

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate passed S. 3711, Gulf of Mexico Energy Security Act.

Senate

Chamber Action

Routine Proceedings, pages S8477–S8560

Measures Introduced: Seven bills were introduced, as follows: S. 3766–3772. **Page S8537**

Measures Reported:

S. 3661, to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas, with an amendment in the nature of a substitute. (S. Rept. No. 109–317)

H.R. 4646, to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the “Coach John Wooden Post Office Building”.

H.R. 4811, to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the “John Paul Hammerschmidt Post Office Building”.

H.R. 4962, to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the “Captain George A. Wood Post Office Building”.

H.R. 5104, to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the “Morris W. Milton Post Office”.

H.R. 5107, to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the “Earl D. Hutto Post Office Building”.

H.R. 5169, to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the “Wilfred Edward ‘Cousin Willie’ Sieg, Sr. Post Office”.

H.R. 5540, to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the “Sergeant Jacob Dan Dones Post Office”.

S. 2555, to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the “Lane Evans Post Office Building”.

S. 2719, to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the “Earl D. Hutto 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”.

S. 3722, to authorize the transfer of naval vessels to certain foreign recipients. **Pages S8535–36**

Measures Passed:

Gulf of Mexico Energy Security Act: By 71 yeas to 25 nays (Vote No. 219), Senate passed S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, after taking action, pursuant to the order of July 31, 2006, on the following amendments proposed thereto:

Pages S8482–S8513

Withdrawn:

Frist Amendment No. 4713, to establish an effective date. **Page S8511**

Frist Amendment No. 4714 (to Amendment No. 4713), to amend the effective date. **Page S8511**

Congratulating Magen David Adom Society: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 113, congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and the resolution was then agreed to. **Pages S8549–50**

Mt. Soledad Veterans Memorial Preservation: Senate passed H.R. 5683, to preserve the Mt.

Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States, clearing the measure for the President. **Page S8550**

Prematurity Research Expansion and Education for Mothers Who Deliver Infants Early Act: Senate passed S. 707, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity, after agreeing to the committee amendment in the nature of a substitute. **Pages S8550–51**

Federal Relocation Expenses Extension: Senate passed S. 2146, to extend relocation expenses test programs for Federal employees. **Page S8552**

Elizabeth Hartwell Mason Neck National Wildlife Refuge: Committee on Environment and Public Works was discharged from further consideration of H.R. 3682, to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge, and the bill was then passed, clearing the measure for the President. **Page S8552**

Department of Defense Appropriations Act: Senate began consideration of H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, after agreeing to the committee amendment in the nature of a substitute, and taking action on the following amendments proposed thereto: **Pages S8513–29**

Adopted:

Stevens/Inouye Amendment No. 4751, to appropriate as additional appropriations \$7,800,000,000 for the Army, and \$5,300,000,000 for the Marine Corps for the reset of equipment due to continuing combat operations and to designate such amounts as emergency requirements. **Page S8528**

A unanimous-consent agreement was reached providing that it not be in order to file a cloture motion on this bill. **Page S8513**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, August 2, 2006. **Page S8552**

Commodity Exchange Reauthorization—Agreement: A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader with concurrence of the Democratic Leader, Senate proceed to consideration of S. 1566, to reauthorize the Commodity Exchange Act, that the Chambliss Amendment at the desk be agreed to, that certain other amendments to be proposed be considered under certain time limitations, that in addition to the time specified on the amendments, there be 30 minutes of debate equally di-

vided on the bill, that following the use or yielding back of time and disposition of amendments, the bill as amended be read a third time; further, that the Senate then proceed to H.R. 4473, House companion measure, that all after the enacting clause be stricken and the text of S. 1566, as amended, be inserted thereof, the bill as amended be read a third time, and the Senate then proceed to a vote on passage of H.R. 4473, and that S. 1566, as amended, be returned to the Senate Calendar. **Page S8552**

Nominations Received: Senate received the following nominations:

Leland A. Strom, of Illinois, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2012.

Charles R. Christopherson, Jr., of Texas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

C. Stephen Allred, of Idaho, to be an Assistant Secretary of the Interior.

Roger Romulus Martella, Jr., of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Alex A. Beehler, of Maryland, to be Inspector General, Environmental Protection Agency.

Randolph James Clerihue, of Virginia, to be an Assistant Secretary of Labor.

Arthur K. Reilly, of New Jersey, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2012.

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2011.

Michael F. Duffy, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2012.

James H. Bilbray, of Nevada, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2006.

James H. Bilbray, of Nevada, to be a Governor of the United States Postal Service for a term expiring December 8, 2015.

Susan E. Dudley, of Virginia, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Carl Joseph Artman, of Colorado, to be an Assistant Secretary of the Interior.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Pages S8553–60

Measures Placed on Calendar:

Page S8535

Executive Communications:	Page S8535
Executive Reports of Committees:	Pages S8536–37
Additional Cosponsors:	Pages S8537–38
Statements on Introduced Bills/Resolutions:	Pages S8538–47
Additional Statements:	Pages S8534–35
Amendments Submitted:	Pages S8547–49
Authorities for Committees to Meet:	Page S8549
Privileges of the Floor:	Page S8549
Record Votes: One record vote was taken today. (Total—219)	Page S8511

Adjournment: Senate convened at 9:46 a.m., and adjourned at 7:13 p.m., until 9:30 a.m., on Wednesday, August 2, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8552.)

