

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11403–S11550

Measures Introduced: Twelve bills and five resolutions were introduced, as follows: S. 4099–4110, S. Res. 626–629, and S. Con. Res. 123. **Pages S11498–99**

Measures Passed:

Stevens-Inouye International Fisheries Monitoring and Compliance Legacy Act: Senate passed H.R. 5946, to amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize activities to promote improved monitoring and compliance for high seas fisheries, or fisheries governed by international fishery management agreements, after agreeing to the following amendment proposed thereto: **Page S11535**

Stevens Amendment No. 5224, in the nature of a substitute. **Page S11535**

Innocent Spouse Relief: Senate passed H.R. 6111, to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending, after agreeing to the following amendment proposed thereto: **Page S11535**

McConnell (for Frist) Amendment No. 5225, to make a technical correction. **Page S11535**

Pipeline Safety Improvement Act: Senate passed H.R. 5782, to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, clearing the measure for the President. **Pages S11535–36**

National Transportation Safety Board Amendments Act: Senate passed H.R. 5076, to amend title 49, United States Code, to authorize appropriations for fiscal years 2007 and 2008, clearing the measure for the President. **Page S11536**

Veterans Programs Extension Act: Senate passed H.R. 6342, to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, to expand

eligibility for the Survivors' and Dependents' Educational Assistance program, clearing the measure for the President. **Page S11536**

Armed Forces Funeral Disruptions: Committee on the Judiciary was discharged from further consideration of S. 4042, to amend title 18, United States Code, to prohibit disruptions of funerals of members or former members of the Armed Forces, and the bill was then passed. **Page S11536**

Social Security Trust Funds Restoration: Committee on Finance was discharged from further consideration of S. 4091, to provide authority for restoration of the Social Security Trust Funds from the effects of a clerical error, and the bill was then passed. **Pages S11536–37**

Montana Land Conveyance: Senate passed S. 997, to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery, after agreeing to the committee amendment in the nature of a substitute. **Page S11537**

Arizona Land Conveyance: Senate passed S. 1529, to provide for the conveyance of certain Federal land in the city of Yuma, Arizona, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S11537–39**

DeWine (for Domenici) Amendment No. 5226, to modify the provision governing the disposition of amounts paid to the Secretary for the conveyance of certain United States Fish and Wildlife Service land to the city of Yuma. **Page S11538**

Alaska Land Conveyance: Senate passed S. 1548, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page S11539**

DeWine (for Domenici) Amendment No. 5227, to provide offsets. **Page S11539**

Watershed Restoration: Senate passed S. 2003, to make permanent the authorization for watershed restoration and enhancement agreements, after agreeing

to the committee amendment in the nature of a substitute. **Page S11539**

Vermont Water Resources: Senate passed S. 2054, to direct the Secretary of the Interior to conduct a study of water resources in the State of Vermont, after agreeing to the committee amendment, and the following amendment proposed thereto: **Page S11539**

DeWine (for Domenici) Amendment No. 5228, to provide an offset. **Page S11539**

Bureau of Land Management Land: Senate passed S. 2150, to direct the Secretary of the Interior to convey certain Bureau of Land Management Land to the City of Eugene, Oregon, after agreeing to the committee amendments. **Pages S11539–40**

Wyoming Public Land: Senate passed S. 2373, to provide for the sale of approximately 132 acres of public land to the city of Green River, Wyoming, at fair market value, after agreeing to the committee amendments. **Page S11540**

Grand Teton National Park: Senate passed S. 2403, to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, after agreeing to the committee amendment in the nature of a substitute. **Page S11540**

Minute Man National Historical Park Study: Senate passed H.R. 394, to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park, clearing the measure for the President. **Pages S11540–41**

Pine Springs Land Exchange Act: Senate passed H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, after agreeing to the committee amendment in the nature of a substitute. **Page S11541**

Holloman Air Force Base Land Exchange Act: Senate passed H.R. 486, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base, after agreeing to the committee amendment in the nature of a substitute. **Pages S11541–42**

River Raisin National Battlefield Study Act: Senate passed H.R. 5132, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including

in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812, clearing the measure for the President. **Page S11542**

Captain John Smith Chesapeake National Historic Trail Designation Act: Senate passed H.R. 5466, to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail, clearing the measure for the President. **Page S11542**

Blunt Reservoir and Pierre Canal Land Conveyance Act: Committee on Energy and Natural Resources was discharged from further consideration of S. 2205, to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S11542–43**

DeWine (for Domenici) Amendment No. 5229, in the nature of a substitute. **Page S11542**

Energy Efficient Computer Servers: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 5646, to study and promote the use of energy efficient computer servers in the United States, and the bill was then passed, clearing the measure for the President. **Page S11543**

