

Thursday, January 6, 2005

# Daily Digest

## HIGHLIGHTS

The House and Senate met in joint session to count electoral votes.

## Senate

### Chamber Action

*Routine Proceedings, pages S35–S76*

**Measures Submitted:** Two resolutions were submitted, as follows: S. Res. 5–6. **Page S66**

#### Measures Passed:

**Majority Party Committee Appointments:** Senate agreed to S. Res. 5, making majority party appointments to certain Senate committees for the 109th Congress. **Pages S39–40**

**Minority Party Committee Appointments:** Senate agreed to S. Res. 6, making minority party appointments to certain Senate committees for the 109th Congress. **Page S40**

**Tsunami Relief Contribution Tax Deductibility:** Senate passed H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami. **Pages S39, S56–57**

**Adjournment Resolution:** Senate agreed to H. Con. Res. 2, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S68**

**Objection to Presidential Electoral Vote Certificate From Ohio:** By 1 yea to 74 nays (Vote No. 1), the objection to the Presidential electoral vote certificate from the State of Ohio was not sustained. **Pages S41–56**

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

Transmitting, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, an Agreement between the Government of the United States of America and the Government of the Russian Federation extending the agreement on Mutual Fisheries Relations of May 31, 1999; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; which was re-

ferred to the Committees on Foreign Relations; and Commerce, Science, and Transportation. (PM–1)

**Page S62**

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

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Pages S68–76**

**Messages From the House:** **Pages S62–63**

**Executive Communications:** **Pages S63–66**

**Executive Reports of Committees:** **Page S66**

**Statements on Introduced Bills/Resolutions:** **Pages S66–67**

**Additional Statements:** **Pages S60–62**

**Authority for Committees to Meet:** **Pages S67–68**

**Record Votes:** One record vote was taken today. (Total—1) **Page S56**

**Adjournment:** Senate convened at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 2, adjourned at 5:20 p.m., until 3 p.m., on January 20, 2005. **Page S68**

### Committee Meetings

*(Committees not listed did not meet)*

#### NOMINATION

**Committee on Agriculture, Nutrition, and Forestry:** Committee ordered favorably reported the nomination of Mike Johanns, of Nebraska, to be Secretary of Agriculture.

Prior to this action, committee concluded hearings on the nomination of Mr. Johanns, after the nominee, who was introduced by Senators Hagel and Nelson (NE), testified and answered questions in his own behalf.

**TSUNAMI RELIEF EFFORTS/IRAQ**

*Committee on Armed Services:* on Wednesday, January 5, Committee met in closed session to receive a briefing on U.S. Government tsunami relief efforts in the Indian Ocean region, on the situation in Iraq and Afghanistan, and on other significant military issues around the world from Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs; Admiral Thomas B. Fargo, USN, Commander, U.S. Pacific Command; Lieutenant General James T. Conway, USMC, Director for Operations, J3, and Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J2, both of The Joint Staff; Evans J. R. Revere, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; and Ronald L. Schlicher, Deputy Assistant Secretary of State for Iraq.

**NOMINATION**

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce.

Prior to this action, on Wednesday, January 5, Committee concluded a hearing on the nomination of Mr. Gutierrez, after the nominee, who was intro-

duced by Senators Levin and Stabenow, testified and answered questions in his own behalf.

**NOMINATION**

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nomination of Margaret Spellings, of Texas, to be Secretary of Education.

Prior to this action, committee concluded hearings on the nomination of Ms. Spellings, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in her own behalf.

**NOMINATION**

*Committee on the Judiciary:* Committee concluded a hearing to examine the nomination of Alberto R. Gonzales, of Texas, to be Attorney General of the United States, after the nominee, who was introduced by Senators Cornyn and Salazar, testified and answered questions in his own behalf. Testimony was also received from Admiral John D. Hutson, USN (Ret.), Franklin Pierce Law Center, Concord, New Hampshire; Harold Hongju Koh, Yale Law School, New Haven, Connecticut; and Douglas A. Johnson, Center of Victims of Torture, Minneapolis, Minnesota.