Committee Meetings

(Committees not listed did not meet)

JIEDDO

Committee on Armed Services: Committee met in closed session to receive a briefing from the Joint Improvised Explosive Device Defeat Organization (JIEDDO) from General Montgomery C. Meigs, USA (Ret.), Director, JIEDDO.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Lieutenant General James T. Conway, USMC to be general and Commandant of the Marine Corps, Benedict S. Cohen, of the District of Columbia, to be General Counsel of the Department of the Army, Frank R. Jimenez, of Florida, to be General Counsel of the Department of the Navy, William H. Tobey, of Connecticut, to be Deputy Administrator for Defense Nuclear Non-proliferation, National Nuclear Security Administration, Robert L. Wilkie, of North Carolina, to be an Assistant Secretary of Defense for Legislative Affairs, C. Thomas Yarrington, Jr., of Washington, and Colleen Conway-Welch, of Tennessee, each to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences, and 474 military nominations in the Army, Navy, Air Force, and Marine Corps.

BOEING COMPANY GLOBAL SETTLEMENT AGREEMENT

Committee on Armed Services: Committee concluded a hearing to examine the Boeing Company Global Settlement Agreement, after receiving testimony from Paul J. McNulty, Deputy Attorney General, Depart-

ment of Justice; and W. James McNerney, Jr., Boeing Company, Chicago, Illinois.

RAPANOS/CARABELL DECISION

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded a hearing to examine interpreting the effect of the U.S. Supreme Court's recent decision in the joint cases of Rapanos v. United States and Carabell v. U.S. Army Corps of Engineers on "The Waters of the United States", after receiving testimony from Benjamin H. Grumbles, Assistant Administrator for Water, Environmental Protection Agency; John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works, Department of the Army; John C. Cruden, Deputy Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; Jonathan H. Adler, Case Western Reserve University School of Law, Cleveland, Ohio; William W. Buzbee, Emory University Law School, Atlanta, Georgia; Chuck Clayton, Izaak Walton League of America, Gaithersburg, Maryland; and Keith Kisling, Burlington, Oklahoma, on behalf of the National Association of Wheat Growers, and the National Cattlemen's Beef Association.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 3722, to authorize the transfer of naval vessels to certain foreign recipients,

Treaty Between the United States and the Oriental Republic Of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment, with Annexes and Protocol, signed at Mar Del Plata, Argentina, on November 4, 2005 (Treaty Doc. 109–9);

United Nations Convention Against Corruption (the "Corruption Convention"), adopted by the United Nations General Assembly on October 31, 2003 (Treaty Doc. 109–6); and

The nominations of Christina B. Rocca, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Representative to the Conference on Disarmament, Philip S. Goldberg, of Massachusetts, to be Ambassador to the Republic of Bolivia, Richard W. Graber, of Wisconsin, to be Ambassador to the Czech Republic, and Karen B. Stewart, of Florida, to be Ambassador to the Republic of Belarus, Mark R. Dybul, of Florida, to be Coordinator of United States Government Activities to Combat HIV/AIDS Globally, with the rank of Ambassador, Henry M. Paulson, Jr., of New York, to be United States Governor of the International Monetary Fund, United States Governor of the International Bank for Reconstruction and Development,

United States Governor of the Inter-American Development Bank, United States Governor of the African Development Bank, United States Governor of the Asian Development Bank, United States Governor of the African Development Fund, United States Governor of the European Bank for Reconstruction and Development, and certain officer promotion lists in the Foreign Service.

TAX HAVEN ABUSES

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the issue of tax havens and offshore abuses which are undermining the integrity of the Federal tax system, focusing on case histories on the use of offshore trusts and corporations to circumvent U.S. tax, securities and anti-money laundering laws, after receiving testimony from Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Reuven S. Aviyonah, University of Michigan School of Law, Ann Arbor; Gary M. Brown, Baker, Donelson, Bearman, Caldwell, and Berkowitz, P.C., Nashville, Tennessee; Haim Saban, Saban Capital Group, Inc., Los Angeles, California; Michael C. French, formerly with Scottish Re Group, Limited, Louis J. Schaufele, III, and Charles W. Blau, Meadows, Owens, Collier, Reed, Cousins, and Blau, LLP, all of Dallas, Texas; Jeffrey Greenstein, Quellos Group, LLC, Seattle, Washington; Michael G. Conn, Bank of America, San Francisco, California; George T. Wendler, HSBC

Bank USA, Marlboro, New Jersey; Michael G. Chatzky, Chatzky and Associates, San Diego, California; John P. Barrie, Bryan Cave, LLP, Washington, D.C.; Lewis R. Steinberg, formerly with Cravath, Swaine, and Moore, LLP, New York, New York; and Robert Wood Johnson, IV, New York, New York.

