

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S9449–S9575*

**Measures Introduced:** Two resolutions were submitted, as follows: S. Res. 569 and S. Con. Res. 114.

**Page S9507**

#### Measures Reported:

S. 660, to provide for the acknowledgement of the Lumbee Tribe of North Carolina. (S. Rept. No. 109–334)

S. 2453, to establish procedures for the review of electronic surveillance programs, with an amendment in the nature of a substitute.

S. 2455, to provide in statute for the conduct of electronic surveillance of suspected terrorists for the purposes of protecting the American people, the Nation, and its interests from terrorist attack while ensuring that the civil liberties of United States citizens are safeguarded.

S. 3001, to ensure that all electronic surveillance of United States persons for foreign intelligence purposes is conducted pursuant to individualized court-issued orders, to streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, with an amendment in the nature of a substitute.

**Page S9505**

#### Measures Passed:

**Enrollment Corrections:** Senate agreed to S. Con. Res. 114, providing for corrections to the enrollment of the bill S. 2590.

**Pages S9563–64**

**Fort McDowell Indian Community Water Rights Settlement Revision Act:** Senate passed 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, after agreeing to the following amendment proposed thereto:

**Page S9564**

Stevens (for McCain) Amendment No. 5006, to make a technical correction.

**Page S9564**

**Children and Media Research Advancement Act:** Senate passed S. 1902, to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the Centers for Disease Control and Prevention to

study the role and impact of electronic media in the development of children, after agreeing to the committee amendment in the nature of a substitute.

**Pages S9564–65**

**Shipping Law:** Senate passed H.R. 1442, to complete the codification of title 46, United States Code, “Shipping,” as positive law, clearing the measure for the President.

**Page S9565**

**National Save for Retirement Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 550, designating October 22 through October 28, 2006, as “National Save for Retirement Week,” and the resolution was then agreed to.

**Page S9565**

**Darfur:** Committee on Foreign Relations was discharged from further consideration of S. Res. 559, calling on the President to take immediate steps to help stop the violence in Darfur, and the resolution was then agreed to.

**Pages S9565–66**

**Honoring USS Enterprise Service:** Senate agreed to S. Res. 569, honoring the life of those who died in service to their country aboard the U.S.S. Enterprise on January 14, 1969.

**Page S9566**

**SAFE Port Act:** Senate continued consideration of H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, taking action on the following amendments proposed thereto:

**Pages S9454–S9501**

#### Adopted:

Nelson (FL) Amendment No. 4968, to require the Department of Homeland Security provide Congress with a strategy for deploying radiation detection capabilities to all United States ports of entry.

**Pages S9483–85**

By 95 yeas to 3 nays (Vote No. 245), Coleman Amendment No. 4982, to require the Secretary of Homeland Security to ensure that all cargo containers are screened before arriving at a United States seaport, that all high-risk containers are scanned before leaving a United States seaport, and that integrated scanning systems are fully deployed to scan all cargo containers entering the United States before they arrive in the United States.

**Pages S9487–90**

Obama Modified Amendment No. 4972, to ensure the evacuation of individuals with special needs in times of emergency. **Pages S9493–94**

Voinovich/Clinton Modified Amendment No. 4962, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area. **Pages S9459–60, S9494–96**

Stevens (for Rockefeller) Modified Amendment No. 4924, to establish a competitive research program within the Department of Homeland Security. **Pages S9567–68**

Stevens (for Bingaman) Amendment No. 4928, to provide a pilot program to extend the hours of commercial operations at Santa Teresa, New Mexico. **Page S9568**

Stevens (for Domenici/Warner) Amendment No. 4932, to establish a Domestic Nuclear Detection Office with the Department of Homeland Security. **Pages S9568–69**

Stevens (for Domenici/Warner) Amendment No. 4933, to provide for coordination between the Department of Homeland Security and the Department of Energy. **Page S9569**

Stevens (for Kerry) Modified Amendment No. 4939, to require the Secretary of Homeland Security to create port security training and exercise programs for law enforcement and seaport personnel. **Page S9569**

Stevens (for Burns) Modified Amendment No. 4946, to require the Assistant Secretary for the Transportation Security Administration to submit to Congress a security plan for Essential Air Service airports. **Page S9569**

Stevens (for Cantwell) Modified Amendment No. 4950, to establish an Intermodal Rail Radiation Detection Test Center. **Page S9569**

Stevens (for Cantwell) Amendment No. 4949, of a technical nature. **Page S9569**

Stevens (for McCain) Amendment No. 4951, to require disclosures regarding homeland security grants. **Page S9569**

Stevens (for Vitter) Amendment No. 4953, to provide for additional security relating to foreign vessels working on the outer Continental Shelf. **Page S9569**

Stevens (for Snowe/Cantwell) Modified Amendment No. 4954, to establish a deadline for the Coast Guard to complete inspection of foreign ports and validate compliance with the International Ship and Port Facility Security Code. **Pages S9569–70**

Stevens (for Allard/Salazar) Amendment No. 4955, to include the Transportation Technology Center in the National Domestic Preparedness Consortium. **Page S9570**

