

Daily Digest

HIGHLIGHTS

- Senate agreed to the conference report to accompany S. 2167, USA PATRIOT Act Extension.
- Senate agreed to the conference report to accompany H.R. 2863, Department of Defense Appropriations.
- Senate agreed to the conference report to accompany H.R. 1815, National Defense Authorization.
- Senate agreed to the conference report to accompany H.R. 3010, Labor/HHS/Education Appropriations.
- Senate agreed to the conference report to accompany S. 1281, National Aeronautics and Space Administration Authorization Act.
- Senate agreed to H. Con. Res. 326, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S14199–S14239

Measures Introduced: Twenty-one bills and eight resolutions were introduced, as follows: S. 2156–2176, S. Res. 342–347, and S. Con. Res. 74–75. (See next issue.)

Measures Reported:

S. 2015, to provide a site for construction of a national health museum. (S. Rept. No. 109–212) (See next issue.)

Measures Passed:

Enrollment Correction Resolution: By 48 yeas to 45 nays (Vote No. 365), Senate agreed to S. Con. Res. 74, correcting the enrollment of H.R. 2863.

Pages S14233–39

USA PATRIOT Act Extension: Senate passed S. 2167, to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006. (See next issue.)

A unanimous-consent agreement was reached providing that if the House does not agree to the concurrent resolution (listed above), then adoption of the conference report to accompany H.R. 2863, Department of Defense Appropriations (listed below) is vitiated, and, notwithstanding the adoption of the

adjournment resolution, Senate would reconvene at 8 p.m. on Thursday, December 22, 2005.

(See next issue.)

Global Pathogen Surveillance Act: Senate passed S. 2170, to provide for global pathogen surveillance and response. (See next issue.)

Recognizing the Republic of Croatia: Senate agreed to S. Res. 342, recognizing the Republic of Croatia for its progress in strengthening democratic institutions, respect for human rights, and the rule of law and recommending the integration of Croatia into the North Atlantic Treaty Organization. (See next issue.)

Thank Our Defenders Week: Senate agreed to S. Res. 343, expressing the sense of the Senate that the week of December 19, 2005 should be designated “Thank Our Defenders Week.” (See next issue.)

Support for Government of Georgia’s South Ossetian Peace Plan: Senate agreed to S. Res. 344, expressing support for the Government of Georgia’s South Ossetian Peace Plan and the successful and peaceful reintegration of the region into Georgia. (See next issue.)

100th Anniversary of Fenton Art Glass: Senate agreed to S. Res. 345, recognizing the 100th anniversary of Fenton Art Glass, a beloved institution in West Virginia, that continues to contribute to the

economic and cultural heritage of the State through its production of world renowned, hand-blown glass.

(See next issue.)

Commending Appalachian State University Football Team: Senate agreed to S. Res. 346, commending the Appalachian State University Football Team for winning the 2005 National Collegiate Athletic Association Division I-AA Football Championship.

(See next issue.)

Encouraging Charitable Giving: Senate agreed to S. Con. Res. 75, encouraging all Americans to increase their charitable giving, with the goal of increasing the annual amount of charitable giving in the United States by 1 percent.

(See next issue.)

Enrollment Correction: Senate agreed to H. Con. Res. 324, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1281.

(See next issue.)

Intellectual Property Rights in the Russian Federation: Committee on Foreign Relations was discharged from further consideration of H. Con. Res. 230, expressing the sense of the Congress that the Russian Federation must protect intellectual property rights, which was then referred to the Committee on Finance and was discharged from further consideration thereof, and the resolution was then agreed to.

(See next issue.)

Federal Flight Deck Officer Program: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 196, honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program, and the resolution was then agreed to.

(See next issue.)

Recognizing African-American Basketball Teams and Players: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 59, recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation, and the resolution was then agreed to.

(See next issue.)

Unaccompanied Alien Child Protection Act: Senate passed S. 119, to provide for the protection of unaccompanied alien children, after agreeing to the committee amendment, and the following amendment proposed thereto:

Frist (for Feinstein) Amendment No. 2692, in the nature of a substitute.

(See next issue.)

Mortgage Forbearance for Hurricane Victims: Senate agreed to S. Res. 347, expressing the sense of the Senate that lenders holding mortgages on homes

in communities of the Gulf Coast devastated by Hurricanes Katrina and Rita should extend current voluntary mortgage payment forbearance periods and not foreclose on properties in those communities.

