.m. on Tuesday, April 6, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 404, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Pages H2132–33**

Late Report: Agreed that the Committee on the Judiciary have until midnight on Friday, April 2 to file a report on H.R. 3866.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf or, if not available to perform this duty, Representative Tom Davis to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 20, 2004. **Page H2133**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 7. **Page H2133**

Senate Messages: Messages received from the Senate today appear on pages H2065 and H2132.

Senate Referral: S.J. Res. 28 was referred to the Committee on Armed Services. **Page H2149**

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings today and appear on pages H2081, H2081–82, H2082, H2121, H2121–22, H2123, H2131–32, and H2132. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 4:11 p.m., pursuant to the provisions of H. Con. Res. 404, the House stands adjourned until 4 p.m. on Tuesday, April 6, unless it sooner receives a message from the Senate transmitting its concurrence in H. Con. Res. 404, in which case the House shall stand adjourned until 2 p.m. on Tuesday, April 20.

Committee Meetings

SAFE DRINKING WATER ACT AMENDMENTS—REAUTHORIZE NEW YORK CITY WATERSHED PROTECTION PROGRAM

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials approved for full Committee action H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from Representatives Towns and Kelly; Walter E. Mugdan, Director, Division of Environmental Planning and Protection, Region 2, EPA; Erin M. Crotty, Commissioner, Department of Environmental Conservation, State of New York; and a public witness.

SPECIAL PROGRAMS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Special Programs Budget. Testimony was heard from departmental witnesses.

Joint Meetings

EMPLOYMENT SITUATION

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for March 2004, focusing on economic growth, business activity in the manufacturing and service industries, the Gross Domestic Product (GDP), job creation and loss, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D342)

H.R. 1997, to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder. Signed on April 1, 2004. (Public Law 108–212).

H.R. 3724, to amend section 220 of the National Housing Act to make a technical correction to restore allowable increases in the maximum mortgage limits for FHA-insured mortgages for multifamily housing projects to cover increased costs of installing a solar energy system or residential energy conservation measures. Signed on April 1, 2004. (Public Law 108–213).

S. 1881, to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments by the Medical Device User Fee

and Modernization Act of 2002. Signed on April 1, 2004. (Public Law 108–214).

CONGRESSIONAL PROGRAM AHEAD

Week of April 5 through April 10, 2004

Senate Chamber

On *Monday*, at 1 p.m., Senate will be in a period of morning business.

On *Tuesday*, program has not been announced.

On *Wednesday*, Senate will resume consideration of the motion to proceed to consideration of S. 2207, Pregnancy and Trauma Care Protection Act; with a vote on the motion to invoke cloture thereon to occur at 2:15 p.m.

During the balance of the week, Senate may consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 6, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Veterans Affairs, 2 p.m., SD–192.

April 7, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2005 for National Guard and Reserve programs, 10 a.m., SD–192.

April 7, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine tax law enforcement and information technology challenges at the Internal Revenue Service, 10 a.m., SD–138.

April 7, Subcommittee on Military Construction, to hold hearings to examine proposed budget estimates for fiscal year 2005 for Army and Navy military construction programs, 2:30 p.m., SD–138.

April 7, Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2005 for programs under its jurisdiction, 3:30 p.m., SD–192.

April 8, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2005 for Corporation for National and Community Service programs, 10 a.m., SD–628.

April 8, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Office of the Architect of the Capitol and the Office of the Secretary of the Senate, 11 a.m., SD–138.

April 8, Subcommittee on Foreign Operations, to hold hearings to examine proposed budget estimates for fiscal year 2005 for foreign operations, 2:30 p.m., SD–124.

Committee on Armed Services: April 7, Subcommittee on Strategic Forces, to hold hearings to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on defense intelligence programs and lessons learned in recent military operations, 10 a.m., SR–222.

