# Daily Digest

#### HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

Routine Proceedings, pages \$8909-\$8984

Measures Introduced: Five bills were introduced, as follows: S. 3840–3844. Page S8972

#### Measures Reported:

Reported on Wednesday, August 30, during the adjournment:

Report to accompany S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures. (S. Rept. No. 109–320)

Report to accompany S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam. (S. Rept. No. 109–321)

Special Report entitled "Hurricane Katrina: A Nation Still Unprepared". (S. Rept. No. 109–322) Reported on today:

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, with an amendment in the nature of a substitute. (S. Rept. No. 109–323)

S. 3546, to amend the Federal Food, Drug, and Cosmetic Act with respect to serious adverse event reporting for dietary supplements and nonprescription drugs, with an amendment in the nature of a substitute. (S. Rept. No. 109–324)

Special Report entitled "'Gimme Five'—Investigation of Tribal Lobbying Matters". (S. Rept. No. 109–325)

Page S8971

#### Measures Passed:

Maine Navigation Project: Committee on Environment and Public Works was discharged from further consideration of S. 466, to deauthorize a certain

portion of the project for navigation, Rockland Harbor, Maine, and the bill was then passed, after agreeing to the following amendments proposed thereto:

Pages S8976-77

Frist (for Snowe) Amendment No. 4887, to redesignate the project for navigation, Saco River, Maine.

Pages S8976-77

Frist (for Jeffords) Amendment No. 4888, to provide for the Herbert Hoover Dike Supplemental Major Rehabilitation Report. Pages \$8976-77

National Prostate Cancer Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 552, designating September 2006 as "National Prostate Cancer Awareness Month", and the resolution was then agreed to.

Page S8978

Department of Defense Appropriations Act: Senate resumed consideration of H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, taking action on the following amendments proposed thereto:

Pages S8909-12, S8922-32, S8948-50

Pending:

Kennedy/Reid Amendment No. 4885, to include information on civil war in Iraq in the quarterly reports on progress toward military and political stability in Iraq.

Pages S8922-26

Allen Modified Amendment No. 4883, to make available from Defense Health Program up to \$19,000,000 for the Defense and Veterans Brain Injury Center.

Pages \$8926-29

Feinstein/Leahy Amendment No. 4882, to protect civilian lives from unexploded cluster munitions.

Pages S8948-50

A unanimous consent agreement was reached providing for further consideration of the bill at approximately 10:15 a.m., on Wednesday, September 6, 2006.

Pages \$8978-79

D906

Executive Reports of Committees: Senate received on Wednesday, August 30, 2006 during the adjournment of the Senate, the following executive reports of a committee:

Report to accompany Investment Treaty with Uruguay (Treaty Doc. 109–9) (Ex. Rept. 109–17); and

Report to accompany U.N. Convention Against Corruption (Treaty Doc. 109-6) (Ex. Rept. 109-18).

Pages S8971-72

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

Patent Law Treaty and Regulations Under Patent Law Treaty (Treaty Doc. No. 109–12).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

Pages S8977-78

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 92 yeas (Vote No. EX. 231), Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit.

Robert S. Martin, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012. Pages S8944-48, S8976, S8984

Nominations Received: Senate received the following nominations:

Charles F. Conner, of Indiana, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Collister Johnson, Jr., of Virginia, to be Administrator of the Saint Lawrence Seaway Development Corporation for a term of seven years.

Mark Myers, of Alaska, to be Director of the United States Geological Survey.

John Ray Correll, of Indiana, to be Director of the Office of Surface Mining Reclamation and Enforcement.

Mary Amelia Bomar, of Pennsylvania, to be Director of the National Park Service.

David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior.

William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator of the Environmental Protection Agency.

Peter E. Cianchette, of Maine, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2010.

Charles L. Glazer, of Connecticut, to be Ambassador to the Republic of El Salvador.

Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health.

Sara Alicia Tucker, of California, to be Under Secretary of Education.

Tracy A. Henke, of Missouri, to be Executive Director of the Office of State and Local Government Coordination and Preparedness, Department of Homeland Security.

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

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

James F.X. O'Gara, of Pennsylvania, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

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

William W. Mercer, of Montana, to be Associate Attorney General.

