

Daily Digest

HIGHLIGHTS

Senate passed S. 3930, Military Commissions Act.

The House passed H.R. 5825, Electronic Surveillance Modernization Act.

Senate

Chamber Action

Routine Proceedings, pages S10349–S10495

Measures Introduced: Thirty-one bills and two resolutions were introduced, as follows: S. 3963–3993, and S. Res. 589–590. **Page S10457–58**

Measures Reported:

H.R. 1463, to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the “Justin W. Williams United States Attorney’s Building”. **Pages S10456**

Measures Passed:

Military Commissions Act: By 65 yeas to 34 nays (Vote No. 259), Senate passed S. 3930, to authorize trial by military commission for violations of the law of war, after taking action on the following amendments proposed thereto: **Pages S10354–S10431**

Rejected:

By 48 yeas to 51 nays (Vote No. 255), Specter Amendment No. 5087, to strike the provision regarding habeas review. **Pages S10354–69**

By 46 yeas to 53 nays (Vote No. 256), Rockefeller Amendment No. 5095, to provide for congressional oversight of certain Central Intelligence Agency programs. **Pages S10369–78, S10396–97**

By 47 yeas to 52 nays (Vote No. 257), Byrd Amendment No. 5104, to prohibit the establishment of new military commissions after December 31, 2011. **Pages S10385–90, S10397–98**

By 46 yeas to 53 nays (Vote No. 258), Kennedy Amendment No. 5088, to provide for the protection of United States persons in the implementation of treaty obligations. **Pages S10378–85, S10390–96, S10398**

Secure Fence Act: Senate continued consideration of H.R. 6061, to establish operational control over the international land and maritime borders of the United States, taking action on the following amendments proposed thereto: **Page S10431–33**

Pending:

Frist Amendment No. 5036, to establish military commissions. **Page S10432**

Frist Amendment No. 5037 (to Amendment No. 5036), to establish the effective date. **Page S10432**

Motion to commit the bill to the Committee on the Judiciary, with instructions to report back forthwith, with an amendment. **Page S10432**

Frist Amendment No. 5038 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish military commissions. **Page S10432**

Frist Amendment No. 5039 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish the effective date. **Page S10432**

Frist Amendment No. 5040 (to Amendment No. 5039), to amend the effective date. **Page S10432**

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

By 71 yeas to 28 nays (Vote No. 260), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Pages S10431–32**

Senate expects to continue consideration of the bill on Friday, September 29, 2006.

Department of Defense Appropriations—Conference Report: Senate began consideration of the conference report to accompany H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007. **Pages S10433–42**

A unanimous-consent agreement was reached providing for further consideration of the conference report on Friday, September 29, 2006, with a vote on adoption thereon, to occur at 10 a.m. **Page S10433**

China Currency—Agreement: A unanimous-consent agreement was reached providing that the orders of July 1, 2005 and March 29, 2006, with respect to S. 295, to authorize appropriate action in the negotiations with the People's Republic of China regarding China's undervalued currency are not successful, be vitiated. **Page S10389**

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

Mutual Legal Assistance Agreement with the European Union (Treaty Doc. No. 109–13); and

Extradition Agreement with the European Union (Treaty Doc. No. 109–14).

The treaties were 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 S10493**

Nominations Received: Senate received the following nominations:

Michele A. Davis, of Virginia, to be an Assistant Secretary of the Treasury.

Eric D. Eberhard, of Washington, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2012.

Dana Gioia, of California, to be Chairperson of the National Endowment for the Arts for a term of four years.

1 Coast Guard nomination in the rank of admiral. Routine lists in the Air Force, Foreign Service.

Pages S10494–95

Messages From the House: **Pages S10454–56**

Measures Placed on Calendar: **Page S10456**

Measures Read First Time: **Page S10456**

Enrolled Bills Presented: **Page S10456**

Executive Reports of Committees: **Page S10456**

Additional Cosponsors: **Pages S10458–59**

Statements on Introduced Bills/Resolutions: **Pages S10459–90**

Additional Statements: **Pages S10450–54**

Amendments Submitted: **Pages S10490–92**

Authorities for Committees to Meet: **Page S10492**

Record Votes: Six record votes were taken today. (Total—260) **Pages S10369, S10397, S10397–98, S10398, S10420, S10432**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:42 p.m., until 9:30 a.m., on Friday, September 29, 2006. (For Senate's program, see the

remarks of the Majority Leader in today's Record on page S10494.)