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# House of Representatives

**Chamber Action**

**Measures Introduced:** 73 public bills, H.R. 19, 44, 50, 58, 91, 101–107, 130, 153–154, 163, 173, 189, 226–228, 232, 238–289; 2 private bills, H.R. 290–291; and; 20 resolutions, H.J. Res. 9, 14–18; H. Con. Res. 7–8, 10–13, and H. Res. 19, 32–38 were introduced. **Pages H135–138**

**Additional Cosponsors:**

**Reports Filed:** No reports were filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page H81**

**Committee Elections:** The House agreed to H. Res. 32, electing the following Members of the Majority to serve on standing committees of the House of Representatives: Committee on Agriculture: Representative Goodlatte, Chairman. Committee on Appropriations: Representative Lewis (CA), Chairman; Representatives Young (FL), Regula, Rogers (KY), Wolf, Kolbe, Walsh, Taylor (NC), Hobson, Istook, Bonilla, Knollenberg, Kingston, Frelinghuysen,

Wicker, Cunningham, Tiahrt, Wamp, Latham, Northup, Aderholt, Emerson, Granger, Peterson (PA), Goode, Doolittle, LaHood, Sweeney, Sherwood, Weldon (FL), Simpson, Culberson, Kirk, Crenshaw, Rehberg, Carter, and Alexander. Committee on Armed Services: Representative Hunter, Chairman. Committee on Budget: Representative Nussle, Chairman. Committee on Education and the Workforce: Representative Boehner, Chairman. Committee on Energy and Commerce: Representative Barton, Chairman; Representatives Hall, Bilirakis, Upton, Stearns, Gillmor, Deal, Whitfield, Cubin, Shimkus, Wilson (NM), Pickering, Fossella, Blunt, Buyer, Radanovich, Bass, Pitts, Bono, Walden, Terry, Ferguson, Mike Rogers (MI), Otter, Myrick, Sullivan, Murphy, Burgess, and Blackburn. Committee on Financial Services: Representative Oxley, Chairman. Committee on Government Reform: Representative Tom Davis (VA), Chairman. Committee on Homeland Security: Representative Cox, Chairman. Committee on House Administration: Representative Ney, Chairman. Committee on International Relations: Representative Hyde, Chairman. Committee

on the Judiciary: Representative Sensenbrenner, Chairman. Committee on Resources: Representative Pombo, Chairman. Committee on Rules: Representative Gingrey. Committee on Science: Representative Boehlert, Chairman. Committee on Small Business: Representative Manzullo, Chairman. Committee on Transportation and Infrastructure: Representative Young (AL), Chairman. Committee on Veteran's Affairs: Representative Buyer, Chairman. Committee on Ways and Means: Representative Thomas, Chairman; Representatives Shaw, Johnson (CT), Herger, McCrery, Camp, Ramstad, Nussle, Johnson (TX), Portman, English, Hayworth, Weller, Hulshof, Lewis (KY), Foley, Brady, Reynolds, Ryan (WI), Cantor, Linder, Hart, Beauprez, and Chocola.

Pages H81–82

**Committee Elections:** The House agreed to H. Res. 33, electing the following Members of the Minority to serve on standing committees of the House of Representatives: Committee on Agriculture: Representative Peterson (MN). Committee on Appropriations: Representative Obey. Committee on Armed Services: Representative Skelton. Committee on the Budget: Representative Spratt. Committee on Education and the Workforce: Representative George Miller of California. Committee on Energy and Commerce: Representative Dingell. Committee on Financial Services: Representative Frank (MA). Committee on Government Reform: Representative Waxman. Committee on Homeland Security: Representative Thompson (MS). Committee on International Relations: Representative Lantos. Committee on the Judiciary: Representative Conyers. Committee on Resources: Representative Rahall. Committee on Rules: Representative Slaughter. Committee on Science: Representative Gordon. Committee on Small Business: Representative Velazquez. Committee on Transportation and Infrastructure: Representative Oberstar. Committee on Veterans' Affairs: Representative Evans. Committee on Ways and Means: Representative Rangel.

Page H83

**Electoral College Vote Tellers:** Pursuant to S. Con. Res. 1, to provide for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States, and the order of the House of January 4, 2005, the Chair announced the Speaker's appointment of Representatives Ney of Ohio and Larson of Connecticut as tellers on the part of the House to count electoral votes.

Page H83

**Permanent Select Committee on Intelligence Appointment:** The Chair announced the Speaker's appointment of Representative Harman to the Permanent Select Committee on Intelligence.