National Children's Memorial Day: Committee on the Judiciary was discharged from further consideration of S. Res. 590, designating the second Sunday in December 2006 as "National Children's Memorial Day" in conjunction with The Compassionate Friends Worldwide Candle Lighting, and the resolution was then agreed to. **Page S11543**

Magnuson-Stevens Fishery Conservation and Management Act Amendments: Senate agreed to S. Con. Res. 123, providing for correction to the enrollment of the bill H.R. 5946. **Page S11543**

Retirement of Linda E. Sebold: Senate agreed to S. Res. 626, relating to the retirement of Linda E. Sebold. **Pages S11543–44**

Jordan Terrorist Attacks Anniversary: Senate agreed to S. Res. 627, commemorating the one-year anniversary of the November 9, 2005, terrorist attacks in Amman, Jordan. **Page S11544**

Nautical Charting 200th Anniversary: Senate agreed to S. Res. 628, supporting the 200th anniversary of the nation's nautical charting and related scientific programs, which formed the basis for what is today the National Oceanic and Atmospheric Administration; and recognizing 200 years of research, service to the people of the United States, and stewardship of the marine environment by the National Oceanic and Atmospheric Administration and its predecessor agencies. **Pages S11544–45**

Capitol Artwork Placement: Senate agreed to S. Res. 629, establishing a procedure for affixing and removing permanent artwork and semi-permanent artwork in the Senate wing of the Capitol and in the Senate office buildings. **Page S11545**

Honoring Arnold "Red" Auerbach: Senate agreed to H. Con. Res. 497, to honor the memory of Arnold "Red" Auerbach. **Pages S11545–46**

Cheyenne River Sioux Tribe Equitable Compensation Amendments Act: Senate passed S. 1535, to amend the Cheyenne River Sioux Tribe Equitable Compensation Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project, after agreeing to the committee amendment in the nature of a substitute. **Pages S11546–48**

Location of Missing Children: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 4416, to reauthorize permanently the use of penalty and franked mail in efforts relating to the location and recovery of missing children, and the bill was then passed, clearing the measure for the President. **Page S11548**

Combating Autism Act—House Message: Senate concurred in the amendment of the House to S. 843, to amend the Public Health Service Act to combat autism through research, screening, intervention and education, clearing the measure for the President. **Pages S11442–45**

Nomination Agreement: A unanimous-consent agreement was reached providing for further consideration of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, at 10:30 a.m., on Friday, December 8, 2006, with a vote on the motion to close further debate on the nomination. **Page S11550**

Nomination Confirmed: Senate confirmed the following nomination:

By 80 yeas 11 nays (Vote No. EX. 274), Andrew von Eschenbach, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services. **Pages S11404–29, S11447–51**

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

By 89 yeas to 6 nays (Vote No. 273), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination.

Pages S11404–11

Nomination Received: Senate received the following nomination:

Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina. **Page S11550**

Messages From the House: **Page S11495**

Measures Read First Time: **Pages S11495, S11548**

Executive Communications: **Pages S11495–97**

Petitions and Memorials: **Pages S11497–98**

Executive Reports of Committees: **Page S11498**

Additional Cosponsors: **Page S11499**

Statements on Introduced Bills/Resolutions: **Pages S11500–07**

Additional Statements: **Pages S11490–95**

Amendments Submitted: **Pages S11507–34**

Authorities for Committees to Meet: **Pages S11534–35**

Record Votes: Two record votes were taken today. (Total—274) **Pages S11411, S11451**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:10 p.m., until 9:30 a.m., on Friday, December 8, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11550.)

Committee Meetings

(Committees not listed did not meet)

IRAQ STUDY GROUP REPORT

Committee on Armed Services: Committee concluded a hearing to examine the report of the Iraq Study Group, which is a forward-looking, independent assessment of the current and prospective situation on the ground in Iraq, its impact on the surrounding region, and consequences for United States interests, after receiving testimony from James A. Baker, III, and Lee H. Hamilton, both Co-Chairs, Iraq Study Group.

NOMINATION

Committee on Finance: Committee ordered favorably reported the nomination of Eric Solomon, of New Jersey, to be an Assistant Secretary of the Treasury.

CABLE TELEVISION SPORTS PROGRAMMING

Committee on the Judiciary: Committee concluded a hearing to examine vertically integrated sports programming, focusing on whether cable companies are excluding competition, after receiving testimony from Michael A. Salinger, Director, Bureau of Economics, Federal Trade Commission; John D. Goodman, Coalition for Competitive Access to Content,

Mark Cooper, Consumer Federation of America, and James Baller, Baller Herbst Law Group, all of Washington, D.C.; and David L. Cohen, Comcast Corporation, Philadelphia, Pennsylvania.

