

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report to accompany H.R. 2417, Intelligence Authorization Act, and the Conference Report to accompany H.R. 2115, Federal Aviation Administration Authorization.

Senate and House agreed to the Conference Report to accompany H.R. 1904, Healthy Forests Restoration Act.

Senate and House passed H.J. Res. 79, Continuing Appropriations.

The House passed S. 1768, National Flood Insurance Program Reauthorization Act of 2004.

The House agreed to the conference report on H.R. 2622, Fair Credit Reporting Act.

The House agreed to the conference report on H.R. 1, Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Senate

Chamber Action

Routine Proceedings, pages S15325–S15511

Measures Introduced: Nineteen bills and four resolutions were introduced, as follows: S. 1912–1930, S. Res. 271–272, and S. Con. Res. 84–85.

Pages S15406–07

Measures Reported:

Special Report entitled “The 2003 Joint Economic Report”. (S. Rept. No. 108–206)

S. 1522, to provide new human capital flexibility with respect to the GAO, with amendments.

Page S15405

Measures Passed:

National Women’s History Museum Act: Senate passed S. 1741, to provide a site for the National Women’s History Museum in the District of Columbia.

Pages S15390–93

Recognition of the Confederated Tribes of the Grand Ronde Community of Oregon: Committee on Indian Affairs was discharged from further consideration of S. Res. 246, expressing the sense of the Senate that November 22, 1983, the date of the restoration by the Federal Government of Federal recognition to the Confederated Tribes of the Grand

Ronde Community of Oregon, should be memorialized, and the resolution was then agreed to.

Pages S15479–80

Employee Retirement Income Security Act Amendment: Senate passed S. 1929, to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year.

Page S15481

Veterans’ Compensation Cost-of-Living Adjustment Act: Committee on Veterans’ Affairs was discharged from further consideration of H.R. 1683, to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and the bill was then passed, clearing the measure for the President.

Page S15481

Servicemembers Civil Relief Act: Committee on Veterans’ Affairs was discharged from further consideration of H.R. 100, to restate, clarify, and revise the Soldiers’ and Sailors’ Civil Relief Act of 1940, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1136, Senate companion measure, after agreeing to the committee amendment in the nature of a substitute.

Pages S15481–99

Subsequently, S. 1136 was returned to the Senate calendar. **Page S15499**

Department of Homeland Security Financial Accountability Act: Senate passed S. 1567, to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, after agreeing to the committee amendment in the nature of a substitute. **Pages S15499–S15500**

Chief Justice John Marshall Commemorative Coin Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 1531, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall, and the bill was then passed. **Pages S15500–02**

Gold Medal Award: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 1821, to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation, and the bill was then passed, clearing the measure for the President. **Page S15502**

Environmental Policy and Conflict Resolution Advancement Act: Senate passed H.R. 421, to reauthorize the United States Institute for Environmental Conflict Resolution, clearing the measure for the President. **Page S15502**

Southern Ute and Colorado Intergovernmental Agreement Implementation Act: Senate passed S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, after agreeing to the committee amendment. **Pages S15502–03**

Disaster Area Health and Environmental Monitoring Act: Senate passed S. 1279, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S15503–07

Frist (for Inhofe) Amendment No. 2210, to require that health and safety programs be carried out in accordance with certain privacy regulations.

Page S15505

National Transportation Safety Board Reauthorization Act: Senate passed S. 579, to reauthorize the National Transportation Safety Board, after

agreeing to the following amendment proposed thereto: **Pages S15507–08**

Frist (for McCain/Hollings) Amendment No. 2211, to add provisions relating to accident and safety data classification and publication from H.R. 1527, as passed by the House of Representatives.

Page S15507

American Jewish History Month: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 106, recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month". **Pages S15508–09**

American Education Week: Senate agreed to S. Res. 272, designating the week beginning November 16, 2003, as American Education Week.

Page S15509

U.S. Justices Salary Adjustments: Senate passed H.R. 3349, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2004, clearing the measure for the President.

