

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4779-S4852

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 2376-2382, S. Res. 349-351, and S. Con. Res. 103. **Page S4837**

Measures Reported:

S. 882, to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, with an amendment in the nature of a substitute. (S. Rept. No. 108-257)

S. Con. Res. 99, condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan, with an amendment in the nature of a substitute and with an amended preamble. **Page S4836**

Measures Passed:

Record Production Authorization: Senate agreed to S. Res. 350, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs. **Page S4850**

Congratulating Charter Schools: Senate agreed to S. Res. 351, congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education. **Pages S4850-51**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of 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, taking action on the following amendments proposed thereto: **Pages S4787-S4822**

Adopted:

Collins Modified Amendment No. 3108, to provide for a manufacturer's jobs credit. **Pages S4787, S4805-06**

By a unanimous vote of 99 yeas (Vote No. 78), Gregg Amendment No. 3111, to amend the Fair

Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages S4790-93, S4806**

By 52 yeas to 47 nays (Vote No. 79), Harkin Amendment No. 3107, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages S4787-90, S4806**

Allen Amendment No. 3113, to provide mortgage payment assistance for employees who are separated from employment. **Pages S4821-22**

Pending:

Dorgan Amendment No. 3110, to provide for the taxation of income of controlled foreign corporations attributable to imported property. **Pages S4787-88**

Graham (FL) Amendment No. 3112, to strike the deduction relating to income attributable to United States production activities and the international tax provisions and allow a credit for manufacturing wages. **Page S4793**

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. **Page S4812**

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

By 54 yeas to 45 nays (Vote No. 80), 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 for fiscal year 2004, with regard to Wyden Modified Amendment No. 3109, to provide trade adjustment assistance for service workers. Subsequently, a point of order that the amendment would violate section 505 of H. Con. Res. 95 was sustained, and the amendment thus fell. **Pages S4787, S4806-12, S4812-21**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, May 5, 2004; that Senator Breaux be recognized to offer an amendment, that there be 60 minutes for debate, and that the Senate vote on or in relation to the amendment at a time to be determined by the Majority Leader, after consultation with the Democratic Leader. **Page S4852**

Appointments:

Policy Committee to the White House Conference on Aging: The Chair, on behalf of the Majority Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100-175, as amended by Public Laws 102-375, 103-171, and 106-501, appointed the following individuals as members of the Policy Committee to the White House Conference on Aging: Senators Grassley and Craig. **Page S4850**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108-17), the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108-17), the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108-18), the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108-18), the Additional Protocol Between the United States of America and the Slovak Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on September 22, 2003 (Treaty Doc. 108-19), the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Latvia to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 13, 1995, signed at Brussels on September 22, 2003 (Treaty Doc. 108-20), the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Lithuania to the Treaty for the Encouragement and Reciprocal Protection of Investment of

January 14, 1998, signed at Brussels on September 22, 2003 (Treaty Doc. 108-21), and the Additional Protocol Between the United States of America and the Republic of Poland to the Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations of March 21, 1990, signed at Brussels on January 12, 2004 (Treaty Doc. 108-22) (Ex. Rept. 108-13).

Pages S4836-37

Petitions and Memorials: **Pages S4831-36**

Executive Reports of Committees: **Pages S4836-37**

Additional Cosponsors: **Pages S4837-39**

Statements on Introduced Bills/Resolutions: **Pages S4839-45**

Additional Statements: **Pages S4828-31**

Amendments Submitted: **Pages S4846-49**

Authority for Committees to Meet: **Pages S4849-50**

Privilege of the Floor: **Page S4850**

Record Votes: Three record votes were taken today. (Total—80) **Pages S4806, S4821**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:50 p.m., until 9:30 a.m., on Wednesday, May 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4852.)

Committee Meetings

(Committees not listed did not meet)

OVERTIME PAY RULE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing to examine the final rule on overtime pay, setting forth the criteria for determining who is exempted from the Fair Labor Standards Act's minimum wage and overtime requirements as an executive, administrative, or professional employee, also known as the "white-collar" exemptions to the Act, receiving testimony from Tammy D. McCutchen, Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; and Craig Becker, AFL-CIO, David S. Fortney, Fortney and Scott, Ross E. Eisenbrey, Economic Policy Institute, and Ronald Bird, Employment Policy Foundation, all of Washington, D.C.

Hearing recessed subject to the call of the Chair.

D.C. CHARTER SCHOOLS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine public charter schools in the District of Columbia, focusing on challenges facing D.C. charter schools, and best