

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 4297, Tax Relief Extension Reconciliation Act

Senate passed H.R. 4659, USA PATRIOT Act Extension

## Senate

### Chamber Action

*Routine Proceedings, pages S465–S695*

**Measures Introduced:** Five bills and two resolutions were introduced, as follows: S. 2240–2244, and S. Res. 365–366. **Page S510**

#### Measures Reported:

S. 265, to amend the Public Health Service Act to add requirements regarding trauma care. (S. Rept. No. 109–215) **Page S510**

#### Measures Passed:

**Tax Relief Extension Reconciliation Act:** By 66 yeas to 31 nays (Vote No. 10), Senate passed H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, after taking action on the following amendments proposed thereto: **Pages S466–S502**

#### Adopted:

Frist (for Grassley/Baucus) Amendment No. 2708 (to Amendment No. 2707), of a perfecting nature. **Pages S473, S487**

Frist (for Talent) Amendment No. 2727 (to Amendment No. 2707), to express the sense of the Senate regarding the permanent extension of the amendments to the child tax credit made by the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003. **Page S488**

Baucus (for Byrd) Amendment No. 2728 (to Amendment No. 2707), to provide tax incentives for the purchase of advanced mine safety equipment and the training of mine rescue teams. **Pages S488–89**

Grassley Amendment No. 2732 (to Amendment No. 2707), to support the health needs of our veterans and military personnel. **Pages S492–93**

A unanimous-consent agreement was reached to waive all provisions of the Congressional Budget Act

and budget resolutions necessary for the consideration of the Grassley Amendment No. 2732 (listed above), and for the inclusion of the language of the amendment in the consideration of an amendment between the Senate and House of Representatives. **Page S493**

Grassley Amendment No. 2736 (to Amendment No. 2707), to strengthen America's military. **Page S495**

A unanimous-consent agreement was reached to waive all provisions of the Congressional Budget Act and budget resolutions necessary for the consideration of the Grassley Amendment No. 2736 (listed above), and for the inclusion of the language of the amendment in the consideration of an amendment between the Senate and House of Representatives. **Page S495**

By 73 yeas to 24 nays (Vote No. 9), Menendez Amendment No. 2705 (to Amendment No. 2707), to express the sense of the Senate that protecting middle-class families from the alternative minimum tax should be a higher priority for Congress in 2006 than extending a tax cut that does not expire until the end of 2008. **Pages S496–98**

Frist (for Grassley/Baucus) Amendment No. 2707, in the nature of a substitute. **Pages S472–73**

#### Rejected:

By 42 yeas to 54 nays (Vote No. 4), Grassley Amendment No. 2731 (to Amendment No. 2707), to express the sense of the Senate regarding the Medicare part D prescription drug program. **Pages S490–91**

#### Withdrawn:

Motion to commit the bill to the Committee on Finance, with instructions to report back forthwith, with an amendment. **Pages S473, S487**

Frist Amendment No. 2709 (to Amendment No. 2708), to provide for an effective date. **Pages S473, S487**

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

Frist Amendment No. 2710 (to the instructions of the motion to commit the bill to the Committee on Finance), in the nature of a substitute, fell when the motion to commit (listed above) was withdrawn.

**Page S473**

Frist (for Talent) Amendment No. 2711 (to Amendment No. 2710), to repeal the sunset of the provisions in EGTRRA relating to the child tax credit, fell when Amendment No. 2710 (listed above) fell.

**Page S473**

By 44 yeas to 52 nays (Vote No. 3), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive under section 904 of the Congressional Budget Act of 1974, with respect to Conrad/Bingaman Amendment No. 2729 (to Amendment No. 2707), to provide revenue provisions. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Pages S489–90**

By 52 yeas to 45 nays (Vote No. 5), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive under section 904 of the Congressional Budget Act of 1974, with respect to Nelson (FL)/Bingaman Amendment No. 2730 (to Amendment No. 2707), to provide for necessary beneficiary protections in order to ensure access to coverage under the Medicare part D prescription drug program. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Pages S491–92**

By 44 yeas to 53 nays (Vote No. 6), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive under section 904 of the Congressional Budget Act of 1974, with respect to Clinton Amendment No. 2716 (to Amendment No. 2707), to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell.

**Page S492**

By 44 yeas to 53 nays (Vote No. 7), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain sections of the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 2735 (to Amendment No. 2707), to support the

health needs of our veterans and military personnel and reduce the deficit by making tax rates fairer for all Americans. Subsequently, the point of order against the amendment was sustained, and the amendment thus fell.

**Pages S493–95**

By 44 yeas to 53 nays (Vote No. 8), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Reed Amendment No. 2737 (to Amendment No. 2707), to strengthen America's military, to repeal the extension of tax rates for capital gains and dividends, to reduce the deficit. Subsequently, the point of order against the amendment was sustained, and the amendment thus fell.