Page H83

**Accelerating income tax benefits for charitable cash contributions for relief of the Indian Ocean**

**tsunami:** The House agreed to H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

Pages H83–84

**Recess:** The House recessed at 11:21 a.m. and reconvened at 12:55 p.m.

Page H84

**Administration of the Oath of Office:** Representative-elect Shadegg presented himself in the well of the House and was administered the oath of office by the Speaker.

Page H84

**Joint Session:** The Joint Session was called to order at 1:05 p.m. and dissolved at 1:22 p.m. for consideration of the objection to the electoral votes for Ohio. Following consideration, the joint session resumed at 5:08 p.m. and dissolved at 5:18 p.m.

Page H84

**Declaration of the Election of President and Vice President:** Pursuant to the provisions of S. Con. Res. 1, and the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, the two Houses of Congress met in joint session with Vice President Cheney as the presiding officer to count the electoral votes. The following votes were cast for George W. Bush of Texas, 286; John F. Kerry of Massachusetts, 251; and John Edwards, 1. The following votes were cast for Vice President: Dick Cheney of Wyoming, 286; and John Edwards, 252.

Page H129

During the joint session, a Representative objected to the certification of electoral votes from Ohio. The objection, having been signed by a Senator, was received and the joint meeting was dissolved for the purpose of considering the objection in each House.

Pages H85–86

The objection was not agreed to in the House by a yeas and nays vote of 31 yeas to 267 nays, Roll No. 7. Subsequently notification was received in the House that the Senate disposed of the objection by a vote of 1 yeas to 74 nays. Upon resumption of the joint session, the Vice President announced that the original certification submitted by the State of Ohio would stand as regular in form and authentic.

Page H127

**Administration of Oath of Office:** Representative-elect Norwood presented himself in the well of the House and was administered the Oath of Office by the Speaker.

Page H127

**Funeral of the late Honorable Robert T. Matsui:** The Chair announced the Speaker's appointment of the following members of the House to the Committee to attend the funeral of the late Honorable Robert T. Matsui: Representatives Stark, Pelosi, George Miller (CA), Waxman, Lewis (CA), Thomas, Dreier, Hunter, Lantos, Berman, Gallegly, Herger,

Cox, Rohrabacher, Cunningham, Doolittle, Waters, Becerra, Calvert, Eshoo, Filner, McKeon, Pombo, Roybal-Allard, Royce, Woolsey, Farr, Lofgren, Radanovich, Millender-McDonald, Sherman, Loretta Sanchez (CA), Tauscher, Capps, Bono, Lee, Gary Miller (CA) Napolitano, Thompson (CA), Baca, Harman, Davis (CA), Honda, Issa, Schiff, Solis, Watson, Cardoza, Nunes, Linda Sánchez (CA), Lungren, Costa, Rangel, Oberstar, Markey, Kildee, Levin, Pomeroy, Jackson-Lee (TX), Hinojosa, Kucinich, Holt, and McCollum. **Page H129**

**Presidential Message:** Read a message from the President wherein he transmitted notification of the extension of the Mutual Fisheries Agreement between the United States and the Russian Federation—referred to the Committee on Resources and ordered printed (House Doc. 109–5). **Page H130**

**Senate Message:** Messages received from the Senate today appear on page H129–130.

**Quorum Calls—Votes:** 1 yea and nay vote developed during the proceedings today and appear on pages H127. There were no quorum calls.

**Adjournment:** The House met at 11 a.m. and at 5:42 p.m. pursuant to the provisions of H. Con. Res. 2, it stands adjourned until 10 a.m. on Thursday, January 20.

### *Committee Meetings*

No Committee meetings were held.

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#### COMMITTEE MEETINGS FOR THURSDAY, JANUARY 20, 2005

*(Committee meetings are open unless otherwise indicated)*

##### Senate

No meetings/hearings scheduled.

##### House

No committee meetings are scheduled.

Next Meeting of the SENATE

3 p.m., Thursday, January 20

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, January 20

Senate Chamber

Program for Thursday: Senate expects to consider certain executive business.

House Chamber

Program for Thursday: Inauguration of the President of the United States.

Extensions of Remarks, as inserted in this issue

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