

# Daily Digest

## HIGHLIGHTS

The House passed H.R. 5006, Department of Labor, HHS, and Education Appropriations Act for Fiscal Year 2005.

The House observed a moment of silence in recognition of the anniversary of the terrorist attacks launched against the U.S. on September 11, 2001.

## Senate

### Chamber Action

*Routine Proceedings, pages S8977–S9045*

**Measures Introduced:** Five bills and two resolutions were introduced, as follows: S. 2781–2785, and S. Res. 420–421. **Page S9032**

#### Measures Passed:

**Russian Terrorist Atrocities:** Senate agreed to S. Res. 421, expressing outrage at the recent terrorist atrocities in Beslan, Russian Federation, and condolences to the families of the victims. **Page S9043**

**Congressional Gold Medal:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 1368, to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement, and the bill was then passed. **Pages S9043–44**

**Sports Agent Responsibility and Trust Act:** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 361, to designate certain conduct by sports agents relating to the signing of contracts with student athletes as unfair and deceptive acts or practices to be regulated by the Federal Trade Commission, and the bill was then passed, clearing the measure for the President. **Page S9044**

**Homeland Security Appropriations:** Senate continued consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, taking action on the following amendments proposed thereto: **Pages S8986–S9020**

#### Adopted:

Alexander Amendment No. 3608, to prohibit funds from being used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act. **Pages S9008–09, S9013–14**

Allen/Warner Amendment No. 3610, to direct the Director of the Federal Emergency Management Agency to conduct an investigation of the Shockoe Creek drain field in Richmond, Virginia, to determine means of preventing future damage from floods and other natural disasters. **Pages S9016–17, S9019**

#### Rejected:

Boxer Amendment No. 3609, to appropriate \$70,000,000 for grants to States, local governments, and first responders to purchase or improve communication systems to allow for real-time interoperable communication between State and local first responders and to offset this appropriation with a corresponding reduction from the Human Resources Account of the Office of the Under Secretary of Management. (By 46 yeas to 45 nays (Vote No. 172), Senate tabled the amendment.) **Pages S9009–13, S9014**

#### Pending:

Nelson (FL) Amendment No. 3607, to provide funds for the American Red Cross. **Pages S9006–08**

Schumer Amendment No. 3615, to appropriate \$100,000,000 to establish an identification and tracking system for HAZMAT trucks and a background check system for commercial driver licenses. **Pages S9018–19**

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

By 43 yeas to 51 nays (Vote No. 169), 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 Byrd Amendment No. 3597, to make available funds for certain border and transportation security programs. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S8987–96, S9002–03

By 41 yeas to 53 nays (Vote No. 170), 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 Dodd Amendment No. 3604, to increase the amount provided for first responder programs, and to provide offsets. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S8996–S9002, S9003

By 45 yeas to 49 nays (Vote No. 171), 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 Murray Amendment No. 3596, to increase the amount available for port security grants by \$300,000,000. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages S9003–06

Chair sustained a point of order against Harkin/Biden Amendment No. 3612, to restore the maximum percentage of hazard mitigation contributions that may be made for a major disaster, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on an appropriation measure, and the amendment thus fell.

Pages S9015–16

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 10, 2004.

Page S9045

**Garrett Lee Smith Memorial Act:** Senate concurred in the amendments of the House to S. 2634, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to authorize grants to institutions of higher education to reduce student mental and behavioral health problems, clearing the measure for the President.

Pages S9020–23

**Messages From the House:**

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**Executive Communications:**

Pages S9029–32

**Additional Cosponsors:**

Pages S9032–33

## Statements on Introduced Bills/Resolutions:

Pages S9033–39

**Additional Statements:**

Pages S9028–29

**Amendments Submitted:**

Pages S9039–42

**Notices of Hearings/Meetings:**

Page S9042

**Authority for Committees to Meet:** Pages S9042–43

**Privilege of the Floor:**

Page S9043

**Record Votes:** Four record votes were taken today. (Total—172)

Pages S9002–03, S9003, S9006, S9014

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 8:15 p.m., until 9:30 a.m., on Friday, September 10, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9045.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: TRANSPORTATION, TREASURY, AND GENERAL GOVERNMENT

*Committee on Appropriations:* Subcommittee on Transportation, Treasury, and General Government approved for full Committee consideration an original bill making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005.

### IRAQI PRISONER ABUSE

*Committee on Armed Services:* Committee concluded a hearing to examine the investigation of the 205th Military Intelligence Brigade at Abu Ghraib Prison, Iraq, after receiving testimony from General Paul J. Kern, USA, Commanding General, United States Army Materiel Command; Lieutenant General Anthony R. Jones, USA, Deputy Commanding General, Chief of Staff, United States Army Training and Doctrine Command; Major General R. Steven Whitcomb, USA, Special Assistant to the Commander, United States Central Command; Major General George R. Fay, USA, Deputy Commander, United States Army Intelligence and Security Command; and Major General Antonio M. Taguba, USA, Deputy Assistant Secretary of Defense for Reserve Affairs, Readiness, Training and Mobilization.

### DEPARTMENT OF DEFENSE DETENTION OPERATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the report of the Independent Panel to Review Department of Defense Detention Operations, focusing on why prisoner abuse occurred,