Stevens (for Pryor/Talent) Modified Amendment No. 4959, to require the Secretary of Transportation to issue regulations to improve trucking security. **Page S9570**

Stevens (for Burns) Amendment No. 4964, to extend the requirement for air carriers to honor tickets for suspended air passenger service. **Page S9570**

Stevens (for Boxer) Amendment No. 4976, to protect commercial aircraft from the threat of Man-Portable Air Defense Systems. **Page S9570**

Stevens (for Baucus) Modified Amendment No. 4985, to authorize an additional \$200,000,000 to be appropriated for fiscal year 2007 for the operating expenses of the Northern Border Air Wing. **Page S9570**

Stevens (for Lautenberg) Modified Amendment No. 4988, to provide improved intercity bus, hazardous materials, pipeline, and motor carrier security. **Pages S9570–73**

Stevens (for Snowe) Amendment No. 5000, to conduct a study to identify redundancies and inefficiencies in connection with Federal background checks. **Page S9573**

Stevens (for Burns) Modified Amendment No. 4947, to promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services. **Pages S9573–74**

Rejected:

Biden Amendment No. 4975, to establish a Homeland Security and Neighborhood Safety Trust Fund and refocus Federal priorities toward securing the Homeland. (By 57 yeas to 41 nays (Vote No. 244), Senate tabled the amendment.) **Pages S9461–62, S9469, S9482**

By 43 yeas to 55 nays (Vote No. 246), Menendez Amendment No. 4999, to improve the security of cargo containers destined for the United States. **Pages S9485–87, S9490–91**

Withdrawn:

Santorum Amendment No. 4990, to provide for comprehensive border security. **Pages S9492–93**

Pending:

Schumer Modified Amendment No. 4930, to improve maritime container security by ensuring that foreign ports participating in the Container Security Initiative scan all containers shipped to the United States for nuclear and radiological weapons before loading. **Pages S9454, S9469–77**

Murray (for Stabenow) Amendment No. 4967, to authorize grants for interoperable communications. **Page S9454**

Nelson (NE) Modified Amendment No. 4945, to provide emergency agricultural disaster assistance.

**Pages S9454–56, S9458, S9461, S9496–97**

DeMint Amendment No. 4970, to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

**Pages S9456–58**

Clinton/Dole Amendment No. 4957, to facilitate nationwide availability of 2–1–1 telephone service for information on and referral to human services, including volunteer opportunities related to human services.

**Pages S9475–76**

Clinton Amendment No. 4943, to fund additional research to improve the detection of explosive materials at airport security checkpoints.

**Pages S9476–77**

Clinton/Schumer Amendment No. 4958, to establish a grant program for individuals still suffering health effects as a result of the September 11, 2001, attacks in New York City.

**Pages S9477–82, S9491–92**

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

By 41 yeas to 57 nays (Vote No. 243), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reid Amendment No. 4936, to provide real national security, restore United States leadership, and implement tough and smart policies to win the war on terror. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

**Page S9468**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Thursday, September 14, 2006, with one hour of debate equally divided, followed by a vote on the motion to invoke cloture on the bill.

**Page S9567**

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

Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy.

Cesar Benito Cabrera, of Puerto Rico, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles.

George E.B. Holding, of North Carolina, to be United States Attorney for the Eastern District of North Carolina for the term of four years.

John C. Rood, of Arizona, to be an Assistant Secretary of State (International Security and Non-Proliferation).

Mary Martin Ourisman, of Florida, to be Ambassador to Barbados, and to serve concurrently and

without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Ronald A. Tschetter, of Minnesota, to be Director of the Peace Corps.

**Pages S9574–75**

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

Frank Baxter, of California, to be Ambassador to the Oriental Republic of Uruguay.

Thomas M. Hardiman, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

1 Air Force nomination in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

**Page S9574**

**Messages From the House:**

**Page S9505**

**Measures Referred:**

**Page S9505**

**Measures Placed on Calendar:**

**Page S9505**

**Enrolled Bills Presented:**

**Page S9505**

**Executive Reports of Committees:**

**Page S9505**

**Additional Cosponsors:**

**Pages S9505–07**

**Statements on Introduced Bills/Resolutions:**

**Page S9507**

**Additional Statements:**

**Page S9504**

**Amendments Submitted:**

**Pages S9507–62**

**Notices of Hearings/Meetings:**

**Page S9562**

**Authorities for Committees to Meet:**

**Pages S9562–63**

**Record Votes:** Four record votes were taken today. (Total—246)

**Pages S9468, S9482, S9490, S9491**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 7:39 p.m., until 9:30 a.m., on Thursday, September 14, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9567.)

## Committee Meetings

*(Committees not listed did not meet)*

### HOUSING BUBBLE

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Economic Policy and the Subcommittee on Housing and Transportation concluded joint hearings to examine the housing bubble and its implications for the economy, focusing on the current housing downswing, the depth and duration of the downswing, the economic consequences of the falloff in housing market activity, and the impacts of several secondary effects of the evolving

housing cycle, after receiving testimony from Patrick J. Lawler, Associate Director and Chief Economist, Office of Federal Housing Enterprise Oversight; Richard A. Brown, Chief Economist, Federal Deposit Insurance Corporation; David F. Seiders, National Association of Home Builders, Washington, D.C.; and Tom Stevens, National Association of Realtors, Chicago, Illinois.

#### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the nominations of David Longly Bernhardt, of Colorado, to be Solicitor, John Ray Correll, of Indiana, to be Director of the Office of Surface Mining Reclamation and Enforcement, and Mark Myers, of Alaska, to be Director of the United States Geological Survey, all of the Department of the Interior.

#### NOMINATIONS

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the nominations of Roger Romulus Martella, Jr., of Virginia, to be Assistant Administrator, and Alex A. Beehler, of Maryland, to be Inspector General, both of the Environmental Protection Agency, and William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, who was introduced by Senator Alexander, after the nominees testified and answered questions in their own behalf.

#### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following bills:

H.R. 5689, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, with an amendment in the nature of a substitute;

S. 1848, to promote remediation of inactive and abandoned mines, with an amendment in the nature of a substitute;

S. 3630, to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin;

H.R. 3929, to amend the Water Desalination Act of 1996 to authorize the Secretary of the Interior to assist in research and development, environmental and feasibility studies, and preliminary engineering for the Municipal Water District of Orange County, California, Dana Point Desalination Project located at Dana Point, California, with an amendment;

S. 3617, to reauthorize the North American Wetlands Conservation Act;

H.R. 5061, to direct the Secretary of the Interior to convey Paint Bank National Fish Hatchery and

Wytheville National Fish Hatchery to the State of Virginia;

S. 3551, to direct the Secretary of the Interior to convey the Tylersville division of the Lamar National Fish Hatchery and Fish Technology Center to the State of Pennsylvania, with an amendment;

S. 3867, to designate the Federal courthouse located at 555 Independence Street, Cape Girardeau, Missouri, as the "Rush H. Limbaugh, Sr., Federal Courthouse";

H.R. 5187, to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007, proposed Convention on Supplementary Compensation for Nuclear Damage Contingent Cost Allocation Act, proposed legislation to amend the Clean Air Act to encourage the most polluted areas in the United States to attain clean air standards;

S. 3879, to implement the Convention on Supplementary Compensation for Nuclear Damage, with an amendment;

S. 2348, to amend the Atomic Energy Act of 1954 to require a licensee to notify the Atomic Energy Commission, and the State and county in which a facility is located, whenever there is an unplanned release of fission products in excess of allowable limits, with an amendment in the nature of a substitute;

S. 3591, to improve efficiency in the Federal Government through the use of high-performance green buildings, with an amendment in the nature of a substitute; and

The nominations of William B. Wark, of Maine, and William E. Wright, of Florida, each to be a Member of the Chemical Safety and Hazard Investigation Board, and Stephen M. Prescott, of Oklahoma, and Anne Jeannette Udall, of North Carolina, each to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation.

#### NONPROFIT HOSPITALS

*Committee on Finance:* Committee concluded a hearing to examine charitable care and community benefits at nonprofit hospitals, after receiving testimony from Kansas Attorney General Phill Kline, Topeka; Carol Keehan, Catholic Health Association of the United States, and Kevin E. Lofton, American Hospital Association, both of Washington, D.C.; Scott A. Duke, Glendive Medical Center, Glendive, Montana; Nancy M. Kane, Harvard School of Public Health Department of Health Policy and Management, Boston, Massachusetts; and Raymond A. Hartz, Legal Aid Society of Eastern Virginia, Inc., Norfolk.

**LEBANON**

*Committee on Foreign Relations:* Committee concluded a hearing to examine securing a permanent cease-fire relating to Lebanon, focusing on what the United States and others can do to secure lasting calm on Israel's northern border, strengthen the Lebanese Government so that it can fully control its territory, and assist in meeting Lebanon's urgent humanitarian and reconstruction needs, including the impact of this conflict on broader U.S. interests in the region, and achieving a peace settlement between Israel and the Palestinians, after receiving testimony from C. David Welch, Assistant Secretary of State for Near Eastern Affairs; Carlos Pascual, Brookings Institution, Washington, D.C.; Paul Salem, Carnegie Middle East Center, Beirut, Lebanon; and Augustus Richard Norton, Boston University, Boston, Massachusetts.

**NOMINATIONS**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nominations of Wayne Cartwright Beyer, of New Hampshire, to be a Member of the Federal Labor Relations Authority, who was introduced by Senator Gregg, and Stephen Thomas Conboy, of Virginia, to be United States Marshal for the Superior Court of the District of Columbia, after the nominees testified and answered questions in their own behalf.

**BUSINESS MEETING**

*Committee on the Judiciary:* Committee ordered favorably reported the following bills:

S. 2453, to establish procedures for the review of electronic surveillance programs, with an amendment in the nature of a substitute;

S. 2455, to provide in statute for the conduct of electronic surveillance of suspected terrorists for the

purposes of protecting the American people, the Nation, and its interests from terrorist attack while ensuring that the civil liberties of United States citizens are safeguarded; and

S. 3001, to ensure that all electronic surveillance of United States persons for foreign intelligence purposes is conducted pursuant to individualized court-issued orders, to streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, with an amendment in the nature of a substitute.