Committee Meetings

(Committees not listed did not meet)

FEDERAL VOTING ASSISTANCE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine issues relating to military voting, focusing on the Federal Voting Assistance Program, which allows absentee voting by members of the military and civilians living overseas, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; Paul DeGregorio, Chairman, U.S. Election Assistance Commission; Derek B. Stewart, Director, Defense Capabilities and Management, Government Accountability Office; and Deborah L. Markowitz, National Association of Secretaries of State, Washington, D.C.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of General Bantz J. Craddock, USA, for reappointment to the grade of general and to be Commander, U.S. European Command, Vice Admiral James G. Stavridis, USN, for appointment to the grade of admiral and to be Commander, U.S. Southern Command, Nelson M. Ford, of Virginia, to be Assistant Secretary of the Army for Financial Management and Comptroller, Ronald J. James, of Ohio, to be Assistant Secretary of the Army for Manpower and Reserve Affairs, Major General Todd I. Stewart, USAF, (Ret.), of Ohio, to be a Member of the National Security Education Board, John Edward Mansfield, of Virginia, Larry W. Brown, of Virginia, and Peter Stanley Winokur, of Maryland, each to be a Member of the Defense Nuclear Facilities Safety Board, and 7,735 routine military nominations in the Army, Navy, Air Force, and Marine Corps.

ECONOMY

Committee on the Budget: Committee concluded a hearing to examine the state of the economy and budget, after receiving testimony from Edward P. Lazear, Chairman, Council of Economic Advisors; and Kevin A. Hassett, American Enterprise Institute, Chris Edwards, Cato Institute, and Peter R. Orszag, Brookings Institution, all of Washington, D.C.

NATIONAL AIRSPACE SYSTEM

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine new aircraft in the National Airspace System (NAS), focusing on developing safety standards and operating procedures to ensure their safe integration

into the NAS, after receiving testimony from Michael A. Cirillo, Vice President, Systems Operations Services, Air Traffic Organization, and Nicholas A. Sabatini, Associate Administrator, Aviation Safety, both of the Federal Aviation Administration, Department of Transportation; Vern Raburn, Eclipse Aviation Corporation, Albuquerque, New Mexico; Edward E. Iacobucci, DayJet Corporation, Delray Beach, Florida; Jack J. Pelton, Cessna Aircraft Company, Wichita, Kansas, on behalf of General Aviation Manufacturers Association; and Matthew G. Andersson, CRA International, Chicago, Illinois.

HAZARDOUS WASTE

Committee on Environment and Public Works: Subcommittee on Superfund and Waste Management concluded a hearing to examine S. 3871, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, after receiving testimony from Susan P. Bodine, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Cheryl T. Coleman, South Carolina Department of Health and Environmental Control, Columbia; Frederick J. Florjancic, Jr., Safety-Kleen Systems, Inc., Plano, Texas; and Phillip J. Bond, Information Technology Association of America, Arlington, Virginia.

PUBLIC DEBT

Committee on Finance: Subcommittee on Long-term Growth and Debt Reduction concluded a hearing to examine America's public debt, focusing on the national savings rate and federal budget deficits, after receiving testimony from former Representative Charles W. Stenholm, Peter R. Orszag, Brookings Institution, and Chris Edwards, Cato Institute, all of Washington, D.C.; and Robert L. Bixby, Concord Coalition, Arlington, Virginia.

SECURING THE NATIONAL CAPITAL REGION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the Dis-

trict of Columbia concluded hearings to examine the National Capital Region's strategic security plan, focusing on the ability of the responsible Federal, state and local government agencies of the National Capital Region to respond to a terrorist attack or natural disaster, including coordination efforts within the region, after receiving testimony from Thomas Lockwood, Director, Office of National Capital Region Coordination, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Deputy Mayor Edward D. Reiskin, District of Columbia Public Safety and Justice; Robert P. Crouch, Jr., Assistant to the Virginia Governor, Richmond; Dennis R. Schrader, Maryland Governor's Office of Homeland Security, Annapolis, Maryland; and Fairfax County Executive Anthony H. Griffin, Fairfax, Virginia.