(See next issue.)

International Cooperation to Meet the Millennium Development Goals Act: Senate passed S. 1315, to require a report on progress toward the Millennium Development Goals, after agreeing to the committee amendments, and the following amendment proposed thereto:

(See next issue.)

Frist (for Lugar) Amendment No. 2693, to strike “as a fundamental guide on which to base their planning,” provision.

(See next issue.)

Vet Center Enhancement Act: Senate passed S. 716, to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs.

(See next issue.)

Veteran Health Care Act: Senate passed S. 1182, to amend title 38, United States Code, to improve health care for veterans, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

(See next issue.)

Frist (for Craig) Amendment No. 2694, in the nature of a substitute.

(See next issue.)

Fees for Armed Forces Funerals: Senate passed S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

(See next issue.)

Energy Policy Act Technical Corrections: Senate passed H.R. 4637, to make certain technical corrections in amendments made by the Energy Policy Act of 2005, clearing the measure for the President.

(See next issue.)

TANF and Child Care Continuation Act: Senate passed H.R. 4635, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, clearing the measure for the President.

(See next issue.)

Federal Deposit Insurance Reform Conforming Amendments Act: Senate passed H.R. 4636, to enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005, clearing the measure for the President.

(See next issue.)

Junior Duck Stamp Reauthorization Amendments Act: Senate passed H.R. 3179, to reauthorize and amend the Junior Duck Stamp Conservation and

Design Program Act of 1994, clearing the measure for the President. (See next issue.)

Securing Aircraft Cockpits Against Lasers Act: Senate passed H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, after agreeing to the following amendment proposed thereto: (See next issue.)

Frist (for Stevens) Amendment No. 2695, to provide exceptions for FAA research, Department of Defense activities, and use of signaling devices in emergencies. (See next issue.)

Passport Services Enhancement Act: Senate passed H.R. 4501, to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, clearing the measure for the President. (See next issue.)

Trafficking Victims Protection Reauthorization Act: Senate passed H.R. 972, to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, clearing the measure for the President. (See next issue.)

Employee Retirement Income Security Act Amendments: Senate passed H.R. 4579, to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits, clearing the measure for the President. (See next issue.)

Torture Victims Relief Reauthorization Act: Senate passed H.R. 2017, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, clearing the measure for the President. (See next issue.)

Second Higher Education Extension Act: Senate passed H.R. 4525, to temporarily extend the programs under the Higher Education Act of 1965, clearing the measure for the President. (See next issue.)

Adjournment Resolution: Senate agreed to H. Con. Res. 326, providing for the sine die adjournment of the first session of the One Hundred Ninth Congress. (See next issue.)

A unanimous-consent agreement was reached providing that if the House does not agree to S. Con. Res. 74, correcting the enrollment of H.R. 2863,

then the adjournment resolution (listed above) be initiated. (See next issue.)

Deficit Reduction Omnibus Reconciliation Act—House Message: By 51 yeas to 50 nays, Vice President voting yea (Vote No. 363), Senate concurred in the amendment of the House of Representatives to 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), with the following amendment proposed thereto:

Pages S14202–21

Conrad Amendment No. 2691 (to the amendment of the House), in the nature of a substitute. (See next issue.)

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

By 52 yeas to 48 nays (Vote No. 362), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of section 313 of the Congressional Budget Act of 1974, as amended, for consideration of sections 5001(b)(3), 5001(b)(4), and the relevant part of section 6043(a) of the conference report. Subsequently, the point of order against section 5001(b)(3), section 5001(b)(4), and that portion of section 6043(a) proposing a new subsection (e)(4) to section 1916A of the Social Security Act as added by section 6041, and as amended by section 6042 of this Act, was sustained, and the conference report was defeated by operation of the Budget Act.

Pages S14203–05

The point of order against section 7404 regarding foster care was not sustained. Pages S14203–05

Department of Defense Appropriations—Conference Report: By a unanimous vote of 93 yeas (Vote No. 366), Senate agreed to the conference report to accompany H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, providing that the House agree to S. Con. Res. 74 (listed above).

Pages S14221–33

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

By 56 yeas to 44 nays (Vote No. 364), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report.