Also, Committee failed to approve for reporting S. 2468, to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

**MEDICAID: MANAGED CARE**

*Special Committee on Aging:* Committee concluded a hearing to examine managed care relating to securing Medicaid's future, after receiving testimony from Anthony Rodgers, Arizona Health Care Cost Containment System, Phoenix; Ron Pollack, Families USA, and Jeffrey S. Crowley, Georgetown University Health Policy Institute, both of Washington, D.C.; Greg Nycz, Family Health Center of Marshfield, Inc., Marshfield, Wisconsin; David Ford, CareOregon, Portland, Oregon; and Daniel J. Hilferty, AmeriHealth Mercy and Keystone Mercy Health Plans, Philadelphia, Pennsylvania, on behalf of the Medicaid Health Plans of America.

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## House of Representatives

***Chamber Action***

**Public Bills and Resolutions Introduced:** 10 public bills, H.R. 6060–6069; and 11 resolutions, H. Con. Res. 470–472; and H. Res. 1000–1001, 1004–1009 were introduced. **Pages H6534–35**

**Additional Cosponsors:** **Pages H6535–36**

**Reports Filed:** Reports were filed today as follows:

H.R. 4893, to amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation

gaming, with an amendment (H. Rept. 109–650); and

H.R. 5835, to amend title 38, United States Code, to improve information management within the Department of Veterans Affairs, with an amendment (H. Rept. 109–651, Pt. 1);

H.R. 1167, to amend the Truth in Regulating Act to make permanent the pilot project for the report on rules, with amendments (H. Rept. 109–652);

H. Res. 1002, providing for consideration of H.R. 6061, to establish operational control over the international land and maritime borders of the United States (H. Rept. 109–653);

H. Res. 1003, providing for the adoption of H. Res. 1000, providing for earmarking reform in the House of Representatives (H. Rept. 109–654); and

H. Res. 1000, providing for earmarking reform in the House of Representatives (H. Rept. 109–655).

Page H6534

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today.

Page H6431

**Chaplain:** The prayer was offered by the guest Chaplain, Rev. Louis V. Iasiello, President, Washington Theological Union, Washington, D.C.

Page H6431

**Federal Prison Industries Competition in Contracting Act of 2006—Rule for Consideration:**

The House agreed to H. Res. 997, the rule providing for consideration of H.R. 2965, to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a 5-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations and other public service programs, by voice vote after ordering the previous question.

Pages H6435–38

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

**Department of Veterans Affairs Medical Facility Authorization Act of 2006:** H.R. 5815, amended, to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007;

Pages H6453–59

**Federal Funding Accountability and Transparency Act of 2006:** S. 2590, to require full disclosure of all entities and organizations receiving Federal funds—clearing the measure for the President;

Pages H6498–H6501

**Fourteenth Dalai Lama Congressional Gold Medal Act:** 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—clearing the measure for the President; and

Pages H6505–09

**Extending the thanks of Congress and the Nation to the Defense POW/Missing Personnel Office, the Joint POW/MIA Accounting Command of the Department of Defense, the Armed Forces DNA Identification Laboratory, the Air Force Life Sciences Equipment Laboratory, and the military departments and to the Socialist Republic of Vietnam for their efforts to achieve the fullest possible accounting of all Americans unaccounted for as a result of the Vietnam War:** H. Con. Res. 444, to extend the thanks of Congress and the Nation to the Defense POW/Missing Personnel Office, the Joint POW/MIA Accounting Command of the Department of Defense, the Armed Forces DNA Identification Laboratory, the Air Force Life Sciences Equipment Laboratory, and the military departments and to the Socialist Republic of Vietnam for their efforts to achieve the fullest possible accounting of all Americans unaccounted for as a result of the Vietnam War.

Pages H6509–11

Agreed to amend the title so as to read: “Extending the appreciation of Congress and the Nation to the Department of Defense organizations, military departments, and personnel engaged in the mission to achieve the fullest possible accounting for all Americans unaccounted for as a result of the Nation’s wars, to the POW/MIA families and veterans who support the mission, and to foreign nations that assist in the mission.”

Page H6511

**Suspension—Failed:** The House failed to agree to suspend the rules and pass the following measure:

**Amending section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming:** H.R. 4893, amended, to amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming, by a 2/3 yeas-and-nays vote of 247 yeas to 171 nays, Roll No. 439.

Pages H6446–53, H6460–61

**Suspension—Proceedings Postponed:** The House completed debate on the following measure under suspension of the rules. Further consideration of the measure is scheduled to resume tomorrow, Thursday, September 14th:

**Designating the facility of the United States Postal Service located at 39–25 61st Street in Woodside, New York, as the “Thomas J. Manton Post Office Building”:** H.R. 6033, to designate the facility of the United States Postal Service located at 39–25 61st Street in Woodside, New York, as the “Thomas J. Manton Post Office Building”.