EMERGENCY MEDICAL CARE

Committee on Health, Education, Labor, and Pensions: On Wednesday, September 27, Subcommittee on Bioterrorism and Public Health Preparedness concluded a hearing to examine measures to improve emergency medical care, focusing on the need for change to continue providing quality emergency medical care when and where it is expected, after receiving testimony from Frederick C. Blum, West Virginia University School of Medicine, Morgantown, on behalf of American College of Emergency Physicians; Margaret VanAmringe, Joint Commission on Accreditation of Healthcare Organizations, Washington, D.C.; Nancy Bonalumi, Children's Hospital of Philadelphia, Philadelphia, Pennsylvania, on behalf of Emergency Nurses Association; Leon L. Haley, Jr., Grady Health System, Atlanta, Georgia; and Robert R. Bass, Maryland Institute of Emergency Medical Services Systems, Baltimore, on behalf of Institute of Medicine's Committee on the Future of Emergency Care in the U.S. Health System.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 6225–6252; and 8 resolutions, H.J. Res. 98; H. Con. Res. 487–488; and H. Res. 1055–1059 were introduced. (See next issue.)

Additional Cosponsors: (See next issue.)

Reports Filed: Reports were filed today as follows:

H.R. 4857, to better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973 (H. Rept. 109–693);

H.R. 512, to require the prompt review by the Secretary of the Interior of the longstanding petitions for Federal recognition of certain Indian tribes (H. Rept. 109–694);

H.R. 6143, to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS (H. Rept. 109–695);

H. Res. 1052, providing for consideration of H.R. 5825, to update the Foreign Intelligence Surveillance Act of 1978 (H. Rept. 109–696);

H.R. 5851, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians (H. Rept. 109–697);

H.R. 1674, to authorize and strengthen the tsunami detection, forecast, warning, and mitigation program of the National Oceanic and Atmospheric Administration, to be carried out by the National Weather Service, with an amendment (H. Rept. 109–698);

Conference report on H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007 (H. Rept. 109–699);

H. Res. 1053, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–700); and

H. Res. 1054, waiving points of order against the conference report to accompany H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007 and providing for consideration of S. 3930, to authorize trial by military commission for violations of the law of war and consideration of H.R. 4772, to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government

officials or entities acting under color of State law (H. Rept. 109–701).

Pages H7784–H7848, (continued next issue)

Discharge Petition: Representative Kennedy of Rhode Island moved to discharge the Committees on Education and the Workforce and Energy and Commerce from the consideration of H.R. 1402, to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits (Discharge Petition No. 18).

(See next issue.)

Rule for consideration of suspensions: The House agreed to H. Res. 1045, providing for consideration of motions to suspend the rules, by voice vote, after agreeing to order the previous question by a yeas-and-nays vote of 223 yeas to 196 nays, Roll No. 495.

Pages H7680–85, H7693–94

Suspensions: The House agreed to suspend the rules and pass the following measures:

Holding the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran: H.R. 6198, amended, to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran;

Pages H7695–H7706

Secure Border Initiative Financial Accountability Act of 2006: H.R. 6162, to require financial accountability with respect to certain contract actions related to the Secure Border Initiative of the Department of Homeland Security;

Pages H7706–10

Children's Hospital GME Support Reauthorization Act of 2006: H.R. 5574, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals. The House concur in Senate amendment—clearing the measure for the President;

Pages H7710–12

Ryan White HIV/AIDS Treatment Modernization Act of 2006: H.R. 6143, amended, to amend title XXVI of the Public Health Service Act to revise and extend the program for providing lifesaving care for those with HIV/AIDS, by a 2/3 yeas-and-nays vote of 325 yeas to 98 nays, Roll No. 503;

Pages H7712–35,

Fort McDowell Indian Community Water Rights Settlement Revision Act of 2006: S. 2464, to revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights

Settlement Act of 1990—clearing the measure for the President; **Pages H7735–36**

Amending the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project: H.R. 4545, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project; **Pages H7736–37**

Authorizing a grant for contributions toward the establishment of the Woodrow Wilson Presidential Library: H.R. 4846, amended, to authorize a grant for contributions toward the establishment of the Woodrow Wilson Presidential Library; **Pages H7737–38**

Agreed to amend the title so as to read: “To authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library.”. **Page H7738**

