

Daily Digest

HIGHLIGHTS

The House agreed to H.J. Res. 100, Making further continuing appropriations for the fiscal year 2007.

The House agreed to H. Con. Res. 496, Providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Senate

Chamber Action

Routine Proceedings, pages S10941–S10976

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 4052–4056, and S. Res. 614. **Page S10965**

Measures Passed:

Nutrition Services: Senate passed H.R. 6326, to clarify the provision of nutrition services to older Americans, clearing the measure for the President. **Page S10950**

Continuing Appropriations: Senate passed H.J. Res. 100, making further continuing appropriations for the fiscal year 2007, clearing the measure for the President. **Page S10954**

United States–India Peaceful Atomic Energy Cooperation Act—Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, the Senate begin consideration of S. 3709, to exempt from certain requirements of the Atomic Energy Act of 1954 United States exports of nuclear materials, equipment, and technology to India, and to implement the United States Additional Protocol; that a managers' amendment to be agreed to by Senators Lugar, Biden, and Frist, be agreed to as original text for the purpose of further amendment; that the only other amendments in order be the following: Ensign (relative to inspection, to be considered in closed session) Reed, Levin, Obama, Dorgan (two amendments), Feingold, Boxer, Feinstein, Harkin, Bingaman (up to seven amendments), Kennedy, and Dodd; that all amendments, except Senator Feingold's, be relevant second-degree amendments and that all be

related to the subject matter of the bill; that once the bill has been amended, it be read a third time, and the Senate begin consideration of H.R. 5682, the House-passed companion, that all after the enacting clause be stricken, and the text of S. 3709, as amended, if amended, be inserted thereof and the Senate vote on passage of H.R. 5682, as amended; provided further that following passage of the bill, the Senate insist upon its amendment, request a conference with the House, the Chair be authorized to appoint conferees, and S. 3709 be returned to the calendar. **Pages S10941–42**

Military Quality of Life and Veterans Affairs Appropriations Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the September 14, 2006 passage of H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, that Hutchison (for Akaka) Amendment No. 5128, and Hutchison (for Reed) Amendment No. 5125, be further modified. **Page S10975**

Signing Authority Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, and Senator Coburn, be authorized to sign duly enrolled bills or joint resolutions. **Page S10976**

Appointments:

MINER Act Technical Study Panel: The Chair, on behalf of the Majority Leaders of the Senate and House of Representatives, pursuant to Public Law 109–236, appointed Thomas P. Mucho, of Pennsylvania, to serve as a member of the MINER Act Technical Study Panel. **Page S10975**

Nominations Received: Senate received the following nominations:

Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

William James Haynes II, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

James Edward Rogan, of California, to be United States District Judge for the Central District of California.

Benjamin Hale Settle, of Washington, to be United States District Judge for the Western District of Washington.

Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Michael Brunson Wallace, of Mississippi, to be United States Circuit Judge for the Fifth Circuit.

Margaret A. Ryan, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law.

Scott Wallace Stucky, of Maryland, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law.

Routine lists in the Air Force, Army, Coast Guard, Navy. **Page S10976**

Messages From the House: **Page S10964**

Measures Referred: **Page S10964**

Measures Placed on Calendar: **Page S10964**

Executive Reports of Committees: **Pages S10964–65**

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Statements on Introduced Bills/Resolutions:
Pages S10965–73

Additional Statements: **Pages S10962–64**

Amendments Submitted: **Pages S10973–75**

Authorities for Committees to Meet: **Page S10975**

Privileges of the Floor: **Page S10975**

Adjournment: Senate convened at 2:15 p.m., and adjourned at 6:32 p.m., until 9:30 a.m., on Thursday, November 16, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10976.)

Committee Meetings

(Committees not listed did not meet)

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed hearings to examine progress of the Capitol Visitor Center construction, receiving testimony from Alan M. Hantman, Architect of the Capitol; Robert C. Hixon, Jr., Capitol Visitor Center Project Executive; and Bernard L. Ungar, Director, and Bradley M. James, Assistant Director, Physical Infrastructure Issues, Government Accountability Office.

Hearings recessed subject to the call.

U.S. MILITARY OPERATIONS

Committee on Armed Services: Committee concluded open and closed hearings to examine the current situation and U.S. military operations in Iraq and Afghanistan, after receiving testimony from General John P. Abizaid, USA, Commander, U.S. Central Command; David M. Satterfield, Senior Advisor to the Secretary of State and Coordinator for Iraq, Department of State; Lieutenant General Michael D. Maples, USA, Director, Defense Intelligence Agency; and General Michael V. Hayden, USAF, Director, Central Intelligence Agency.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 31 routine military nominations in the Army, Navy, and Air Force.