Page S14233

Subsequently, Senator Frist entered a motion to reconsider the vote by which cloture was not invoked, which was later rendered moot. Page S14233

National Defense Authorization—Conference Report: Senate agreed to the conference report to accompany H.R. 1815, to authorize appropriations for

fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, clearing the measure for the President.

(See next issue.)

Prior to this action, the pending vote on the motion to invoke cloture was vitiated. (See next issue.)

Labor/HHS/Education Appropriations—Conference Report: Senate agreed to the conference report to accompany H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. (See next issue.)

National Aeronautics and Space Administration Authorization Act—Conference Report: Senate agreed to the conference report to accompany S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010, clearing the measure for the President. (See next issue.)

Nominations—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, all nominations remain in status quo, with the exception of the nomination of Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, and a list of nominations from the Committee on Armed Services that are at the desk.

(See next issue.)

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. (See next issue.)

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Allen, be authorized to sign duly enrolled bills or joint resolutions. (See next issue.)

Nominations Confirmed: Senate confirmed the following nominations:

R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior.

Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services.

Timothy Mark Burgess, of Alaska, to be United States District Judge for the District of Alaska.

Joseph Frank Bianco, of New York, to be United States District Judge for the Eastern District of New York.

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

Gregory F. Van Tatenhove, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama.

Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois.

W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama.

Eric Nicholas Vitaliano, of New York, to be United States District Judge for the Eastern District of New York.

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

1 Air Force nomination in the rank of general.

3 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy.

Routine lists in the Coast Guard. (Prior to this action, the Committee on Commerce, Science, and Transportation was discharged from further consideration.) (See next issue.)

Nominations Received: Senate received the following Nominations:

Alexander A. Karsner, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007.

Donald R. DePriest, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

Howard A. Thrailkill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law.

Vince J. Juaristi, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2009.

A routine list in the Navy.

(See next issue.)

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Howard A. Thraikill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007, which was sent to the Senate on November 17, 2005.

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law, which was sent to the Senate on November 17, 2005. (See next issue.)

Nominations Returned to the President: The following Nominations were returned to the President failing of confirmation under Senate Rule XXXI at the time of the adjournment of the 109th Congress:

Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

37 Air Force nominations in the rank of general.

7 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Navy. (See next issue.)

Messages From the House: (See next issue.)

Additional Cosponsors: (See next issue.)

Statements on Introduced Bills/Resolutions: (See next issue.)

Additional Statements: (See next issue.)

Amendments Submitted: (See next issue.)

Record Votes: Five record votes were taken today. (Total—366) **Pages S14205, S14221, S14233, S14239,** (continued next issue)

Adjournment: Senate met at 9 a.m., and, in accordance with the provisions of H. Con. Res. 326, adjourned sine die at 12:13 a.m., on Thursday, December 22, 2005, until 12 noon, on Tuesday, January 3, 2006 for a pro forma session, and then adjourn automatically until 10 a.m. on Wednesday, January 18, 2006, unless the House of Representatives fails to adopt S. Con. Res. 74, Enrollment Correction Resolution, at which time the Senate will reconvene at 8 p.m. on Thursday, December 22, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 4 p.m. tomorrow, Thursday, December 22nd.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1323)

H.R. 2520, to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program. Signed on December 20, 2005. (Public Law 109-129)

S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah. Signed on December 20, 2005. (Public Law 109-130)

S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize

the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park. Signed on December 20, 2005. (Public Law 109-131)

S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera. Signed on December 20, 2005. (Public Law 109-132)

S. 279, to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction. Signed on December 20, 2005. (Public Law 109-133)

S. 1886, to authorize the transfer of naval vessels to certain foreign recipients. Signed on December 20, 2005. (Public Law 109-134)

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 22, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

12 noon, Tuesday, January 3, 2006

Next Meeting of the HOUSE OF REPRESENTATIVES

4 p.m., Thursday, December 22

Senate Chamber

Program for Tuesday: Senate will meet in a pro forma session, and then adjourn automatically until 10 a.m. on Wednesday, January 18, 2006, unless the House of Representatives fails to adopt S. Con. Res. 74, Enrollment Correction Resolution, at which time the Senate will reconvene at 8 p.m. on Thursday, December 22, 2005.

House Chamber

Program for Thursday: Pro forma session.



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