Pages H6502–04

Expressing the sense of the House of Representatives on the fifth anniversary of the terrorist attacks launched against the United States on September 11, 2001: The House agreed to H. Res. 994, to express the sense of the House of Representatives on the fifth anniversary of the terrorist attacks launched against the United States on September 11, 2001, by a yea-and-nay vote of 395 yeas to 22 nays with 1 voting "present", Roll No. 440.

**Pages H6439–46, H6461–97**

H. Res. 996, the rule providing for consideration of the resolution was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 191 nays, Roll No. 438.

**Page H6460**

**Providing for corrections to the enrollment of S. 2590:** The House agreed by unanimous consent to S. Con. Res. 114, to provide for corrections to the enrollment of the bill S. 2590.

**Pages H6501–02**

**Water Resources Development Act of 2006—Motion to go to Conference:** The House disagreed to the Senate amendment and agreed to a conference on H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States.

**Pages H6504–05**

The House began consideration of the Melancon motion to instruct conferees on H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States. Further consideration is expected to resume tomorrow, Thursday, September 14th.

**Page H6504**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. on tomorrow, Thursday, September 14th.

**Page H6501**

**Late Report:** Agreed that the Committee on Rules have until 2 a.m. on September 14th to file their report to accompany H. Res. 1000.

**Page H6520**

**Senate Messages:** Messages received from the Senate today appear on pages H6431 and H6498.

**Senate Referrals:** S. Con. Res. 114 was held at the desk.

**Pages H6501–02**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings today and appear on pages H6560, H6460–61 and H6497. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:58 p.m.

## Committee Meetings

### FEDERAL FARM POLICY

*Committee on Agriculture:* Held a hearing to Review Federal Farm Policy. Testimony was heard from agricultural processors and suppliers.

### OVERSIGHT—NUCLEAR ENERGY

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held an oversight hearing on Nuclear Energy. Testimony was heard from Dennis Spurgeon, Assistant Secretary, Nuclear Energy, Department of Energy; Stan Wise, Chairman, Public Service Commission, State of Georgia; Nils Diaz, former Chairman, NRC; and public witnesses.

### MILITARY COMMISSIONS ACT OF 2006

*Committee on Armed Services:* Ordered reported, as amended, H.R. 6054, Military Commissions Act of 2006.

### FEDERAL BUDGETARY CHOICES

*Committee on the Budget:* Held a hearing on How Budgetary Choices Affect Work, Saving, and Growth, The Real Purpose of 'Dynamic' Estimating. Testimony was heard from Douglas J. Holtz-Eakin, former Director, CBO; and public witnesses.

### NUCLEAR WASTE/HYDROELECTRIC ENERGY EFFICIENCY LEGISLATION

*Committee on Energy and Commerce:* Subcommittee on Energy and Air Quality held a hearing on nuclear waste storage and disposal policy, and hydroelectric license extension and energy efficiency legislation. Testimony was heard from Representatives Otter and Mollohan; from the following officials of the Department of Energy: Edward F. Sproat, III, Director, Office of Civilian Radioactive Waste Management; and J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission; Luis A. Reyes, Executive Director, Operations, NRC; Stan Wise, Chairman, Public Service Commission, State of Georgia; and public witnesses.

### NIH ETHICS/MANAGEMENT CULTURE

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled "Continuing Ethics and Management Concerns at NIH and the Public Health Service Commissioned Corps." Testimony was heard from the following officials of the Department of Health and Human Services: John Agwunobi, M.D., Assistant Secretary for Health; Raynard Kington, M.D., Deputy Director, NIH; John Niederhuber, M.D., Director, National Cancer Institute; Thomas R. Insel, M.D., Director; and William Fitzsimmons, Executive Officer,

both with the National Institute of Mental Health, NIH.

#### **CYBERSECURITY**

*Committee on Energy and Commerce:* Subcommittee on Telecommunications and the Internet, hearing entitled “CyberSecurity: Protecting America’s Critical Infrastructure, Economy, and Consumers.” Testimony was heard from David A. Powner, Director, Information Technology Management Issues, GAO; George W. Foresman, Under Secretary, Preparedness, Department of Homeland Security; Kenneth P. Moran, Director, Office of Homeland Security Enforcement Bureau, FCC; and public witnesses.

#### **COASTAL INSURANCE MARKETS**

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “Stabilizing Insurance Markets for Coastal Consumers.” Testimony was heard from public witnesses.

#### **INTERIOR DEPARTMENT MANAGEMENT**

*Committee on Government Reform:* Subcommittee on Energy and Resources held a hearing entitled “Interior Department: A Culture of Managerial Irresponsibility and Lack of Accountability?” Testimony was heard from Earl E. Devaney, Inspector General, Department of the Interior.

#### **FEDERAL FAMILY HEALTH INFORMATION TECHNOLOGY ACT**

*Committee on Government Reform:* Subcommittee on Federal Workforce and Agency Organization approved for full Committee action, as amended, H.R. 4859, Federal Family Health Information Technology Act of 2006.

#### **DHS FINANCIAL MANAGEMENT**

*Committee on Government Reform:* Subcommittee on Government Management, Finance, and Accountability held a hearing entitled “DHS Financial Management: Evaluating Progress in Improving Internal Controls.” Testimony was heard from the following officials of the Department of Homeland Security: David Norquist, Chief Financial Officer; and David Zavada, Assistant Inspector General.