PUERTO RICO

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the December 2005 report from the President's Task Force on Puerto Rico's status, after receiving testimony from Representative Fortúno; C. Kevin Marshall, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice; and Puerto Rico Governor Aníbal Acevado-Vilá, and Ruben Berrios Martinez, Puerto Rican Independence Party, both of San Juan.

FOOD SAFETY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine current challenges and new ideas to safeguard consumers relating to food safety, focusing on foodborne illness in general and the response to the recent outbreak of E. coli infections associated with fresh spinach, after receiving testimony from Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration, and Lonnie J. King, Senior Veterinarian, Centers for Disease Control and Prevention, both of the Department of Health and

Human Services; Kevin Reilly, California Department of Health Services, Sacramento; Robert J. Whitaker, MissionStar Processing, Salinas, California; Terri-Anne Crawford, Franwell, Inc., Plant City,

Florida; Jeff S. Palmer, DayMark Safety Systems, Bowling Green, Ohio; and John Vazzana, Intralytix, Inc., Baltimore, Maryland.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 6325–6337; and 8 resolutions, H.J. Res. 101; H. Con. Res. 495–496; and H. Res. 1083–1087, were introduced. **Page H8672**

Additional Cosponsors: **Pages H8672–73**

Reports Filed: There were no reports filed today.

Chaplain: The prayer was offered by the guest Chaplain, Chaplain Scott Crosley, 101st Airborne Division, Fort Campbell, Kentucky. **Page H8643**

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

To convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation: S. 101, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation—clearing the measure for the President; **Pages H8645–46**

New England Wilderness Act of 2006: S. 4001, to designate certain land in New England as wilderness for inclusion in the National Preservation system and certain land as a National Recreation Area—clearing the measure for the President; **Pages H8646–49**

Providing a new effective date for the applicability of certain provisions of law to Public Law 105–331: H.R. 6325, to provide a new effective date for the applicability of certain provisions of law to Public Law 105–331; **Pages H8649–50**

Financial Netting Improvements Act of 2006: Concur in Senate amendments to H.R. 5585, to improve the netting process for financial contracts, by a $\frac{2}{3}$ yeas-and-nays vote of 395 yeas with none voting “nay”, Roll No. 522—clearing the measure for the President; **Pages H8650–51, H8654–55**

Congratulating the St. Louis Cardinals on winning the 2006 World Series: H. Res. 1078, to congratulate the St. Louis Cardinals on winning the 2006 World Series, by a $\frac{2}{3}$ yeas-and-nays vote of 395 yeas with none voting “nay”, Roll No. 523; and **Pages H8651–53, H8655**

Making further continuing appropriations for the fiscal year 2007: H.J. Res. 100, to make further continuing appropriations for the fiscal year 2007. **Pages H8653–54**

Committee Election: The House agreed to H. Res. 1083, electing Representative Sekula Gibbs to the Committees on Education and the Workforce and Transportation and Infrastructure. **Page H8655**

Conditional Adjournment Resolution: The House agreed to H. Con. Res. 496, providing for the conditional adjournment of the House and conditional adjournment or recess of the Senate. **Pages H8655–56**

Convening day of the 110th Congress: The House agreed to H.J. Res. 101, appointing the day for the convening of the first session of the One Hundred Tenth Congress. **Page H8656**

Authorization to print as a House document of “A History, Committee on the Judiciary, United States House of Representatives, 1813–2006”: The House agreed by unanimous consent to discharge from committee and pass H. Con. Res. 423, amended, authorizing to print as a House document of “A History, Committee on the Judiciary, United States House of Representatives, 1813–2006”. **Page H8656**

Clarifying the provision of nutrition services to older Americans: The House agreed by unanimous consent to H.R. 6326, to clarify the provision of nutrition services to older Americans. **Page H8656**

Speaker pro tempore: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia and Representative Wolf, to act as Speaker pro tempore to sign enrolled bills and joint resolutions through December 5, 2006. **Page H8657**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, December 6, 2006. **Page H8656**

Agreed, without objection, the business in order under the Calendar Wednesday rule is dispensed with today, November 15, 2006. **Page H8657**

Quorum Calls—Votes: Two yeas-and-nays votes developed during the proceedings today and appear on

pages H8654–55 and H8655. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 1:16 p.m., pursuant to the provisions of H. Con. Res. 496, the House stands adjourned until 1:30 p.m. on Friday, November 17, 2006, unless it sooner has received a message from the Senate transmitting its adoption of the concurrent resolution, in which case the House shall stand adjourned pursuant to that concurrent resolution until 10 a.m. on Tuesday, December 5, 2006.

