

## CONGRESSIONAL RECORD SUMMARY

Wednesday, September 24, 2003

### SENATE

#### Measures Reported:

Special Report entitled "*Report on the Activities of the Committee on the Judiciary During the 107th Congress.*" (S. Rept. No. 108-152)

Special Report entitled "*Further Revised Allocation To Subcommittees Of Budget Totals for Fiscal Year 2004.*" (S. Rept. No. 108-153)

*Pages S 11912, D 1035*

#### H.R. 2765 - District of Columbia Appropriations Act:

*Senate began consideration of H.R. 2765*, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, taking action on the following amendment proposed thereto:

*Pages S 11885-90, D 1035*

#### **Pending:**

*DeWine/Landrieu Amendment No. 1783*, in the nature of a substitute.

*Pages S 11885-90, D 1035*

**Senate will continue consideration** of the bill on Thursday, September, 25, 2003.

*Page D 1035*

#### Homeland Security Department Appropriations--Conference Report:

*Senate agreed to the conference report on H.R. 2555*, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, clearing the measure for the President.

*Pages S 11891-97, D 1035*

#### H.R. 2657 - Legislative Branch Appropriations Conference Report:

*Senate agreed to the conference report on H.R. 2657*, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, clearing the measure for the President.

*Pages S 11898-S 11900, D 1035*

#### H.R. 2658 - Defense Department Appropriations Conference Report--Agreement:

A **unanimous-consent agreement** was reached providing that at 10:30 a.m., on Thursday, September 25, 2003, *Senate begin consideration of the conference report on H.R. 2658*, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004.

*Pages S 11900, D 1035*

#### Nominations Confirmed:

**Senate confirmed the following nomination:**

*By unanimous vote of 91 yeas (Vote No. Ex. 363), Larry Alan Burns, of California, to be United States District Judge for the Southern District of California.*

*Pages S 11897-98, S 11928, D 1035*

**Committee Meetings:**

**Committee on Governmental Affairs:** Committee concluded a hearing to examine discrimination against employees and retirees *relating to social security government pension offset and windfall elimination provisions*, focusing on the purpose of these provisions, how they work and issues that should be evaluated when considering legislative change.

Page D 1037

**Committee Meetings for Thursday, September 25, 2003:**

**Committee on the Judiciary:** @ 9:30 a.m. Business meeting to consider **S. 1293, to criminalize the sending of predatory and abusive e-mail, and the nominations of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit, Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States, Carlos T. Bea, of California, to be United States Circuit Judge for the Ninth Circuit, Charles W. Pickering, Sr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit, Marcia A. Crone, to be United States District Judge for the Eastern District of Texas, Phillip S. Figa, to be United States District Judge for the District of Colorado, William Q. Hayes, to be United States District Judge for the Southern District of California, John A. Houston, to be United States District Judge for the Southern District of California, Robert Clive Jones, to be United States District Judge for the District of Nevada, Ronald A. White, to be United States District Judge for the Eastern District of Oklahoma, and John Francis Bardelli, to be United States Marshal for the District of Connecticut.** SD-226.

Page D 1042

**Remarks:**

**SCHEDULE.**

*"...I also want to remind Members that we will continue to schedule votes on available nominations throughout the week. We have eight judicial nominations pending on the Executive Calendar. Four of these nominations should be ready for Senate action, and we will schedule them over the course of the next day or so..."*

Frist

Page S 11877

**Do Not Call Registry.**

*"...I also note that the FTC's rule came after the most extensive deliberations. The FTC announced its plan to proceed with the Registry on December 18, 2002, after receiving 64,000 comments. The overwhelming majority of these comments favored the creation of the Registry. Millions of Americans were promised protection from annoying, unwanted telemarketing calls starting October 1. They are truly going to be outraged by this. There are two ways of going about this. The first is to let the FTC appeal the case, which they have just said they are going to be in the process of doing. **The other is to perhaps unanimously adopt and pass legislation which clearly authorizes, specifically authorizes--and in bold letters authorizes so that no Federal judge can misunderstand it-- and get this done as quickly as we can. I have asked my Judiciary counsel to prepare this legislation. We will be submitting it before the end of the day...**"*

Feinstein

Pages S 11890-1

## HOUSE

### Measures Introduced:

**H.R. 3159.** A bill *to require Federal agencies to develop and implement plans to protect the security and privacy of government computer systems from the risks posed by peer-to-peer file sharing*; to the Committee on Government Reform.

Waxman

Page H 8904

**H.R. 3165.** A bill *to require the Administrator for Federal Procurement Policy to prescribe a policy regarding purchase card and travel card programs to provide a government-wide system of accountability for such cards*; to the Committee on Government Reform.