Extending relocation expenses test programs for Federal employees: S. 2146, to extend relocation expenses test programs for Federal employees—clearing the measure for the President; **Pages H7738–39**

Supporting the goals and ideals of Gynecologic Cancer Awareness Month: H. Con. Res. 473, to support the goals and ideals of Gynecologic Cancer Awareness Month; **Pages H7739–40**

Supporting the goals and ideals of Infant Mortality Awareness Month: H. Res. 402, amended, to support the goals and ideals of Infant Mortality Awareness Month; **Pages H7740–41**

Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War: H. Res. 748, to recognize the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War; **Pages H7741–42**

Supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day: H. Con. Res. 222, amended, to support the goals and ideals of National Pregnancy and Infant Loss Remembrance Day; **Pages H7742–43**

Congratulating the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games: H. Res. 991, to congratulate the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games; **Pages H7744–45**

Designating the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the “Lance Corporal Robert A. Martinez Post Office Building”: H.R. 5108, to designate the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the “Lance Corporal Robert A. Martinez Post Office Building”; **Pages H7745–46**

Amending the Older American Act of 1965 to authorize appropriations for fiscal years 2007 through 2011: H.R. 6197, to amend the Older American Act of 1965 to authorize appropriations for fiscal years 2007 through 2011; **Pages H7746–70**

Establishing a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges: H.R. 5418, amended, to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; **(See next issue.)**

Coast Guard Authorization Act of 2006: H.R. 5681, amended, to authorize appropriations for the Coast Guard for fiscal year 2007; **(See next issue.)**

Designating the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building”: H.R. 6075, to designate the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building”; **(See next issue.)**

Designating the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building”: H.R. 6078, to designate the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building”; **(See next issue.)**

Designating the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the “Beverly J. Wilson Post Office Building”: H.R. 4720, to designate the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the “Beverly J. Wilson Post Office Building”; **(See next issue.)**

Designating the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the “Hamilton H. Judson Post Office”: H.R. 6151, to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the “Hamilton H. Judson Post Office”; **(See next issue.)**

Designating the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building”: 5736, to designate the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building”; (See next issue.)

Designating the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the “Katherine Dunham Post Office Building”: H.R. 5929, to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the “Katherine Dunham Post Office Building”;

(See next issue.)

Designating the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building”: H.R. 1472, to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building”; (See next issue.)

Recognizing Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life's goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process: H. Res. 973, amended, to recognize Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life's goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process;

(See next issue.)

Designating the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the “John J. Sinde Post Office Building”: H.R. 5989, to designate the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the “John J. Sinde Post Office Building”; (See next issue.)

Designating the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”: H.R. 5990, to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”;

(See next issue.)

Designating the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the “Major George Quamo Post Office Building”: S. 3613, to designate the facility of the United States Postal

Service located at 2951 New York Highway 43 in Averill Park, New York, as the “Major George Quamo Post Office Building”—clearing the measure for the President; and (See next issue.)

Designating the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office”: S. 3187, to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office”—clearing the measure for the President.

(See next issue.)

Security and Accountability for Every Port Act or the SAFE Port Act—Motion To Go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 4954, to improve maritime and cargo security through enhanced layered defenses.

Pages H7770–84, (continued next issue)

Agreed to the Thompson of Mississippi motion to instruct conferees by a yea-and-nay vote of 281 yeas to 140 nays, Roll No. 500.

Pages H7771–75, (continued next issue)

Appointed as conferees: From the Committee on Homeland Security, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. King of New York, Young of Alaska, Daniel E. Lungren of California, Linder, Simmons, McCaul of Texas, Reichert, Thompson of Mississippi, Ms. Loretta Sanchez of California, Mr. Markey, Ms. Harman, and Mr. Pascrell;

(See next issue.)

From the Committee on Energy and Commerce, for consideration of Titles VI and X and sec. 1104 of the Senate amendment, and modifications committed to conference: Messrs. Barton of Texas, Upton, and Dingell;

(See next issue.)

From the Committee on Science, for consideration of secs. 201 and 401 of the House bill, and secs. 111, 121, 302, 303, 305, 513, 607, 608, 706, 801, 802, and 1107 of the Senate amendment, and modifications committed to conference: Messrs. Boehlert, Sodrel, and Melancon;

(See next issue.)