Page S15509

Continuing Appropriations: Senate passed H.J. Res. 79, making further continuing appropriations for the fiscal year 2004, clearing the measure for the President.

Page S15510

Intelligence Authorization Act—Conference Report: Senate agreed to the conference report to accompany H.R. 2417, to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, clearing the measure for the President.

Pages S15335–58

Prior to this action, Senate agreed to the motion to proceed to consideration of the conference report.

Page S15335

Healthy Forests Restoration Act—Conference Report: Senate agreed to the conference report to accompany H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, clearing the measure for the President.

Pages S15368–73

Federal Aviation Administration Authorization—Conference Report: Senate agreed to the conference report to accompany H.R. 2115, to

amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, clearing the measure for the President.

Pages S15385–90

Prior to this action, the pending Frist motion to reconsider the vote by which the motion to invoke cloture on the conference report failed was withdrawn.

Pages S15325–26

Energy Policy Act—Conference Report: Senate continued consideration of the conference report to accompany H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people.

Pages S15326–35

By 57 yeas to 40 nays (Vote No. 456), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report.

Pages S15334–35

Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the conference report failed.

Page S15335

Continuing Appropriations—Amendment Modified: A unanimous-consent agreement was reached providing that, notwithstanding the November 20, 2003 passage of H.J. Res. 78, making further continuing appropriations for the fiscal year 2004, Frist Amendment No. 2208, to make a technical correction, which was previously agreed to, was modified.

Page S15326

Defense Production Reauthorization Act: Senate concurred in the amendment of the House to S. 1680, to reauthorize the Defense Production Act of 1950, with the following amendment:

Pages S15480–81

Frist (for Dodd) Amendment No. 2209, to modify the reporting requirements of the Secretary of Commerce relative to the impact of offsets on domestic contractors and lower tier subcontractors. **Page S15480**

Individuals With Disabilities Education 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, Senate begin consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, with certain amendments to be proposed thereto; that upon disposition of the committee amendment in the nature of a substitute, the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 1350, House companion measure, that all after the enacting clause be stricken, and the text of S. 1248, be inserted in lieu thereof; the Sen-

ate then vote on final passage of H.R. 1350, and S. 1248 be returned to the Senate Calendar.

Page S15500

Medicare Prescription Drug, Improvement, and Modernization Act—Agreement: A unanimous-consent agreement was reached providing for consideration of the conference report to accompany H.R. 1, to amend title XVIII of the Social Security Act to provide for a voluntary prescription drug coverage program under the medicare program, to modernize, strengthen, and improve the medicare program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings accounts, to amend the Federal Food, Drug, and Cosmetic Act with respect to abbreviated applications for the approval of new drugs and the importation of prescription drugs, at 10 a.m., on Saturday, November 22, 2003. **Page S15510**

Nominations Received: Senate received the following nominations:

Lawrence T. Di Rita, of Michigan, to be an Assistant Secretary of Defense.

Jaymie Alan Durnan, of New Hampshire, to be an Assistant Secretary of the Army.

Joseph Max Cleland, of Georgia, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007.

April H. Foley, of New York, to be First Vice President of the Export-Import Bank of the United States for the remainder of the term expiring January 20, 2005.

Ann M. Corkery, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Benjamin A. Gilman, of New York, to be a Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Walid Maalouf, of Virginia, to be an Alternate Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Sanford Gottesman, of Texas, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005.

Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005. (Reappointment)

C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005. (Reappointment)

James M. Strock, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2006.

Robert Hurley McKinney, of Indiana, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2004.

Franklin S. Van Antwerpen, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Routine lists in the Army, Navy. **Pages S15510–11**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

April H. Foley, of New York, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007, which was sent to the Senate on April 10, 2003.

April H. Foley, of New York, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2007, which was sent to the Senate on May 14, 2003.

Page S15511

Nominations Discharged and Placed on Calendar: Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations:

James McBride, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

David Eisner, of Maryland, to be Chief Executive Officer of the Corporation for National and Community Service.