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

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

Robert T. Howard, of Virginia, to be an Assistant Secretary of Veterans Affairs (Information and Technology).

John Edward Mansfield, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2011.

Larry W. Brown, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2010.

Peter Stanley Winokur, of Maryland, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2009.

Halil Suleyman Ozerden, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

Otis D. Wright II, of California, to be United States District Judge for the Central District of California.

George H. Wu, of California, to be United States District Judge for the Central District of California. Routine lists in the Army, Navy. Pages S8979-84

Messages From the House: Page S8964
Measures Placed on Calendar: Page S8964

Executive Communications: Pages \$8964-71
Executive Reports of Committees: Pages \$8971-72

Additional Cosponsors: Pages \$8972-74
Statements on Introduced Bills/Resolutions:

Pages S8974–75

Additional Statements: Pages \$8957-64
Amendments Submitted: Pages \$8975-76

Notices of Hearings/Meetings: Page S8976

Authorities for Committees to Meet: Page S8976

Privileges of the Floor:

Page S8976

Record Votes: One record vote was taken today. (Total—231)

Page S8948

Adjournment: Senate convened at 11 a.m., and adjourned at 7:07 p.m., until 9:45 a.m., on Wednesday, September 6, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page \$8979.)

### Committee Meeting

(Committees not listed did not meet)

#### NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Ronald A. Tschetter, of Minnesota, to be Director of the Peace Corps, after the nominee testified and answered questions in his own behalf.

## House of Representatives

### Chamber Action

The House was not in session today. The House is scheduled to meet at 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. D902-903)

H.R. 5877, to amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006. Signed on August 4, 2006. (Public Law 109–267)

S. 3741, to provide funding authority to facilitate the evacuation of persons from Lebanon. Signed on August 4, 2006. (Public Law 109–268)

H.R. 3682, to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge. Signed on August 12, 2006. (Public Law 109–269)

- S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act. Signed on August 12, 2006. (Public Law 109–270)
- S. 3693, to make technical corrections to the Violence Against Women and Department of Justice Reauthorization Act of 2005. Signed on August 12, 2006. (Public Law 109–271)

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. Signed on August 14, 2006. (Public Law 109–272)

H.R. 4646, to designate the facility of the United States Postal Service located at 7320 Reseda Boule-

vard in Reseda, California, as the "Coach John Wooden Post Office Building". Signed on August 17, 2006. (Public Law 109–273)

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". Signed on August 17, 2006. (Public Law 109–274)

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". Signed on August 17, 2006. (Public Law 109–275)

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". Signed on August 17, 2006. (Public Law 109–276)

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". Signed on August 17, 2006. (Public Law 109–277)

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'. Signed on August 17, 2006. (Public Law 109–278)

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". Signed on August 17, 2006. (Public Law 109–279)

H.R. 4, to provide economic security for all Americans. Signed on August 17, 2006. (Public Law 109–280)

#### CONGRESSIONAL PROGRAM AHEAD

Week of September 6 through September 9, 2006

#### Senate Chamber

On *Wednesday*, at approximately 10:15 a.m., Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act.

During the balance of the week, Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act, and any other cleared legislative and executive business, including appropriation bills and conference reports, when available.

#### Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 6, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine recent controversies in stem cell research, 9 a.m., SD–124.

September 7, Subcommittee on Homeland Security, to hold hearings to examine preparedness one year after Hurricane Katrina, 10 a.m., SD–192.

Committee on Armed Services: September 6, to receive a closed briefing regarding the Army Field Manual on Interrogation, 10 a.m., SR-222.

Committee on Banking, Housing, and Urban Affairs: September 6, to hold hearings to examine stock options backdating, 10 a.m., SD-538.

Committee on Environment and Public Works: September 6, to hold oversight hearings to examine the federal renewable fuels programs, 9:30 a.m., SD-406.

Committee on Finance: September 6, to hold hearings to examine backdating to the future/oversight of current issues regarding executive compensation including backdating of stock options, and tax treatment of executive compensation, retirement and benefits, 10 a.m., SD–215.