From the Committee on Transportation and Infrastructure, for consideration of secs. 101–104, 107–109, and 204 of the House bill, and secs. 101–104, 106–108, 111, 202, 232, 234, 235, 503, 507–512, 514, 517–519, Title VI, secs. 703, 902, 905, 906, 1103, 1104, 1107–1110, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. LoBiondo, Shuster, and Oberstar; and

(See next issue.)

From the Committee on Ways and Means, for consideration of secs. 102, 121, 201, 203 and 301 of the House bill, and secs. 201, 203, 304, 401–404, 407, and 1105 of the Senate amendment,

and modifications committed to conference: Messrs. Thomas, Shaw, and Rangel. (See next issue.)

Electronic Surveillance Modernization Act: The House passed H.R. 5825, to update the Foreign Intelligence Surveillance Act of 1978, by a yea-and-nay vote of 232 yeas to 191 nays, Roll No. 502.

(See next issue.)

Rejected the Schiff motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 202 yeas to 221 nays, Roll No. 501.

(See next issue.)

Pursuant to the rule, in lieu of the amendments in the nature of a substitute as reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence, the amendment in the nature of a substitute printed in this report shall be considered as adopted.

(See next issue.)

Agreed to H. Res. 1046, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by a recorded vote of 227 yeas to 191 noes, Roll No. 497, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 197 nays, Roll No. 496.

Pages H7685–93, H7694–95

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House.

(See next issue.)

H. Res. 1052, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 yeas to 199 noes, Roll No. 499, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 197 nays, Roll No. 498.

Pages H7775–84, (continued next issue)

Advisory Committee on Student Financial Assistance—Reappointment: The Chair announced the Speaker's reappointment of Mr. Robert Shireman of Oakland, California, to the Advisory Committee on Student Financial Assistance for a three-year term effective October 1, 2006.

(See next issue.)

Senate Messages: Messages received from the Senate today appear on pages H7677.

Senate Referrals: S. 2250 was referred to the Committee on Financial Services; and S. 2491 and S. 3930 were held at the desk.

(See next issue.)

Quorum Calls—Votes: Seven yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages H7693, H7694, H7694–95, H7784, (continued next issue).

Adjournment: The House met at 10 a.m. and adjourned at 11:59 p.m.

Committee Meetings

EPA PESTICIDE PROGRAM REVIEW

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review the EPA pesticide program. Testimony was heard from James B. Gulliford, Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances, EPA; and public witnesses.

SECURITY GUARD UNIONIZATION AND NATIONAL SECURITY

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Examining Whether Combining Guards and Other Employees in Bargaining Units Would Weaken National Security." Testimony was heard from public witnesses.

MEDICARE PHYSICIAN PAYMENTS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Medicare Physician Payments: 2007 and Beyond." Testimony was heard from public witnesses.

HEWLETT-PACKARD PRETEXTING SCANDAL

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Hewlett-Packard's Pretexting Scandal." Testimony was heard from the following officials of the Hewlett-Packard Company: Mark Hurd, President, Chief Executive Officer, and Chairman of the Board; and Fred Adler, IT Security Investigations; Patricia Dunn, former Chairman of the Board, Hewlett-Packard Company; Larry W. Sonsini, Chairman, Wilson Sonsini Goodrich and Rosati.

In refusing to give testimony at this hearing, the following individuals: Ann Baskins; Kevin T. Hunsaker; Anthony Gentilucci, Ronald DeLia; Joe Depante, Cassandra Selvage; Darren Brost, Valerie Preston, Bryan Wagner and Charles Kelly, invoked Fifth Amendment privileges.

IMPROVING FINANCIAL LITERACY/ PRIVATE SECTOR COORDINATION

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Improving Financial Literacy: Working Together To Develop Private Sector Coordination and Solutions." Testimony was heard from public witnesses.

IRAQ RECONSTRUCTION CONTRACTING

Committee on Government Reform: Held a hearing entitled "Acquisition Under Duress: Reconstruction Contracting in Iraq." Testimony was heard from

Katherine Schinasi, Managing Director, Acquisition and Sourcing Management, GAO; Stuart W. Bowen, Jr., Inspector General, Special Inspector General for Iraq Reconstruction; the following officials of the Department of State: Ambassador David Satterfield, Senior Advisor to the Secretary for Iraq; and James Bever, Deputy Assistant Administrator for Iraq, Bureau for Asia and the Near East, U.S. Agency for International Development; the following officials of the Department of the Army: Tina Ballard, Deputy Assistant Secretary, Policy and Procurement; and Joseph Tyler, Chief, Programs Integration Division, Military Programs Directorate, Corps of Engineers; and public witnesses.