**Pages S495–96**

**USA PATRIOT Act Extension:** By 95 yeas to 1 nay (Vote No. 11), Senate passed H.R. 4659, to amend the USA PATRIOT Act to extend the sunset of certain provisions of such Act, clearing the measure for the President.

**Pages S502–03**

**National Week of Prayer for Uganda:** Senate agreed to S. Res. 366, affirming the importance of increased international action and a national week of prayer for the Ugandan victims of Joseph Kony's Lord's Resistance Army, and expressing the sense of the Senate that Sudan, Uganda, and the international community bring justice and humanitarian assistance to Northern Uganda and that February 2 through 9, 2006 should be designated as a national week of prayer and reflection for the people of Uganda.

**Pages S692–95**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, and Majority Whip, be authorized to sign duly enrolled bills or joint resolutions.

**Page S695**

**Reading of Washington's Farewell Address:** A unanimous-consent agreement was reached providing that, notwithstanding the Resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place, on Friday, February 17, 2006, at a time determined by the Majority Leader, after consultation with the Democratic Leader.

**Page S695**

**Fairness in Asbestos Injury Resolution Act—Agreement:** A unanimous-consent agreement was reached providing that the Senate begin consideration of the motion to proceed to consideration of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, on Monday, February 6, 2006; that if a motion to invoke cloture is filed on Monday, February 6, 2006, on the motion to proceed to the bill,

that notwithstanding the provisions of Rule XXII, the vote occur at 6 p.m. on Tuesday, February 7, 2006. **Page S695**

**Executive Communications:** **Pages S508–10**

**Additional Cosponsors:** **Pages S510–12**

**Statements on Introduced Bills/Resolutions:** **Pages S512–15**

**Additional Statements:** **Pages S507–08**

**Amendments Submitted:** **Pages S515–S692**

**Notices of Hearings/Meetings:** **Page S692**

**Authorities for Committees to Meet:** **Page S692**

**Privileges of the Floor:** **Page S692**

**Record Votes:** Nine record votes were taken today. (Total—11) **Pages S489–90, S491, S492, S495, S496, S498, S501–02, S503**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 10:28 p.m., until 2 p.m., on Monday, February 6, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S695.)

## Committee Meetings

*(Committees not listed did not meet)*

### NATIONAL FLOOD INSURANCE PROGRAM

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine proposals to reform the National Flood Insurance Program, focusing on strengthening the financial solvency of the program, after receiving testimony from David R. Conrad, National Wildlife Federation, J. Robert Hunter, Consumer Federation of America, David C. John, The Heritage Foundation, and Paul J. Gessing, National Taxpayers Union, all of Washington, D.C.; David Pressly, Pressly Development Company, Inc., Statesville, North Carolina, on behalf of the National Association of Home Builders; Regina M. Lowrie, Gateway Funding Diversified Financial Services, Fort Washington, Pennsylvania, on behalf of the Mortgage Bankers Association; and Pamela Mayer Pogue, Providence, Rhode Island, on behalf of the Association of State Floodplain Managers, Inc.

### ECONOMIC OUTLOOK

*Committee on the Budget:* Committee concluded a hearing to examine the CBO budget and economic outlook, after receiving testimony from Donald B. Maron, Acting Director, Congressional Budget Office.

### TAX TREATIES

*Committee on Foreign Relations:* Committee concluded a hearing to examine the Convention between the

Government of the United States of America and the Government of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Dhaka on September 26, 2004 with an exchange of notes enclosed (Treaty Doc. 109–5), Protocol Amending the Convention Between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994 (Treaty Doc. 109–4), Protocol Amending the Convention Between the United States of America and the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Estates, Inheritances, and Gifts signed at Washington on November 24, 1978 (Treaty Doc. 109–7), and Protocol Amending the Convention Between the Government of the United States of America and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Washington on September 30, 2005 (Treaty Doc. 109–8), after receiving testimony from Patricia A. Brown, Deputy International Tax Counsel for Treaty Affairs, Department of the Treasury; Thomas A. Barthold, Acting Chief of Staff, Joint Committee on Taxation; and William A. Reinsch, National Foreign Trade Council, Washington, D.C.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Gary A. Grappo, of Virginia, to be Ambassador to the Sultanate of Oman, and Patricia A. Butenis, of Virginia, to be Ambassador to the People's Republic of Bangladesh, after the nominees testified and answered questions in their own behalf.

### HURRICANE KATRINA

*Committee on Homeland Security and Governmental Affairs:* Committee continued hearings to examine Hurricane Katrina response issues, focusing on the role of the Governors in managing the catastrophe, receiving testimony from Mississippi Governor Haley Barbour, Jackson; and Louisiana Governor Kathleen Babineaux Blanco, Baton Rouge.

Hearings recessed subject to the call.

### NOMINATION

*Committee on the Judiciary:* Committee concluded a hearing to examine the nomination of Paul J. McNulty, of Virginia, to be Deputy Attorney General, Department of Justice, after the nominee, who was introduced by Senators Warner and Allen, testified and answered questions in their own behalf.