Read Van de Water, of North Carolina, to be a Member of the National Mediation Board for a term expiring July 1, 2006.

Raymond Simon, of Arkansas, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

Jose Antonio Aponte, of Colorado, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2004.

Edward Louis Bertorelli, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Carol L. Diehl, of Wisconsin, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Allison Druin, of Maryland, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2006.

Beth Fitzsimmons, of Michigan, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2006.

Patricia M. Hines, of South Carolina, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2005.

Colleen Ellen Huebner, of Washington, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Stephen M. Kennedy, of New Hampshire, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2007.

Bridget L. Lamont, of Illinois, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Mary H. Perdue, of Maryland, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Herman Lavon Totten, of Texas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2008.

Public Health Service nomination beginning with Vincent A. Berkley and ending with James Syms.

Drew R. McCoy, of Massachusetts, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term of six years.

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.

Susan K. Sclafani, of the District of Columbia, to be Assistant Secretary for Vocational and Adult Education, Department of Education.

Laurie Susan Fulton, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

Steven J. Law, of the District of Columbia, to be Deputy Secretary of Labor.

J. Robinson West, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2007.

Pages S15509–10

Messages From the House: **Page S15405**

Measures Placed on Calendar: **Page S15405**

Enrolled Bills Presented: **Page S15405**

Executive Reports of Committees: **Pages S15405–06**

Additional Cosponsors: **Pages S15407–08**

Statements on Introduced Bills/Resolutions:**Pages S15408–78****Additional Statements:****Pages S15402–05****Amendments Submitted:****Pages S15478–79****Authority for Committees to Meet:****Page S15479****Privilege of the Floor:****Page S15479**

Record Votes: One record vote was taken today. (Total—456)

Pages S15334–35

Adjournment: Senate met at 9:30 a.m. and adjourned at 10:28 p.m. until 10 a.m. on Saturday, November 22, 2003. (For Senate's Program, see the remarks of the Majority Leader in today's Record on S15510).

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 230 nominations in the Air Force, Army, Navy, and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 1531, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall; and

The nominations of Alicia R. Castaneda, of the District of Columbia, to be a Director of the Federal Housing Finance Board, and Thomas J. Curry, of Massachusetts, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the Department of Energy's implementation of the Energy Employees Occupation Illness Compensation Program Act of 2000, focusing on providing assistance to DOE contract workers in their efforts to obtain State workers' compensation benefits, after receiving testimony from Senator Grassley; Robert G. Card, Under Secretary of Energy; Robert E. Robertson, Director, Education, Workforce, and Income Security Issues, General Accounting Office; John F. Burton, Jr., Rutgers University School of Management and Labor Relations, New Brunswick, New Jersey; Leon Owens, Paper, Allied-Industrial, Chemical and Energy Workers International Union, Paducah, Kentucky; and David Michaels, George Washington University School of Public Health and Health Serv-

ices, former Assistant Secretary of Energy for Environment, Safety, and Health, Richard Miller, Government Accountability Project, and Donald Elisburg, on behalf of the AFL-CIO and the Building and Construction Trades Department, all of Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Arnold I. Havens, of Virginia, to be General Counsel for the Department of the Treasury.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the Nominations: of James C. Oberwetter, of Texas, who was introduced by Senators Hutchison and Cornyn, to be Ambassador to the Kingdom of Saudi Arabia, and David C. Mulford, of Illinois, to be Ambassador to India, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the Nominations: of James M. Loy, of Virginia, to be Deputy Secretary of Homeland Security, and Scott J. Bloch, of Kansas, to be Special Counsel, Office of Special Counsel.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Steven J. Law, of the District of Columbia, to be Deputy Secretary of Labor, after the nominee testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee approved for reporting the following business items:

S. 1879, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards;

S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, with an amendment in the nature of a substitute;

S. 573, to amend the Public Health Service Act to promote organ donation, with an amendment in the nature of a substitute;

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, with an amendment in the nature of a substitute; and