TRANSIT SECURITY TRAINING

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing entitled "Front-Line Defense: Security Training for Mass Transit and Rail Employees." Testimony was heard from John Sammon, Assistant Administrator, Transportation Sector Network Management, Transportation Security Administration, Department of Homeland Security; the following officials of the Department of Transportation: Terry Rosapep, Deputy Associate Administrator, Office of Program Management, Federal Transit Administration; and William Fagan, Director of Security, Federal Railroad Administration; Chief Polly Hanson, Metro Transit Police Department, Washington Metro Area Transit Authority; and public witnesses.

ELECTRONIC VOTING MACHINES

Committee on House Administration: Held a hearing on Electronic Voting Machines: Verification, Security, and Paper Trails. Testimony was heard from public witnesses.

U.S. FAITH-BASED ORGANIZATION PROGRAMS IN AFRICA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on The Role of Faith-Based Organizations in United States Programming in Africa. Testimony was heard from Terri Hasdorff, Director, Faith-Based and Community Initiatives Office, U.S. Agency for International Development, Department of State; and public witnesses.

HEZBOLLAH'S GLOBAL REACH

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation and the Subcommittee on Middle East and Central Asia held a joint hearing on Hezbollah's Global Reach. Testimony was heard from Frank C. Urbancic, Jr., Principal Deputy Coordinator, Office of the Coordinator

for Counterterrorism, Department of State; John Kavanagh, Section Chief, International Terrorism Operations Section II, Counterterrorism Division, FBI, Department of Justice; and public witnesses.

INTERNATIONAL ASSISTANCE FOR HAITI

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on Moving Forward in Haiti: How the U.S. and the International Community Can Help. Testimony was heard from the following officials of the Department of State: Patrick D. Duddy, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 1344, Lower Farmington River and Salmon Brook Wild and Scenic River Study Act; H.R. 4529, Kalaupapa Memorial Act of 2005; H.R. 5195, Journey Through Hollowed Ground National Heritage Area Designation Act of 2006; H.R. 5466, Captain John Smith Chesapeake National Historic Designation Act; H.R. 5665, American Falls Reservoir District Number 2 Conveyance Act; and H.R. 5817, Bainbridge Island Japanese American Monument Act of 2006. Testimony was heard from Representatives Case, Wolf, Bartlett of Maryland; Jo Ann Davis of Virginia; and Simpson; Dan Wenk, Acting Associate Director, Park Planning, Facilities, and Land, National Park Service, Department of the Interior; and public witnesses.

ELECTRONIC SURVEILLANCE MODERNIZATION ACT

Committee on Rules: Granted a closed rule providing 90 minutes of debate in the House on H.R. 5825, Electronic Surveillance Modernization Act, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments in the nature of a substitute as reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying the resolution shall be considered as adopted. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that, notwithstanding the operation of

the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Lungren of California, Flake, Franks of Arizona, Gohmert, Hoekstra, Wilson of New Mexico, Schiff and Ruppertsberger.

HOMELAND SECURITY APPROPRIATIONS ACT, 2007—CONFERENCE REPORT

MILITARY COMMISSIONS ACT OF 2006

PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Rogers of Kentucky and Representative Sabo.

The rule provides for consideration of S. 3930 to authorize trial by military commission for violations of the law of war, and for other purposes, under a closed rule. The rule provides 1 hour of debate in the House, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides one motion to recommit S. 3930.

The rule provides for consideration of H.R. 4772 to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes, under a closed rule. The rule provides 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute as reported by the Committee on the Judiciary shall be considered as adopted. Finally, the rule provides one motion to recommit H.R. 4772 with or without instructions.

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

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 September 29, 2006.

CREW EXPLORATION VEHICLE DEVELOPMENT

Committee on Science: Held a hearing on Implementing the Vision for Space Exploration: Development of the Crew Exploration Vehicle. Testimony was heard from Scott J. Horowitz, Associate Administrator, Exploration Systems Mission Directorate, NASA and Allen Li, Director, Acquisition and Sourcing Management, GAO.

