

# Daily Digest

## HIGHLIGHTS

Senate confirmed the nominations of Samuel A. Alito, Jr., to be an Associate Justice of the Supreme Court of the United States, and Ben S. Bernanke, to be Chairman of the Board of Governors of the Federal Reserve System.

Senate and House of Representatives met in Joint Session to receive the President's State of the Union Message.

## Senate

### Chamber Action

*Routine Proceedings, pages S333–S385*

**Measures Introduced:** Four bills and four resolutions were introduced, as follows: S. 2227–2230, and S. Res. 359–362. **Page S370**

**Measures Passed:**

*National School Counseling Week:* Senate agreed to S. Res. 360, designating the Week of February 6 through February 10, 2006, as “National School Counseling Week”. **Page S375**

*Honoring Professional Surveyors:* Senate agreed to S. Res. 361, honoring professional surveyors and recognizing their contributions to society. **Pages S375–76**

*Honoring Coretta Scott King:* Senate agreed to S. Res. 362, honoring the life of Coretta Scott King and expressing the condolences of the Senate on her passing. **Pages S376–81**

**Tax Reconciliation—Agreement:** A unanimous-consent agreement was reached providing that at 9:15 a.m., Senate begin consideration of H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006; and that the 60 minutes of morning business, following the remarks of the Majority Leader, be counted against the underlying statutory time limitation. **Page S381**

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

Transmitting the report on the State of the Union delivered to a Joint Session of Congress on January

31, 2006; which was ordered to lie on the table. (PM–35) **Pages S366–79**

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

By 58 yeas 42 nays (Vote No. EX. 2), Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States.

**Pages S334–48, S385**

Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2006.

Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years. **Pages S348–56, S385**

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

Edward P. Lazear, of California, to be a Member of the Council of Economic Advisers.

W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security.

Paul DeCamp, of Virginia, to be Administrator of the Wage and Hour Division, Department of Labor.

Jeffrey L. Sedgwick, of Massachusetts, to be Director of the Bureau of Justice Statistics.

Routine lists in the Air Force, Army, Marine Corps. **Pages S382–85**

**Messages From the House:** **Page S370**

**Additional Cosponsors:** **Pages S370–71**

**Statements on Introduced Bills/Resolutions:** **Pages S371–74**

**Additional Statements:** **Pages S363–66**

**Authorities for Committees to Meet:****Pages S374–75****Record Votes:** One record vote was taken today. (Total—2)**Page S348**

**Adjournment:** Senate convened at 9:45 a.m., and adjourned at 10:10 p.m., until 9:15 a.m., on Wednesday, February 1, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S382.)

**Committee Meetings***(Committees not listed did not meet)***PANDEMIC INFLUENZA PREPAREDNESS**

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine pandemic influenza preparedness at Federal, State and local levels, after receiving testimony from John Agwunobi, Assistant Secretary for Health, and Julie L. Gerberding, Director, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Mary Mincer Hansen, Iowa Department of Public Health, Des Moines; Calvin B. Johnson, Pennsylvania Department of Health, Harrisburg; Bruce W. Dixon, Allegheny County Department of Public Health, Pittsburgh, Pennsylvania; Joanne Godley, Philadelphia Department of Social Services, Philadelphia, Pennsylvania; Richard Webby, St. Jude Children's Research Hospital, Memphis, Tennessee; George B. Abercrombie, Hoffmann-La Roche, Inc., Branchburg, New Jersey; Daniel Soland, Chiron Corporation, Emeryville, California; Christopher Viehbacher, GlaxoSmithKline, Research Triangle Park, North Carolina; and John M. Barry, Tulane University Health Sciences Center, New Orleans, Louisiana.

**VIDEO CONTENT**

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine video content, focusing on video competition, program access, and local sports programming, after receiving testimony from Ben Pyne, Disney and ESPN Networks Affiliate Sales, New York, New York; Matt Polka, American Cable Association, Pittsburgh,

Pennsylvania; Robert G. Lee, WDBJ Television, Inc., Roanoke, Virginia; Joseph W. Waz, Jr., Comcast Corporation, Washington, D.C.; Daniel M. Fawcett, DIRECTV, Inc., El Segundo, California; and Doron Gorshein, The America Channel, Heathrow, Florida.

**NOMINATIONS**

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines, and Michael W. Michalak, of Michigan, for the rank of Ambassador during his tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum, after the nominees testified and answered questions in their own behalf.