Diaz-Balart

Pages H 8904-5

**H.R. 3168.** A bill *to amend title 40, United States Code, to direct the Administrator of General Services to give preference to high unemployment areas in selecting sites for the construction of public buildings and in leasing space to accommodate Federal agencies*; to the Committee on Transportation and Infrastructure.

Goode

Page 8905

**H.R. 3171.** A bill *to provide for an appropriate review of recently enacted legislation relating to terrorism to assure that powers granted in it do not inappropriately undermine civil liberties*; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Education and the Workforce, Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Kucinich

Page 8905

**H.J. Res. 69.** A joint resolution *making continuing appropriations for the fiscal year 2004, and for other purposes*; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Young (FL)

Page 8905

### Reports Filed:

**Reports were filed as follows:**

**Conference report on H.R. 2658**, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, (H. Rept. 108-283).

Pages H 8500-8784, H 8904, D 1038

### H.R. 2658 - Department of Defense Appropriation Conference Report:

**The House agreed to the conference report on H.R. 2658**, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004 by a yeas-and-nays vote of 407 yeas to 15 nays, Roll No. 513.

Pages H 8784-93, D 1038

**Earlier agreed by unanimous consent** that it be in order at any time to consider the conference report, that all points of order against it be waived, and that it be considered as read.

Pages H 8784, D 1038

**H.R. 2555 - Department of Homeland Security Appropriations Conference Report:**

*The House agreed to the conference report on H.R. 2555*, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004 by a ye-a-and-nay vote of 417 yeas to 8 nays, Roll No. 515.

*Pages H 8793-8802, D 1038*

**Rejected the Sabo motion to recommit the conference report** to the committee of conference with instructions by a ye-a-and-nay vote of 198 yeas to 226 nays, Roll No. 514.

*Pages H 8801-02, D 1038*

**Agreed to H. Res. 374**, the rule waiving points of order against the conference report by a voice vote.

*Pages H 8495-8500, D 1038*

**H.R. 2657 - Legislative Branch Appropriations Conference Report:**

*The House agreed to the conference report on H.R. 2657*, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004 by a ye-a-and-nay vote of 371 yeas to 56 nays, Roll No. 517.

*Pages H 8802-15, D 1038*

**Rejected the Moran of Virginia motion to recommit the conference report** to the committee of conference with instructions by a ye-a-and- nay vote of 202 yeas to 225 nays, Roll No. 516.

*Pages H 8814-15, D 1038*

**Agreed by unanimous consent** on Tuesday, September 23, that it be in order at any time to consider the conference report, that all points of order against it waived, and that it be considered as read.

*Page D 1038*

**H.R. 1588 - National Defense Authorization Act--Motion to Instruct Conferees:**

*The House debated the Crowley motion to instruct conferees on H.R. 1588*, National Defense Authorization Act for Fiscal Year 2004. Further proceedings on the motion were postponed.

*Pages H 8887-90, D 1039*

**Order of Business--H.J. Res. 69:**

*The House agreed by unanimous consent that it be in order to consider in the House H.J. Res. 69, joint resolution making continuing appropriations for the fiscal year 2004, and for other purposes; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for one hour equally divided and controlled by the chairman and ranking member of the Committee on Appropriations; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.*

*Page D 1039*

**Committee Meetings:**

**Committee on Transportation and Infrastructure - Subcommittee on Economic Development, Public Buildings and Emergency Management:** *approved for full Committee action the following: H.R. 587*, amended, to amend title 40, United States Code, to add Ashtabula, Mahoning, and Trumbull Counties, Ohio, to the Appalachian region; **H.R. 3118**, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia; **H.R. 1274, amended, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county;** **H.R. 1702**, to designate the Federal building which is to be constructed at 799 First Avenue in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building," and a measure reauthorizing the pre-hazard mitigation program.

*Page D 1041*

**Committee Meetings for Thursday, September 25, 2003:**

**Committee on Government Reform:** @ 10:00 a.m. To consider the following measures: **H.R. 1151**, to provide that transit pass transportation fringe benefits be made available to all qualified Federal employees in the National Capital Region; to allow passenger carriers which are owned or leased by the Government to be used to transport Government employees between their place of employment and mass transit facilities; **H.R. 1231**, to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for **TRICARE supplemental premiums**; **H.R. 3054**, District of Columbia Military Retirement Equity Act of 2003; and the Government Network Security Act of 2003. 2154 Rayburn.

*Page D 1042*

**Remarks:**

More Explanations Needed From Attorney General.

Udall

*Page E 1881*

Rein in the Federal Courts.

Pitts

*Pages H 8493-4*

**Next SENATE MEETING: 9:30 a.m., Thursday, September 25, 2003.**

**Next HOUSE MEETING: 10:00 a.m., Thursday, September 25, 2003.**

**OLA: A. Getter-Santos**