April 8, Full Committee, to hold hearings, in closed session, to examine military implications of the United Nations Convention on the Law of the Sea; to be followed by an open session at 10 a.m. in SD–106, 9:30 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: April 7, to hold hearings to examine the National Bank Preemption Rules, 2 p.m., SD–538.

April 8, Full Committee, to resume hearings to examine current investigations and regulatory actions regarding the mutual fund industry, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: April 7, business meeting to consider pending calendar business, 9:30 a.m., SR–253.

April 7, Subcommittee on Science, Technology, and Space, to hold hearings to examine near earth objects, 2:30 p.m., SR–253.

April 7, Subcommittee on Oceans, Fisheries and Coast Guard, to hold an oversight hearing to examine U.S. Coast Guard activities, 2:30 p.m., SR–428A.

April 8, Full Committee, business meeting to consider pending calendar business, 11 a.m., SR–253.

Committee on Energy and Natural Resources: April 8, Subcommittee on National Parks, to hold hearings to examine National Park Service concessions program, including implementation of the National Park Service Concessions Management Improvement Act (Public Law 105–391), 2:30 p.m., SD–366.

Committee on Environment and Public Works: April 6, Subcommittee on Fisheries, Wildlife, and Water, to hold hearings to examine S. 1366, to authorize the Secretary of the Interior to make grants to State and tribal governments to assist State and tribal efforts to manage and control the spread of chronic wasting disease in deer and elk herds, 9:30 a.m., SD–406.

April 7, Subcommittee on Fisheries, Wildlife, and Water, to hold an oversight hearing to examine the detection of lead in District of Columbia drinking water, focusing on needed improvements in public communications and the status of short-and long-term solutions, 2:30 p.m., SD–406.

Committee on Finance: April 7, to hold hearings to examine strategies to improve access to Medicaid home and community based services, 10 a.m., SD–215.

Committee on Foreign Relations: April 7, to hold hearings to examine the United Nations oil-for-food program, 9:30 a.m., SD–419.

April 7, Subcommittee on African Affairs, to hold hearings to examine fighting HIV/AIDS in Africa; to be followed by a nominations hearing, 2:30 p.m., SD–419.

April 8, Subcommittee on European Affairs, to hold hearings to examine anti-Semitism, 2:30 p.m., SD–419.

Committee on Governmental Affairs: April 7, to resume hearings to examine U.S. Postal Service reform issues, focusing on the chairmen's perspective on governance and rate-setting, 10 a.m., SD–342.

April 7, Financial Management, the Budget, and International Security, to hold hearings to examine S. 346, to amend the Office of Federal Procurement Policy Act to establish a governmentwide policy requiring competition

in certain executive agency procurements, 2 p.m., SD-342.

April 8, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine implementing the Medicare Prescription Drug Program, 9:30 a.m., SD-342.

Committee on Indian Affairs: April 7, business meeting to consider pending calendar business, 10 a.m., SR-485.

Committee on the Judiciary: April 7, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine a proposal to split the Ninth Circuit, 10 a.m., SD-226.

April 7, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine crude oil relating to higher gas prices, 2:30 p.m., SD-226.

April 8, Full Committee, to hold hearings to examine the nominations of Robert Bryan Harwell, to be United

States District Judge for the District of South Carolina, George P. Schiavelli, to be United States District Judge for the Central District of California, William Duane Benton, of Missouri, to be United States Circuit Judge for the Eighth Circuit, and Curtis V. Gomez, to be Judge for the District Court of the Virgin Islands, 10 a.m., SD-226.

April 8, Full Committee, to hold hearings to examine safety concerns of America's Mass Transportation System, 2:30 p.m., SD-226.

House Chamber

The House will not be in session.

House Committees

No committee meetings are scheduled.

Next Meeting of the SENATE

1 p.m., Monday, April 5

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, April 20

Senate Chamber

Program for Monday: Senate will be in a period of morning business.

House Chamber

Program for Tuesday, April 20: To be announced.

Extensions of Remarks, as inserted in this issue

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