OVERSIGHT—AMTRAK PLANS AND MANAGEMENT

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on New Hands on the Amtrak Throttle. Testimony was heard from Alexander Kummant, President and Chief Executive Officer, AMTRAK.

OVERSIGHT—FORCE AND VETERAN HEALTH EMERGING TRENDS

Committee on Veterans' Affairs: Subcommittee on Health held an oversight hearing on Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI): Emerging trends in force and veteran health. Testimony was heard from Gerald Cross, M.D., Acting Principal Deputy Under Secretary, Health, Department of Veterans Affairs; and the following officials of the Department of the Army: COL Elspeth Cameron Ritchie, M.D., USA, Psychiatry Consultant to the U.S. Army Surgeon General; and COL Charles W. Hoge, M.D., USA, Chief of Psychiatry and Behavior Sciences, Division of Neurosciences, Walter Reed Army Institute of Research; and representatives of veterans organizations.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

Joint Meetings

COMBATING CHILD SEXUAL EXPLOITATION

Commission on Security and Cooperation in Europe (Helsinki Commission): On Wednesday, September 27, 2006, Commission concluded a hearing to examine Federal efforts to protect children from commercial sexual exploitation, focusing on international initiatives to combat child pornography and trafficking, and related provisions of Public Law 106–386, entitled “The Trafficking Victims Protection Act”, after receiving testimony from James Plitt, Unit Chief, Cyber Crimes Center, U.S. Immigration and Customs Enforcement, Department of Homeland Security; James E. Finch, Assistant Director, Cyber Division, Federal Bureau of Investigation, Department of Justice; Linda Smith, Shared Hope International, Vancouver, Washington; Carol Smolenski, ECPAT–USA, Brooklyn, New York; Mohamed Mattar, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, Washington, D.C.; and Ernie Allen, International Centre for Missing and Exploited Children, Alexandria, Virginia.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1052)

H.R. 866, to make technical corrections to the United States Code. Signed on September 27, 2006. (Public Law 109–284).

H.R. 2808, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln. Signed on September 27, 2006. (Public Law 109–285).

S. 1773, to resolve certain Native American claims in New Mexico. Signed on September 27, 2006. (Public Law 109–286).

S. 2784, to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding. Signed on September 27, 2006. (Public Law 109–287).

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 29, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Judiciary: business meeting to consider the nominations of Terrence W. Boyle, of North Caro-

lina, and William James Haynes II, of Virginia, each to be United States Circuit Judge for the Fourth Circuit, Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Nora Barry Fischer, to be United States District Judge for the Western District of Pennsylvania, Gregory Kent Frizzell, to be United States District Judge for the Northern District of Oklahoma, Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, Robert James Jonker, Paul Lewis Maloney, and Janet T. Neff, each to be a United States District Judge for the Western District of Michigan, Leslie Southwick, to be United States District Judge for the Southern District of Mississippi, Lisa Godbey Wood, to be United States District Judge for the Southern District of Georgia, S. 2831, to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice, S. 155, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, S. 1845, to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, S. 3880, to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror, S. 2644, to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and S. 3818, to amend title 35, United States Code, to provide for patent reform, 9:30 a.m., SD–226.

House

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled “Internet Data Brokers and Pretexting: Who Has Access to Your Private Records?” 10 a.m., 2123 Rayburn.

Committee on International Relations, Subcommittee on Oversight and Investigations, hearing on Falun Gong: Organ Harvesting and China’s Ongoing War on Human Rights, 10:30 a.m., 2172 Rayburn.

Committee on Science, hearing on GAO Report on NOAA’s Weather Satellite Program, 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Friday, September 29

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, September 29

Senate Chamber

Program for Friday: After the transaction of any morning business (not to extend beyond 10 a.m.), Senate will continue consideration of the conference report to accompany H.R. 5631, Department of Defense Appropriations, with a vote on its adoption to occur immediately thereon. Also, Senate expects to continue consideration of H.R. 6061, Secure Fence Act, and will vote on the motion to invoke cloture on the motion to concur in the amendment of the House of Representatives to S. 403, Child Custody Protection Act. Additionally, Senate will consider any other cleared legislative and executive business.

House Chamber

Program for Friday: Consideration of H.R. 4772—Private Property Rights Implementation Act of 2006 (Subject to a Rule).

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