#### **IRAQ: DEMOCRACY OR CIVIL WAR?**

*Committee on Government Reform:* Subcommittee on National Security, Emerging Threats and International Relations continued hearings entitled “Iraq: Democracy or Civil War?”, with emphasis on What Will It Take To Achieve National Reconciliation? Testimony was heard from the following officials of the Department of State: David Satterfield, Senior Advisor on Iraq to the Secretary; and James Bever,

Deputy Assistant Administrator, Near East and Asia, U.S. Agency for International Development; and public witnesses.

#### **DHS CYBER AND TELECOMMUNICATIONS SECURITY**

*Committee on Homeland Security:* Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing entitled “The Future of Cyber and Telecommunications Security at the Department of Homeland Security.” Testimony was heard from George Foresman, Under Secretary, Preparedness, Department of Homeland Security; David Powner, Director, Information Technology Management Issues, GAO; William Pelgrin, Director, Office of Cyber Security and Critical Infrastructure, State of New York; and public witnesses.

#### **HOMELAND SECURITY INFORMATION NETWORK**

*Committee on Homeland Security:* Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled “The Homeland Security Information Network: An Update on DHS Information Sharing Efforts.” Testimony was heard from the following officials of the Department of Homeland Security: Frank W. Deffer, Assistant Inspector General; Charles E. Allen, Chief Intelligence Officer; and Roger T. Rufe, Jr., Director, Operations Directorate; and public witnesses.

#### **SAFETY ACT IMPLEMENTATION**

*Committee on Homeland Security:* Subcommittee on Management, Integration, and Oversight and the Subcommittee on Emergency Preparedness, Science and Technology held a joint hearing entitled “Helping Business Protect the Homeland: Is the Department of Homeland Security Effectively Implementing the SAFETY Act?” Testimony was heard from the following officials of the Department of Homeland Security: Jay Cohen, Under Secretary, Science and Technology; and Elaine C. Duke, Chief Procurement Officer; and public witnesses.

#### **MISCELLANEOUS MEASURES; RESOLUTION OF INQUIRY**

*Committee on International Relations:* Ordered reported H.R. 6060, Department of State Authorities Act of 2006.

The Committee reported, without recommendation, H. Res. 985, Directing the Secretary of State to provide to the House of Representatives certain documents in the possession of the Secretary of State relating to the report submitted to the Committee on International Relations of the House of Representatives on July 28, 2006, pursuant to the Iran and Syria Nonproliferation Act.



The Committee also favorably considered the following measures and adopted a motion urging the Chairman to request that they be considered on the Suspension Calendar: H.R. 611, amended, Haiti Economic and Infrastructure Reconstruction Act; H.R. 1476, amended, Eisenhower Exchange Fellowship Program Trust Fund Enhancement Act of 2005; H.R. 1996, Coral Reef and Coastal Marine Conservation Act of 2005; H.R. 5805, amended, North Korea Nonproliferation Act of 2006; H. Res. 415, amended, Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property; H. Res. 622, amended, To recognize and honor the Filipino World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II; H. Res. 723, amended, calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection; H. Res. 759, amended, Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge and accept responsibility for its sexual enslavement of young women, known to the world as “comfort women,” during its colonial occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II; H. Res. 940, amended. Recognizing the 185th anniversary of the independence of Peru on July 28, 2006; H. Res. 942, Recognizing the centennial anniversary on August 5, 2006, of the Iranian constitution of 1906; H. Res. 965, Commending the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the republic of Montenegro, and welcoming Montenegro membership in the United Nations and other international organizations; H. Res. 992, amended, Urging the President to appoint a Presidential Special Envoy for Sudan; H. Res. 976, Condemning human rights abuses by the Government of the Islamic Republic of Iran and expressing solidarity with the Iranian people; H. Con. Res. 317, Requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing; H. Con. Res. 415, Condemning the repression of the Iranian Baha’i community and calling for the emancipation of Iranian Baha’is; S. 2125, amended, Democratic Republic of the Congo Relief, Recovery, Security, and Democracy; and S. 3836, United States Advisory Commission on Public Diplomacy Reauthorization Act of 2006.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported, as amended, the following bills: H.R. 5005, Firearms Corrections and Improvements Act; H.R. 5418, To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; and H.R. 5830, Wright Amendment Reform Act.

## OVERSIGHT—AMERICANS WITH DISABILITIES ACT: SIXTEEN YEARS LATER

*Committee on the Judiciary:* Subcommittee on the Constitution held an oversight hearing on The Americans With Disabilities Act: Sixteen Years Later. Testimony was heard from Naomi Earp, Chair, EEOC; former Representative Tony Coelho of California; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Resources:* Held a hearing on the following bills: H.R. 5617, 13th Regional Corporation Land Entitlement Act; and H.R. 5781, Copper Valley Native Allotment Resolution Act of 2006. Testimony was heard from Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Robin Nazzaro, Director, Natural Resources and Environment Team, GAO; and public witnesses.