Committee Meetings

IRAQ—CURRENT SITUATION AND MILITARY OPERATIONS

Committee on Armed Services: Held a hearing on the current situation and military operations in Iraq. Testimony was heard from David M. Satterfield, Senior Advisor to the Secretary and Coordinator for Iraq, Department of State; and GEN John Abizaid, USA, Commander, U.S. Central Command, Department of Defense.

SECURE BORDER INITIATIVE

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled “The Secure Border Initiative: Ensuring Effective Implementation and Financial Accountability of SBI.net.” Testimony was heard from the following officials of the Department of Homeland Security: Gregory L. Giddens, Director, Secure Border Initiative Program; Deborah J. Spero, Deputy Commissioner, Customs and Border Protection; Elaine Duke, Chief Procurement Officer; and Richard L. Skinner, Inspector General; and public witnesses.

OVERSIGHT—NORTH KOREA’S NUCLEAR TEST: NEXT STEPS

Committee on International Relations: Held an oversight hearing on North Korea’s Nuclear Test: Next Steps. Testimony was heard from R. Nicholas Burns, Under Secretary, Political Affairs, Department of State.

PREVENTING HARASSMENT THROUGH OUTBOUND NUMBER ENFORCEMENT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 5304, Preventing Harassment through Outbound Number Enforcement Act. Testimony was heard from Representative Murphy; Barry Sabin, Deputy Assistant Attorney General, Criminal Division, Department of Justice; Philip G. Kiko, Chief of Staff and General Counsel, House Committee on the Judiciary; and a public witness.

OVERSIGHT—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims continued oversight hearings entitled “The Energy Employees Occupational Illness Compensation Program Act: Are We Fulfilling the Promise We Made to Cold War Veterans When We Created the Program?” (Part IV) Testimony was heard from public witnesses.

COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 16, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine Department of Defense business systems modernization and financial management accountability efforts, 9:30 a.m., SR–232A.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the reauthorization of the Pipeline Safety Program, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the nomination of Kevin M. Kolevar, of Michigan, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability), 10 a.m., SD–366.

Subcommittee on Public Lands and Forests, to hold hearings to examine S. 3636, to establish wilderness areas, promote conservation, improve public land, and provide for high quality economic development in Washington County, Utah, and S. 3772, to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in White Pine County, Nevada, 2:30 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider the nomination of Alex A. Beehler, of Maryland, to be Inspector General, Environmental Protection Agency, Time to be announced, Room to be announced.

Committee on Finance: Subcommittee on Health Care, to hold hearings to examine the States’ perspective of the Children’s Health Insurance Program (CHIP), 2:30 p.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine proposals to improve drug safety and innovation, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 4046, to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction, and the nominations of Thurgood Marshall, Jr., of Virginia, and James H. Bilbray, of Nevada, each to be a Governor of the United States Postal Service, Stephen Thomas Conboy, of Virginia, to be

United States Marshal for the Superior Court of the District of Columbia, and Dan Gregory Blair, of the District of Columbia, to be a Commissioner of the Postal Rate Commission, Time to be announced, Room to be announced.

Permanent Subcommittee on Investigations, to resume hearings to examine Department of Defense travel policies and practices, focusing on the cost benefit analysis of the Defense Travel System, 10 a.m., SD-342.

Committee on the Judiciary: to hold oversight hearings to examine the Civil Rights Division of the Department of Justice, 9:30 a.m., SD-226.

Select Committee on Intelligence: to receive a closed briefing regarding intelligence matters, 10:30 a.m., SH-219.

House

Permanent Select Committee on Intelligence, executive, briefing on Intelligence Matters, 12 p.m., H-405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, November 16

Next Meeting of the HOUSE OF REPRESENTATIVES

1:30 p.m., Friday, November 17

Senate Chamber

Program for Thursday: Senate will be in a period of morning business. Senate expects to begin consideration of S. 3709, U.S.–India Peaceful Atomic Energy Cooperation Act, and H.R. 5384, Agriculture Appropriations Act.

House Chamber

Program for Friday: To be announced.

Extensions of Remarks, as inserted in this issue

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