

# Daily Digest

## HIGHLIGHTS

House Committees ordered reported 9 sundry measures, including appropriations for Defense, and Energy and Water Development for Fiscal Year 2005, and the Intelligence Authorization Act for Fiscal Year 2005

## Senate

### Chamber Action

*Routine Proceedings, pages S6823–S6909*

**Measures Introduced:** Twelve bills and two resolutions were introduced, as follows: S. 2523–2534, and S. Res. 380–381. **Pages S6881–82**

#### Measures Passed:

*Honoring Detroit Pistons:* Senate agreed to S. Res. 380, honoring the Detroit Pistons on winning the National Basketball Association Championship on June 15, 2004. **Pages S6867–69**

*Recognizing the Accomplishments of Ray Charles:* Senate agreed to S. Res. 381, recognizing the accomplishments and significant contributions of Ray Charles to the world of music. **Pages S6907–08**

**National Defense Authorization Act:** Senate continued consideration of 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, taking action on the following amendments proposed thereto:

**Pages S6831–59, S6863–67**

#### Adopted:

Durbin Amendment No. 3386, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment or punishment.

**Pages S6831, S6836–37**

Bunning (for McConnell/Bunning) Modified Amendment No. 3438, to modify and enhance the Energy Employees Occupational Illness Compensation Program.

**Pages S6837–47**

Graham (SC) Modified Amendment No. 3428, of a clarifying nature.

**Pages S6847–49**

By a unanimous vote of 97 yeas (Vote No. 119), Warner Modified Amendment No. 3452, to extend jurisdiction and scope for current fraud offenses.

**Pages S6850–58**

Sessions/Schumer Modified Amendment No. 3372, to extend military extraterritorial jurisdiction to cover not only personnel and contractor personnel of the Department of Defense, but also personnel and contractor personnel of any Federal agency or provisional authority supporting the mission of the Department of Defense overseas.

**Pages S6863–64**

#### Rejected:

Dodd Further Modified Amendment No. 3313, to prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense (By 54 yeas to 43 nays (Vote No. 118), Senate tabled the amendment.)

**Pages S6831–36**

By 46 yeas to 52 nays (Vote No. 120), Reid (for Leahy) Amendment No. 3292, to amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts.

**Pages S6831, S6858–59**

#### Pending:

Reed Amendment No. 3352, to increase the end strength for active duty personnel of the Army for fiscal year 2005 by 20,000 to 502,400.

**Page S6831**

Warner Amendment No. 3450 (to Amendment No. 3352), to provide for funding the increased number of Army active-duty personnel out of fiscal year 2005 supplemental funding.

**Page S6831**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, June 18, 2004.

**Page S6863**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, June 17, 2004, provided further,

that Senator Bond be recognized in order to call up the Bond-Harkin amendment. **Page S6908**

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

Transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM-87) **Page S6880**

**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaty:

Agreement With Canada on Pacific Hake/Whiting (Treaty Doc. No. 108-24)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S6907**

#### Appointments:

**Election Assistance Board of Advisors:** The Chair, on behalf of the Majority Leader pursuant to Public Law 107-252, Title II, Section 214, appointed the following individual to serve as a member of the Election Assistance Board of Advisors: Wesley R. Kliner, Jr., of Tennessee. **Page S6907**

**National Commission of Small Community Air Service:** The Chair, on behalf of the Majority Leader pursuant to Public Law 108-176, Section 411(b)(1)(B), appointed the following individual to serve as a member of the National Commission of Small Community Air Service: Philip H. Trenary of Tennessee. **Page S6907**

**Nominations Confirmed:** Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. Ex. 121), William S. Duffey, Jr., of Georgia, to be United States District Judge for the Northern District of Georgia. **Pages S6859-60, S6909**

By unanimous vote of 97 yeas (Vote No. Ex. 122), Lawrence F. Stengel, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages S6860-61, S6909**

By unanimous vote of 97 yeas (Vote No. Ex. 123), Paul S. Diamond, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages S6861-62, S6909**

**Nominations Received:** Senate received the following nominations:

Micaela Alvarez, of Texas, to be United States District Judge for the Southern District of Texas.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

3 Coast Guard nominations in the rank of admiral.

Routine lists in the Army. **Pages S6908-09**

**Executive Communications:** **Pages S6880-81**

**Executive Reports of Committees:** **Page S6881**

**Additional Cosponsors:** **Pages S6882-84**

**Statements on Introduced Bills/Resolutions:** **Pages S6884-S6905**

**Additional Statements:** **Pages S6878-80**

**Amendments Submitted:** **Pages S6905-06**

**Notices of Hearings/Meetings:** **Page S6906**

**Authority for Committees to Meet:** **Pages S6906-07**

**Privilege of the Floor:** **Page S6907**

**Record Votes:** Six record votes were taken today. (Total—123)

**Pages S6836, S6858, S6859, S6860, S6861, S6862**

**Adjournment:** Senate convened at 9 a.m., and adjourned at 7:17 p.m., until 9:30 a.m., on Thursday, June 17, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6908.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: HOMELAND SECURITY

**Committee on Appropriations:** Subcommittee on Homeland Security approved for full Committee consideration an original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

### VOIP REGULATORY FREEDOM ACT

**Committee on Commerce, Science, and Transportation:** Committee concluded a hearing to examine S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, after receiving testimony from Laura H. Parsky, Deputy Assistant Attorney General, Criminal Division, Department of Justice; James X. Dempsey, Center for Democracy and Technology, Washington, D.C.; Thomas Rutledge, Cablevision Systems Corporation, Bethpage, New York; David F. Jones, Spartanburg County Communications, Spartanburg, South Carolina, on behalf of the National Emergency Number Association; Stan Wise, Georgia Public Service Commission, Atlanta, on behalf of the National Association of Regulatory Utility Commissioners; Jeff Pulver, pulver.com, Melville, New York; and Arturo "Archie" Macias, Wheat State Telephone