## OVERSIGHT—NATIONAL PARK VISITATION TRENDS

*Committee on Resources:* Subcommittee on National Parks held an oversight hearing entitled “Visitation Trends in the National Park System—Part II.” Testimony was heard from Chris Jarvi, Associate Director, Partnerships, Interpretation and Education, National Park Service, Department of the Interior; and public witnesses.

## SECURE FENCE ACT OF 2006

*Committee on Rules:* Granted, by voice vote, a closed rule providing 1 hour of debate in the House on H.R. 6061, to establish operational control over the international land and maritime borders of the United States, equally divided and controlled by the Chairman and ranking minority member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative King of New York.

## PROVIDING FOR EARMARK REFORM IN THE HOUSE OF REPRESENTATIVES

*Committee on Rules:* Granted, by voice vote, a rule providing that upon adoption of the resolution, H. Res. 1000, as reported by the Committee on Rules, is hereby adopted.

## EARMARK REFORM

*Committee on Rules:* Ordered reported H. Res. 1000, providing for earmark reform in the House of Representatives.

## BORDER SECURITY TECHNOLOGY

*Committee on Science:* Held a hearing on How Can Technologies Help Secure Our Borders? Testimony was heard from the following officials of the Department of Homeland Security: Jay M. Cohen, Under Secretary, Science and Technology; and Gregory Giddens, Director, Secure Border Initiative Program Executive Office; and public witnesses.

## OVERSIGHT—ALASKA PIPELINE CORROSION

*Committee on Transportation and Infrastructure:* Held an oversight hearing on Low Pressure Liquid Pipelines: In the North Slope, Greater Prudhoe Bay, Alaska. Testimony was heard from Thomas Barrett, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Homeland Security; and public witnesses.

## GREAT LAKES RESTORATION AND PROTECTION

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing on the Great Lakes Regional Collaboration Strategy—Can it be implemented to restore and protect the Great Lakes? Testimony was heard from Benjamin H. Grumbles, Assistant Administrator, Water, EPA; BG Bruce A. Berwick, USA, Commander, Great Lakes and Ohio River Division, U.S. Army Corps of Engineers, Department of the Interior; Charles Wooley, Deputy Regional Director, Great Lakes-Big Rivers Region, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

## OVERSIGHT—VETERANS BENEFITS CLAIMS ADJUDICATORS

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing on the training provided to Veterans Benefits Administration claims adjudicators and the standards used to measure their proficiency and performance. Testimony was heard from Michael Walcoff, Associate Deputy Under Secretary, Field

Operations, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

## NATIONAL STRATEGY FOR COMBATING TERRORISM

*Permanent Select Committee on Intelligence:* Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on the National Strategy for Combating Terrorism and the Evolving Terrorist Threat. Testimony was heard from departmental witnesses.

## Joint Meetings

### CARE FOR DISABLED IN ROMANIA

*Commission on Security and Cooperation in Europe (Helsinki Commission):* Commission concluded a hearing to examine Romanian governmental and non-governmental perspectives on the current state of care of persons with disabilities in Romania, after receiving testimony from Adrian Mindroiu, Director for European Integration, Government of Romania, and Cristian Ispas, Motivation Romania International, and Special Olympics Romania Foundation, both of Bucharest, Romania; and Eric Rosenthal, Mental Disabilities Rights International, Washington, D.C.

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## COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 14, 2006

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations:* Subcommittee on Energy and Water, to hold hearings to examine an overview of the Global Nuclear Energy Partnership, including proposed advanced reaction technologies for recycling nuclear waste, 9:30 a.m., SD-138.

Subcommittee on Homeland Security, to hold hearings to examine the British system versus the U.S. system relating to catching terrorists, 9:30 a.m., SD-192.

*Committee on Armed Services:* closed business meeting to mark up the Military Commissions Act of 2006, 10:30 a.m., SR-222.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the Department of Defense's report on predatory lending practices directed at members of the armed forces and their dependents, 10 a.m., SD-538.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation, to hold hearings to examine rural air service, 10 a.m., SR-253.

*Committee on Energy and Natural Resources:* to hold hearings to examine the nominations of C. Stephen Allred, of Idaho, to be Assistant Secretary, and Robert W. Johnson, of Nevada, to be Commissioner of Reclamation, both of the Department of the Interior, 10 a.m., SD-628.

*Committee on Environment and Public Works:* Subcommittee on Clean Air, Climate Change, and Nuclear

Safety, to hold an oversight hearing on Nuclear Regulatory Commission responsibility and capability for long- and short-term spent fuel storage programs, 9:30 a.m., SD-406.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine the value of a skills based point system relating to employment-based permanent immigration, 10:30 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, and International Security, to resume hearings to examine Federal agencies spending on conference meetings and travel, focusing on how they monitor and track conference participation and spending and control these activities, 2:30 p.m., SD-342.

*Committee on Indian Affairs:* to hear and consider the nomination of Carl Joseph Artman, of Colorado, to be Assistant Secretary of the Interior for Indian Affairs, 9:30 a.m., SR-485.