Committee on Foreign Relations: September 7, business meeting to consider Extradition Treaty Between the United States of America and the United Kingdom of Great Britain and Northern Ireland, and related exchanges of letters, signed at Washington on March 31, 2003 (Treaty Doc. 108-23), and the nominations of Richard E. Hoagland, of the District of Columbia, to be Ambassador to the Republic of Armenia, John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, and John C. Rood, of Arizona, to be an Assistant Secretary of State (International Security and Non-Proliferation), 9:30 a.m., SD—419.

Committee on Homeland Security and Governmental Affairs: September 7, Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine Information Technology projects at risk, focusing on why \$12 billion in projects is being funded and what OMB is doing to ensure success, as well as GAO's recommendations in these areas, 9:30 a.m., SD–342.

Committee on the Judiciary: September 6, to hold hearings to examine competition in group health care, 11 a.m., SD-226.

September 6, Full Committee, to hold hearings to examine judicial nominations, 2 p.m., SD-226.

September 7, Full Committee, business meeting to consider S. 2453, to establish procedures for the review of electronic surveillance programs, 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. 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, 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, 9:30 a.m., SD-226.

September 7, Subcommittee on Terrorism, Technology and Homeland Security, to hold hearings to examine strategies for pre-screening international airline passengers before takeoff, 2 p.m., SD–226.

Committee on Veterans' Affairs: September 7, to hold hearings entitled "Wounded Warrior" Insurance: A First Look at a New Benefit for Traumatically Injured Servicemembers, 10 a.m., SR-418.

Select Committee on Intelligence: September 6, to receive a closed briefing regarding intelligence matters, 10:30 a.m., SH–219.

September 7, Full Committee, closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

Special Committee on Aging: September 7, to hold hearings to examine America's ailing guardianship system relating to exploitation of seniors, 10 a.m., SD-562.

#### **House Committees**

Committee on Appropriations, September 7, Subcommittee on Defense, hearing on Defense Contracting, 10 a.m., 2359 Rayburn.

Committee on Armed Services, September 7, hearing on standards of military commissions and tribunals, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, September 7, Subcommittee on Oversight and Investigations, hearing on BP's Pipeline Spills at Prudhoe Bay: What Went Wrong? 10 a.m., 2123 Rayburn.

Committee on Financial Services, September 7, Sub-committee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "A Review of the Federal Home Loan Bank System," 10 a.m., 2128 Rayburn.

Committee on Government Reform, September 6, Subcommittee on Federalism and the Census, hearing entitled "2 + 2 Should Never Equal 3: Getting Intercensal Population Estimates Right the First Time," 2 p.m., 2247 Rayburn.

September 6, Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled "HIV Prevention: How Effective Is The President's Emergency Plan for AIDS Relief (PEPFAR)?" 1 p.m., 2154 Rayburn.

Committee on Homeland Security, September 7, Sub-committee on Emergency Preparedness, Science, and Technology, hearing entitled "The Department of Homeland Security's Science and Technology Directorate: Is It Structured for Success?" 10 a.m., room to be announced.

September 7, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled "State and Local Fusion Centers and the Role of DHS," 1 p.m., 2118 Rayburn.

Committee on International Relations, September 6, Sub-committee on Africa, Global Human Rights and International Operations, oversight hearing on the United Nations Human Rights Council: Reform or Regression? 2 p.m., 2172 Rayburn.

September 7, Subcommittee on International Terrorism and Nonproliferation, oversight hearing on 9/11: Five Years Later—Gauging Islaminst Terrorism, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, September 6, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on proposals to Update the Foreign Intelligence Surveillance Act (FISA), including the following bills: H.R. 4976, NSA Oversight Act; H.R. 5223, Surveillance Activities Commission Act of 2006; H.R. 5371, Lawful Intelligence and Surveillance of Terrorists in an Emergency by NSA Act; H.R. 5825, Electronic Surveillance Modernization Act; S. 2453, National Security Surveillance Act of 2006; and S. 2455, Terrorist Surveillance Act of 2006, 1 p.m., 2141 Rayburn.

September 7, full Committee, to continue mark up of H.R. 2679, Public Expression of Religion Act of 2005; and to mark up the following bills: H.R. 5092, Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE)

Modernization and Reform Act of 2006; H.R. 5005, Firearms Corrections and Improvements Act; H.R. 1384, Firearm Commerce Modernization Act; H.R. 1415, NICS Improvement Act of 2005; and H.R. 5830, Wright Amendment Reform Act; and to consider a motion to authorize the issuance of a subpoena to Elaine L. Chao, Secretary of Labor, 10 a.m., 2141 Rayburn.