**HURRICANE KATRINA**

*Committee on Homeland Security and Governmental Affairs:* Committee continued hearings to examine Hurricane Katrina response issues, focusing on the challenges during a catastrophe, including the evacuation of New Orleans in advance of Hurricane Katrina, receiving testimony from Johnny B. Bradberry, Louisiana Department of Transportation and Development, Joseph A. Donchess, Louisiana Nursing Home Association, and Jimmy Guidry, Louisiana Department of Health and Hospitals, all of Baton Rouge; Terry J. Ebbert, City of New Orleans Office of Homeland Security and Public Safety, and Kevin U. Stephens, City of New Orleans Health Department, both of New Orleans, Louisiana; and Walter S. Maestri, Jefferson Parish Department of Emergency Management, Louisiana.

Committee will meet again on Wednesday, February 1.

**NOMINATIONS**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the nominations of Edwin G. Foulke, Jr., of South Carolina, to be an Assistant Secretary of Labor, and Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health, after the nominees testified and answered questions in their own behalf.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 26 public bills, H.R. 4654–4679; and 17 resolutions, H. Con. Res. 331; and H. Res. 646–652, 665–663 were introduced. **Pages H23–25**

**Additional Cosponsors:** **Pages H25–26**

**Reports Filed:** Reports were filed as follows today: Bringing Communities into the 21st Century: A Report on Improving the Community Development Block Grant Program (H. Rept. 109–365);

H. Res. 653, relating to consideration of the bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95) (H. Rept. 109–366);

H. Res. 654, to waive a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–367);

H.R. 3897, authorizing the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply and Groundwater Enhancement Project, with an amendment (H. Rept. 109–368); and

H. Res. 648, eliminating floor privileges and access to Member exercise facilities for registered lobbyists who are former Members or officers of the House (H. Rept. 109–369, Pt. 1). **Page H23**

**Resignation From Congress:** Read a letter from Representative Robert Menendez wherein he notified the Speaker of his resignation as Congressman for the 13th Congressional District of the State of New Jersey, effective close of business on Monday, January 16, 2006. **Page H3**

**Whole Number of the House:** The Chair announces to the House that, in light of the resignation of the gentleman from New Jersey, Mr. Menendez, the whole number of the House is adjusted to 433. **Page H3**

**Recess:** The House recessed at 12:05 p.m. and reconvened at 3:30 p.m. **Pages H3–4**

**Call of the House:** The Speaker called the House to order and ascertained the presence of a quorum (389 present, Roll No. 1). **Page H4**

**Committee to Notify the President That a Quorum of Each House Has Assembled:** The House agreed to H. Res. 649, authorizing the Speaker to appoint a committee to join with a committee

on the part of the Senate to notify the President that a quorum of each House has assembled, and Congress is ready to receive any communication that he may be pleased to make. Subsequently, the Speaker appointed acting Majority Leader Blunt and Minority Leader Pelosi to the Committee. **Page H4**

**Notifying the Senate That a Quorum of the House Is Present:** The House agreed to H. Res. 650, to authorize the Clerk of the House to inform the Senate that a quorum of the House is present and that the House is ready to proceed with business. **Page H4**

**Meeting Hour:** The House agreed to H. Res. 651, establishing the hour of daily meeting of the House. **Pages H4–5**

**State of the Union Message:** The House agreed to S. Con. Res. 77, providing for a joint session of Congress to receive a message from the President on the state of the Union on Tuesday, January 31, 2006 at 9 p.m. **Page H5**

**Morning Hour Debate:** During the second session of the 109th Congress, agreed that on the legislative days of Monday and Tuesday before May 15, 2006, the House shall convene 90 minutes earlier than otherwise established for the purpose of morning-hour debate. Agreed that on the legislative day of Tuesday after May 15, 2006, the House shall convene for morning-hour debate one hour earlier than the time otherwise established. **Page H5**

**Extension of Remarks:** Agreed by unanimous consent to authority for Members to extend their remarks and include extraneous material in the Congressional Record. **Page H5**

**Calendar Wednesday:** Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, February 1, 2006. **Page H5**

**Moment of Silence:** The Chair led the House in a moment of silence to respect the memory of Coretta Scott King. **Page H5**

**Honoring the life and accomplishments of Mrs. Coretta Scott King and her contributions as a leader in the struggle for civil rights, and expressing condolences to the King family on her passing—Order of Business:** The House agreed that it should be in order to immediately consider H. Res. 655, honoring the life and accomplishments of Mrs. Coretta Scott King and her contributions as a leader in the struggle for civil rights, and expressing condolences to the King family on her passing; that the resolution be considered as read; that the

previous question shall be considered as ordered on the resolution and the preamble to its adoption without intervening motion except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker. Later, the Chair announced that further consideration will be postponed until Wednesday, February 2, 2006. **Pages H5–14**

**Social Security Advisory Board-appointment:** Read a letter from the Speaker wherein he announced his appointment of Mrs. Barbara Kennelly of Connecticut to the Social Security Advisory Board. **Page H14**

