

Daily Digest

HIGHLIGHTS

Senate passed S. 1637, Jumpstart Our Business Strength (JOBS) Act.

Senate

Chamber Action

Routine Proceedings, pages S5171–S5240

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 2400–2411, and S. Con. Res. 106. **Page S527**

Measures Reported:

S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services. (S. Rept. No. 108–260)

S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism, with an amendment in the nature of a substitute. (S. Rept. No. 108–261)

H.R. 3104, To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.

S. 441, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouses in that county, with an amendment in the nature of a substitute.

S. 2286, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

S. 2401, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces.

S. 2402, to authorize appropriations for fiscal year 2005 for military construction.

S. 2403, to authorize appropriations for fiscal year 2005 for defense activities of the Department of Energy. **Pages S5226–27**

Measures Passed:

Jumpstart Our Business Strength (Jobs) Act: By 92 yeas to 5 nays (Vote No. 91), Senate passed S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, after taking action on the following amendments proposed thereto:

Pages S5179–90, S5191–S5218

Adopted:

Landrieu Amendment No. 3123, to improve the credit for Ready Reserve-National Guard employees, to provide a credit for replacement employees of Ready Reserve-National Guard employees called to active military duty, and for other purposes.

Pages S5200–04

Hutchison Amendment No. 3138, to make certain engineering and architectural services eligible for the deduction relating to income attributable to United States production activities and to limit an employer's deduction for entertainment expenses of covered employees to the amount which the employee includes in income.

Pages S5199–S5200, S5204–05

Levin Modified Amendment No. 3120, to restrict the use of abusive tax shelters to inappropriately avoid Federal taxation.

Pages S5213–16

Grassley Amendment No. 3133, to provide for certain technical corrections.

Page S5217

Grassley (for Nickles) Modified Amendment No. 3040, to treat electric transmission property as 15-year property.

Pages S5217–18

Grassley Amendment No. 3143, to make certain improvements to the bill.

Page S5218

Subsequently, the amendment was modified.

Page S5220

Rejected:

By 13 yeas to 85 nays (Vote No. 89), McCain Amendment No. 3129, to strike provisions relating to energy tax incentives. **Pages S5186–90, S5193**

By 23 yeas to 74 nays (Vote No. 90), Hollings Amendment No. 3134, to strike the international tax provisions that are unrelated to the FSC/ETI repeal and eliminate the phase-in of the deduction for qualified production activities income. **Pages S5194–99**

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

By 90 yeas to 8 nays (Vote No. 87), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S5184**

By 59 yeas to 40 nays (Vote No. 88), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. Subsequently, the point of order that the amendment increases mandatory spending and would cause an increase in the deficit in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Pages S5184–86**

IDEA—Agreement: A unanimous-consent agreement was reached providing for consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, at approximately 10:30 a.m., on Wednesday, May 12, 2004. **Page S5240**

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

Transmitting, pursuant to law, the notification of an Executive Order blocking the property of certain persons and prohibiting the export of certain goods to Syria; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–76)

Pages S5224–25

Nominations Received: Senate received the following nominations:

Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2007.

Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary of the Treasury.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management. **Page S5240**

Executive Communications: **Pages S5225–26**

Additional Cosponsors: **Pages S5227–28**

Statements on Introduced Bills/Resolutions: **Pages S5228–36**

Additional Statements: **Pages S5223–24**

Amendments Submitted: **Pages S5236–39**

Notices of Hearings/Meetings: **Page S5239**

Authority for Committees to Meet: **Pages S5239–40**

Record Votes: Five record votes were taken today. (Total–91) **Pages S5184, S5186, S5193, S5199, S5218**

Adjournment: Senate convened at 9:47 a.m., and adjourned at 7:28 p.m., until 9:30 a.m., on Wednesday, May 12, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5240.)

Committee Meetings

(Committees not listed did not meet)

CONSERVATION PROGRAMS OVERSIGHT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the implementation conservation programs of the 2002 Farm Bill, including the Environmental Quality Incentives Program (EQIP), the Ground and Surface Water Conservation Program, the Wetlands Reserve Program, the Grassland Reserve Program, Wildlife Habitat Incentives Program, and the Farm and Ranch Lands Protection Program, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, and James R. Little, Administrator, Farm Service Agency, both of the Department of Agriculture; Al Christopherson, Minnesota Farm Bureau, Pennock, on behalf of the American Farm Bureau Federation; John K. Hansen, Nebraska Farmers Union, Lincoln, on behalf of the National Farmers Union; Bill Wilson, Haskell County Conservation District, Kinta, Oklahoma, on behalf of the National Association of Conservation Districts; Gordon Gallup, Idaho Grain Producers, Ririe, on behalf of the National Association of Wheat Growers,