*Committee on the Judiciary:* business meeting to consider 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. 394, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), S. 2644, to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and the nominations of Terrence W. Boyle, of North Carolina, 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, and Norman Randy Smith, of Idaho, each to be United States Circuit Judge for the Ninth Circuit, Valerie L. Baker, to be United States District Judge for the Central District of California, Francisco Augusto Besosa, to be United States District Judge for the District of Puerto Rico, Philip S. Gutierrez, to be United States District Judge for the Central District of California, Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, John Alfred Jarvey, to be United States District Judge for the Southern District of Iowa, and Sara Elizabeth Lioi, to be United States District Judge for the Northern District of Ohio, and other pending committee business, 9:30 a.m., SD-226.

*Special Committee on Aging:* to hold hearings to examine a generation at risk relating to senior suicide, 10 a.m., SD-562.

## House

*Committee on Agriculture,* Subcommittee on General Farm Commodities and Risk Management, hearing to Review Federal Farm Policy, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, hearing on FBI Transformation, 1:30 p.m., 2359 Rayburn.

*Committee on Financial Services,* Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "A Review of Regulatory Proposals on Basel Capital and Commercial Real Estate," 11 a.m., 2128 Rayburn.

*Committee on Government Reform,* hearing entitled "Part Two, Interior Department: A Culture of Managerial Irresponsibility and Lack of Accountability?" 10:30 a.m., 2154 Rayburn.

*Committee on Homeland Security,* executive, briefing on the recent plot to detonate liquid explosives carried on airliners traveling from the United Kingdom to the United States, 10 a.m., H2-176 Ford.

Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled "The Science of Prevention," 2 p.m., 1311 Longworth.

*Committee on House Administration,* to mark up H.R. 4844, Federal Election Integrity Act of 2006, 10:30 a.m., 1310 Longworth.

*Committee on International Relations,* oversight hearing on Japan's Relations with Its Neighbors: Back to the Future? 10:30 a.m., 2172 Rayburn.

Subcommittee on the Middle East and Central Asia, oversight hearing entitled "Is There a Clash of Civilizations? Islam, Democracy, and U.S.-Middle East and Central Asia Policy," 10:30 a.m., 2200 Rayburn.

*Committee on the Judiciary,* Subcommittee on the Constitution, hearing on H.R. 5388, District of Columbia Fair and Equal House Voting Rights Act of 2006, 2 p.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, hearing on H.R. 5120, to amend title 35, United States Code, to conform certain filing provisions within the Patent and Trademark Office, 11 a.m., 2141 Rayburn.

*Committee on Resources,* Subcommittee on Fisheries and Oceans, hearing on the following bills: H.R. 4953 (S. 2430), Great Lakes Fish and Wildlife Restoration Act of 2006; and H.R. 4345 (S. 2041), Ed Fountain Park Expansion Act, 10 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 5690, Ouachita National Forest Boundary Adjustment Act of 2006; H.R. 5756, Colorado Emergency Wildfire and Insect Infestations Response Act of 2006; H.R. 5769, Washington County Growth and Conservation Act of 2006; and S. 447, Jornada Experimental Range Transfer Act of 2005, 1 p.m., 1324 Longworth.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation,

oversight hearing on the Review of Coast Guard Mission Performance, 10 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings and Emergency Management, to mark up the following: H.R. 1105, Dam Rehabilitation and Repair Act of 2005; H.R. 4981, Dam Safety Act of 2006; H.R. 5026, To designate the Investigations Building of the Food and Drug Administration located at 466 Fernandez Juncos Avenue in San Juan, Puerto, as the “Andres Toro Building;” H.R. 1556, To designate a parcel of land located on the site of the Thomas F. Eagleton United States Courthouse in St. Louis, Missouri, as the “Clyde S. Cahill Memorial Park;” H.R. 5606, To designate the Federal building and United States courthouse located at 221 and 211 West Ferguson Street in Tyler, Texas as the “Wil-

liam M. Steger Federal Building and United States Courthouse;” H.R. 2322, To designate the Federal building located at 320 North Main Street in McAllen, Texas, as the “Kika de la Garza Federal Building;” H.R. 5546, To designate the U.S. courthouse to be constructed in Greenville, South Carolina, as the “Carroll A. Campbell, Jr., Federal Courthouse;” H.R. 6051, To designate the Federal building located at 2 South Main Street in Akron, Ohio, as the “John F. Seiberling Federal Building;” and the General Services Administration’s Fiscal Year 2007 Capital Investment and Leasing Program, and other pending business, 1 p.m., 2167 Rayburn.

*Permanent Select Committee on Intelligence*, executive, briefing on Global Updates/Hot Spots, 8:15 a.m., to be announced.

## Next Meeting of the SENATE

9:30 a.m., Thursday, September 14

## Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, September 14

## Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 4954, SAFE Port Act, with a vote on the motion to invoke cloture on the bill to occur at approximately 11 a.m.

## House Chamber

**Program for Thursday:** Consideration of H.R. 2965—Federal Prison Industries Competition in Contracting Act of 2006 (Structured Rule); and H. Res. 1000—Providing for Earmarking Reform in the House of Representatives (Subject to a Rule).

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