NOMINATIONS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nominations of Andrew von Eschenbach, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services, who was introduced by Senator Hutchison, and Paul DeCamp, of Virginia, to be Administrator of the Wage and Hour Division, Department of Labor, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, Valerie L. Baker and Philip S. Gutierrez, each to be a United States District Judge for the Central District of California, who were introduced by Senators Feinstein and Boxer, and Francisco Augusto Besosa, to be United States District Judge for the District of Puerto Rico, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 11 a.m. on Wednesday, August 2, 2006, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 459, in which case the House shall stand adjourned pursuant to that concurrent resolution until 2 p.m. on Wednesday, September 6, 2006.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D 867)

H.J. Res. 86, approving the renewal of import restrictions contained in the Burmese Freedom and

Democracy Act of 2003. Signed on August 1, 2006. (Public Law 109-251)

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 2, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings to examine H.R. 4200, to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of

non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, 9 a.m., SR-328A.

Committee on Appropriations: Subcommittee on Legislative Branch, to continue hearings to examine progress of the Capitol Visitor Center construction, 10:30 a.m., SD-138.

Committee on Armed Services: to resume hearings to examine the future of military commissions in light of the Supreme Court decision in Hamdan v. Rumsfeld, 2 p.m., SH-216.

Full Committee, to hold a closed meeting to discuss Overhead Imagery Systems, 5 p.m., S-407, Capitol.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider an original bill to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry, 10 a.m., SD-538.

Subcommittee on Housing and Transportation, to hold hearings to examine efforts to meet the housing needs of veterans, 2:30 p.m., SD-538.

Committee on Environment and Public Works: to hold oversight hearings to examine the Toxic Substances Control Act and the chemicals management program at the Environmental Protection Agency, 9:30 a.m., SD-406.

Committee on Finance: to hold hearings to examine fake IDs relating to border security, 10 a.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the nomination of John C. Rood, of Arizona, to be an Assistant Secretary of State for International Security and Non-Proliferation, 9:30 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider numerous pending Nominations; Time to be announced, Room to be announced.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the status of Iraq reconstruction, focusing on contracting and procurement issues, 10 a.m., SD-342.

Committee on the Judiciary: to hold hearings to examine the authority to prosecute terrorists under the war crime provisions of Title 18, 9:30 a.m., SD-226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine creating a fair standard for attorney's fee awards in establishment clause cases, 2:30 p.m., SD-226.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH-219.

House

No committee meetings are scheduled.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through July 31, 2006

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session	103	77	..
Time in session	770 hrs., 15'	645 hrs., 60'	..
Congressional Record:			
Pages of proceedings	8,476	6,237	..
Extensions of Remarks .....	..	1,623	..
Public bills enacted into law	27	54	81
Private bills enacted into law	1	..	1
Bills in conference	1	4	5
Measures passed, total	315	397	712
Senate bills	58	33	..
House bills	70	163	..
Senate joint resolutions	2	2	..
House joint resolutions	5	4	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	24	53	..
Simple resolutions	142	136	..
Measures reported, total	*161	*237	398
Senate bills	109	7	..
House bills	39	147	..
Senate joint resolutions	3	..	..
House joint resolutions .....	..	1	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions .....	..	8	..
Simple resolutions	7	74	..
Special reports	2	9	..
Conference reports	1	4	..
Measures pending on calendar	292	154	..
Measures introduced, total	1,840	1,863	3,703
Bills	1,591	1,375	..
Joint resolutions	13	18	..
Concurrent resolutions	38	136	..
Simple resolutions	198	334	..
Quorum calls .....	..	1	..
Yea-and-nay votes	218	195	..
Recorded votes .....	..	230	..
Bills vetoed .....	..	1	..
Vetoes overridden .....	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 104 reports have been filed in the Senate, a total of 250 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through July 31, 2006

Civilian nominations, totaling 461 (including 148 nominations carried over from the First Session), disposed of as follows:		
Confirmed		211
Unconfirmed		242
Withdrawn		8
Other Civilian nominations, totaling 2,356 (including 780 nominations carried over from the First Session), disposed of as follows:		
Confirmed		1,740
Unconfirmed		615
Withdrawn		1
Air Force nominations, totaling 7,096 (including 100 nominations carried over from the First Session), disposed of as follows:		
Confirmed		5,746
Unconfirmed		1,350
Army nominations, totaling 5,023 (including 608 nominations carried over from the First Session), disposed of as follows:		
Confirmed		4,941
Unconfirmed		82
Navy nominations, totaling 4,046 (including 21 nominations carried over from the First Session), disposed of as follows:		
Confirmed		3,569
Unconfirmed		477
Marine Corps nominations, totaling 1,291 (including 2 nominations carried over from the First Session), disposed of as follows:		
Confirmed		1,284
Unconfirmed		7

Summary

Total nominations carried over from the First Session	1,659
Total nominations received this Session	18,614
Total confirmed	17,491
Total unconfirmed	2,773
Total withdrawn	9
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Wednesday, August 2

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Wednesday, August 2

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act.

House Chamber

Program for Wednesday: To be announced.



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