Committee on Resources, September 7, Subcommittee on National Parks, hearing on the following bills: H.R. 3532, Michigan Lighthouse and Maritime Heritage Act; H.R. 5452, Veterans Eagle Parks Pass Act; H.R. 5485, Columbia-Pacific National Heritage Area Study Act; and H.R. 5978, To authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of a Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, 10 a.m., 1334 Longworth.

September 7, Subcommittee on Water and Power, hearing on the following bills: H.R. 5566, To facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, South Dakota; and H.R. 6014, To authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to improve California's Sacramento/San Joaquin Delta and water supply; and to hold an oversight hearing on a measure regarding the repayment of site security costs at Bureau of Reclamation facilities, 10 a.m., 1324 Longworth.

Committee on Rules, September 6, to consider H.R. 503, to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling or donation of horse and other equines to be slaughtered for human consumption, 5 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, September 7, Subcommittee on Highways, Transit and Pipelines, oversight hearing on Freight Logistics: The Road Ahead as Seen by the Users of the Highway System, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, September 7, executive, briefing on Global Updates/Hot Spots, 9 a.m., H-405 Capitol.

September 7, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, hearing on CIA Sensitive Programs, 10 a.m., H–405 Capitol.

## 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 August 31, 2006

January y chrough ringest 91, 2000				
	Senate	House	Total	
Days in session	107	78		
Time in session	803 hrs., 36'	646 hrs., 80'		
Congressional Record:				
Pages of proceedings	8907	6242		
Extensions of Remarks		1627		
Public bills enacted into law	32	79	111	
Private bills enacted into law	1		1	
Bills in conference	1	4	5	
Measures passed, total	348	398	746	
Senate bills	69	33		
House bills	82	163		
Senate joint resolutions	2	2		
House joint resolutions	5	4		
Senate concurrent resolutions	15	6		
House concurrent resolutions	26	54		
Simple resolutions	149	136		
Measures reported, total	*181	*237	418	
Senate bills	122	7		
House bills	46	147		
Senate joint resolutions	3			
House joint resolutions		1		
Senate concurrent resolutions	3			
House concurrent resolutions		8		
Simple resolutions	7	74		
Special reports	3	9		
Conference reports	1	4		
Measures pending on calendar	294	154		
Measures introduced, total	1,925	1,865	3,790	
Bills	1,665	1,376		
Joint resolutions	13	18		
Concurrent resolutions	38	137		
Simple resolutions	209	334		
Quorum calls		1		
Yea-and-nay votes	230	195		
Recorded votes		230		
Bills vetoed		1		
Vetoes overridden				

<sup>\*</sup>These figures include all measures reported, even if there was no accompanying report. A total of 110 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 August 31, 2006

January 3 through August 31, 2006	
Civilian nominations, totaling 488 (including 148 nominations carried over from the First Session), disposed of as follows:	
Confirmed	286
Unconfirmed	181
Withdrawn	8
Returned to White House	13
Civilian nominations, totaling 2,356 (including 780 nominations car-	
ried over from the First Session), disposed of as follows:	
Confirmed	2,097
Unconfirmed	258
Withdrawn	1
Air Force nominations, totaling 7,171 (including 100 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,833
Unconfirmed	1,338
	,
Army nominations, totaling 6,676 (including 608 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,975
Unconfirmed	1,701
Navy nominations, totaling 4,737 (including 21 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,036
Unconfirmed	701
Marine Corps nominations, totaling 1,291 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,286
Unconfirmed	5
Summary	
Total nominations carried over from the First Session	1,659
Total nominations received this Session	21,060
Total confirmed	18,513
Total unconfirmed	4,184
Total withdrawn	9
Total returned to the White House	13

Next Meeting of the SENATE 9:45 a.m., Wednesday, September 6 Next Meeting of the HOUSE OF REPRESENTATIVES 2 p.m., Wednesday, September 6

#### Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

#### House Chamber

Program for Wednesday: To be announced.



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