**Board of Trustees of the American Folklife Center in the Library of Congress-appointment:** Read a letter from the Speaker wherein he announced his reappointment of Ms. Kay Kaufman Shelemay of Cambridge, Massachusetts; and his appointment of Mr. Charlie Seeman of Spring Creek, Nevada to the Board of Trustees of the American Folklife Center in the Library of Congress. **Page H14**

**National Surface Transportation Policy and Revenue Study Commission-appointment:** Read a letter from the Speaker wherein he announced his appointments of Mr. Jack L. Schenendorf of Chevy Chase, Maryland and Mr. Matthew K. Rose of Westlake, Texas to the National Surface Transportation Policy and Revenue Study Commission. **Page H14**

**United States-China Economic and Security Review Commission:** Read a letter from the Speaker wherein he announced his appointments of Mr. Peter T. R. Brookes of Springfield, Virginia and Ms. Kerri Houston of Great Falls, Virginia. **Page H14**

**Recess:** The House recessed at 5:22 p.m. and reconvened at 8:43 p.m. **Page H14**

**State of the Union Address:** President George W. Bush delivered his State of the Union address to a joint session of Congress, pursuant to the provisions of S. Con. Res. 77. He was escorted into the House Chamber by a committee comprised of Representatives Blunt, Pryce of Ohio, Dreier, Pelosi, Hoyer, Clyburn and Senators Frist, McConnell, Santorum, Hutchison, Kyl, Dole, Specter, Reid, Durbin, Stabenow, Schumer, Obama, Salazar and Menendez. The President's message was referred to the Committee on the Whole House on the State of the Union and ordered printed (H. Doc. 109–80). **Pages H15–19**

**Senate Referrals:** S. Con. Res. 77 was held at the desk; and S. Con. Res. 78 was referred to the International Relations Committee. **Page H19**

**Quorum Calls—Votes:** One quorum call (Roll No. 1) developed during the proceedings of the House today and appears on page H4.

**Adjournment:** The House met at 12 noon and adjourned at 10:11 p.m.

## *Committee Meetings*

### **DEFICIT REDUCTION ACT—RESOLUTION AGREEING TO THE SENATE AMENDMENT**

*Committee on Rules:* Granted, by a vote of 7 to 4 with one Member voting present, a rule providing that the House hereby concurs in the Senate amendment to the House amendment to the bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). Testimony was heard from Representative LaTourette.

### **SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE—EXTEND AND MODIFY AUTHORITIES NEEDED TO COMBAT TERRORISM**

*Committee on Rules:* Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of February 1, 2006, providing for consideration or disposition of a bill to extend and modify authorities needed to combat terrorism, and for other purposes.

### **LIMITING ACCESS OF FORMER MEMBERS AND OFFICERS TO MEMBER AREAS**

*Committee on Rules:* Ordered reported, by voice vote, H. Res. 648, To eliminate floor privileges and access to Member exercise facilities for registered lobbyists who are Former Members or Officers of the House. Testimony was heard from Representative Snyder.

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## **COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 1, 2006**

*(Committee meetings are open unless otherwise indicated)*

### **Senate**

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine promotion and advancement of women in sports, 10 a.m., SH–216.

*Committee on Homeland Security and Governmental Affairs:* to continue hearings to examine Hurricane Katrina response issues, focusing on managing the crisis and evacuating New Orleans, 10 a.m., SD-342.

*Committee on Indian Affairs:* to hold oversight hearings to examine off-reservation gaming issues, focusing on the process for considering gaming applications, 9:30 a.m., SD-106.

*Committee on the Judiciary:* to hold hearings to examine consolidation in the energy industry, 9:30 a.m., SD-226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine the death penalty in the United States, 2 p.m., SD-226.

### House

*Committee on Armed Services,* hearing on countering a nuclear Iran, 11 a.m., 2118 Rayburn.

Subcommittee on Tactical Air and Land Forces and the Subcommittee on Readiness, joint hearing on Operation Iraqi Freedom and Operation Enduring Freedom Ground Forces Vehicle and Personnel Protection and Rotary Wing Safety of Flight Update, 2 p.m., 2118 Rayburn.

*Committee on Energy and Commerce,* hearing entitled "Phone Records For Sale: Why Aren't Phone Records Safe From Pretexting?" 2 p.m., 2123 Rayburn.

*Committee on Government Reform,* to consider the following measures: H.R. 4054, To designate the facility of the United States Postal Service located at 6110 East 51st

Place in Tulsa, Oklahoma, as the "Dewey F. Bartlett Post Office"; H.R. 4346, To designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the "Malcolm Melville 'Mac' Lawrence Post Office"; H.R. 4456, To designate the facility of the United States Postal Service located at 2404 Race Street in Jonesboro, Arkansas, as the "Hattie Caraway Station"; H.R. 4509, To designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the "Hiram L. Fong Post Office Building"; H. Res. 629, Supporting the goals and ideals of a day of Hearts, Congenital Heart Defect Day in order to increase awareness about congenital heart defects; and S. 1989, To designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, as the "Holly A. Charette Post Office"; followed by a hearing entitled "Restoring the Public Trust: 'A Review of the 'Federal Pension Forfeiture Act,'" 10 a.m., 2154 Rayburn.

*Committee on Small Business,* Subcommittee on Tax, Finance and Exports and the Subcommittee on Rural Enterprises, Agriculture, and Technology, joint hearing entitled "Transforming the Tax Code: An Examination of the President's Tax Reform Panel Recommendations," 3 p.m., 2360 Rayburn.

*Committee on Ways and Means,* to mark up H.R. 1631, Rail Infrastructure Development and Expansion Act for the 21st Century, 2:45 p.m., 1100 Longworth.

## Next Meeting of the SENATE

9:15 a.m., Wednesday, February 1

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 1

## Senate Chamber

**Program for Wednesday:** Senate will begin consideration of H.R. 4297, Tax Reconciliation, with a period of morning business not to extend beyond 60 minutes, which will be counted against the statutory time limitation.

## House Chamber

**Program for Wednesday:** Consideration of H. Res. 648—to eliminate floor privileges and access to Member exercise facilities for registered lobbyists who are former Members or officers of the House; and (2) H. Res. 653—agreeing to the Senate Amendment for S. 1932—Deficit Reduction Act of 2005.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Andrews, Robert E., N.J., E23  
Brown-Waite, Ginny, Fla., E28, E29, E31, E31  
Burgess, Michael C., Tex., E27, E29, E30, E31, E32, E33  
Calvert, Ken, Calif., E12, E15  
Capps, Lois, Calif., E10, E13, E17  
Cardin, Benjamin L., Md., E23  
Cooper, Jim, Tenn., E21  
Cuellar, Henry, Tex., E27, E28, E30, E31, E32, E32  
Davis, Jim, Fla., E10, E13, E17  
Davis, Tom, Va., E35  
DeLauro, Rosa L., Conn., E12, E15, E20  
Dingell, John D., Mich., E36  
Duncan, John J., Jr., Tenn., E18  
Gibbons, Jim, Nev., E36  
Gordon, Bart, Tenn., E19, E25  
Granger, Kay, Tex., E22  
Higgins, Brian, N.Y., E11, E14, E18  
Hinchey, Maurice D., N.Y., E37

Hoyer, Steny H., Md., E24  
Issa, Darrell E., Calif., E32  
Johnson, Eddie Bernice, Tex., E24  
Jones, Stephanie Tubbs, Ohio, E24  
Kanjorski, Paul E., Pa., E27, E29, E30, E31  
Kelly, Sue W., N.Y., E19  
Kildee, Dale E., Mich., E19  
Knollenberg, Joe, Mich., E22  
Kolbe, Jim, Ariz., E25  
Lantos, Tom, Calif., E26  
Lipinski, Daniel, Ill., E21  
Lofgren, Zoe, Calif., E20, E32  
Lynch, Stephen F., Mass., E37  
McCarthy, Carolyn, N.Y., E23  
Maloney, Carolyn B., N.Y., E34  
Markey, Edward J., Mass., E33  
Meek, Kendrick B., Fla., E23  
Moore, Dennis, Kans., E28, E29  
Musgrave, Marilyn N., Colo., E10, E13, E18, E37  
Myrick, Sue Wilkins, N.C., E26

Pallone, Frank, Jr., N.J., E34  
Pascrell, Bill, Jr., N.J., E22  
Pastor, Ed, Ariz., E21  
Pelosi, Nancy, Calif., E25  
Radanovich, George, Calif., E18  
Rahall, Nick J., II, W.Va., E38  
Reynolds, Thomas M., N.Y., E19  
Ruppersberger, C.A. Dutch, Md., E9, E13, E16  
Salazar, John T., Colo., E33  
Shuster, Bill, Pa., E12, E15  
Solis, Hilda L., Calif., E33  
Stark, Fortney Pete, Calif., E25  
Townes, Edolphus, N.Y., E36  
Udall, Mark, Colo., E9, E11, E12, E14, E16, E17  
Van Hollen, Chris, Md., E35  
Visclosky, Peter J., Ind., E11, E14, E18, E20  
Walsh, James T., N.Y., E22  
Weldon, Curt, Pa., E28, E29



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