INTELLIGENCE

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

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 6406–6419; and 3 resolutions, H.J. Res. 102; H. Con. Res. 501; and H. Res. 1103 were introduced. **Pages H8978–79**

Additional Cosponsors: **Page H8980**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 5682, to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India (H. Rept. 109–721);

H. Res. 1099, relating to consideration of H.R. 6111, to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending (H. Rept. 109–722);

H. Res. 1100, providing for consideration of H.R. 6406, to modify temporarily certain rates of duty and make other technical amendments to the trade laws, to extend certain trade preference programs (H. Rept. 109–723);

H. Res. 1101, waiving points of order against the conference report to accompany H.R. 5682, to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India (H. Rept. 109–724); and

H. Res. 1102, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules and providing for consideration of motions to suspend the rules (H. Rept. 109–725).

Pages H8934–50, H8976

The House agreed to H. Res. 1096, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules and providing for consideration of motions to suspend the rules, by a yea-and-nay vote of 212 yeas to 190 nays, Roll No. 528 after agreeing to order the previous question.

Pages H8895–98

Also pursuant to section 3 of H. Res. 1096, House Resolutions 810, 939, 951, and 1047 were laid on the table. **Page H8895**

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

Supporting the goals and ideals of Plan Ahead with an Advance Directive Week: H. Res. 934, to support the goals and ideals of Plan Ahead with an Advance Directive Week; **Pages H8899–H8901**

Sober Truth on Preventing Underage Drinking Act: Concur in Senate amendment to H.R. 864, to provide for programs and activities with respect to the prevention of underage drinking—clearing the measure for the President; **Pages H8901–04**

Palestinian Anti-Terrorism Act of 2006: S. 2370, to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority—clearing the measure for the President; **Pages H8909–14**

Making a conforming amendment to the Federal Deposit Insurance Act with respect to examinations of certain insured depository institutions: H.R. 6345, to make a conforming amendment to the Federal Deposit Insurance Act with respect to examinations of certain insured depository institutions; **Pages H8914–16**

Recognizing the 50th anniversary of the Commission on Independent Colleges and Universities: H. Con. Res. 343, to recognize the 50th anniversary of the Commission on Independent Colleges and Universities; **Pages H8916–17**

Truman Scholarship Fund Modernization Act: H.R. 6206, to revise the calculation of interest on investments of the Harry S Truman Memorial Scholarship Fund; **Pages H8917–19**

Naming the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the Congressional Medal of Honor: S. 3759, to name the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the

Congressional Medal of Honor—clearing the measure for the President; **Pages H8922–23**

Expressing the sense of the House of Representatives that there should be established an Irish-American Heritage Month: H. Res. 733, express the sense of the House of Representatives that there should be established an Irish-American Heritage Month; **Pages H8923–24**

Office of National Drug Control Policy Reauthorization Act of 2006: H.R. 6344, amended, to reauthorize the Office of National Drug Control Policy Act; and **Pages H8950–66**

Federal Wildland Firefighter Classification Act: H.R. 5697, amended, to provide for the appropriate designation of certain Federal positions involved in wildland fire suppression activities. **Pages H8966–67**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration of the measures is expected to resume tomorrow, Friday, December 8th:

Belarus Democracy Reauthorization Act of 2006: H.R. 5948, amended, to reauthorize the Belarus Democracy Act of 2004; and **Pages H8905–09**

Amending title 10, United States Code, to require the Secretary of Defense to submit to Congress an annual report and to provide notice to the public on congressional initiatives in funds authorized or made available to the Department of Defense: H.R. 6375, to amend title 10, United States Code, to require the Secretary of Defense to submit to Congress an annual report and to provide notice to the public on congressional initiatives in funds authorized or made available to the Department of Defense. **Pages H8919–22**

Recess: The House recessed at 1:48 p.m. and reconvened at 2:14 p.m. **Page H8924**

Recess: The House recessed at 4:25 p.m. and reconvened at 10:25 p.m. **Page H8967**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 9:30 a.m. tomorrow, December 8th. **Page H8967**

United States—China Review Commission—Appointment: Read a letter from the Minority Leader (Ms. Pelosi) wherein she announced her reappointment of Mr. Michael Wessel of Falls Church, Virginia to the United States-China Review Commission for a term expiring December 31, 2008. **Page H8967**

In addition, Ms. Pelosi hereby appoint to that Commission Mr. Jeffrey L. Fiedler of Great Falls, Virginia, to fill the remainder of the term of Mr. George Becker, who is resigning effective December 31, 2006. **Page H8967**

MINER Act Technical Study Panel—Appointment: The Chair announced, on behalf of the Democratic Leader of the House (Ms. Pelosi) and the

Democratic Leader of the Senate (Mr. Reid), pursuant to Public Law 109–236, the appointment of Dr. James L. Weeks of Maryland to serve as a member of the MINER Act Technical Study Panel. **Pages H8967–68**

Senate Message: Messages received from the Senate today appear on pages H8892 and H8928.

Senate Referrals: S. 843, S.1876, S. 2653, S. 2735, S. 3546, S. 3718, S. 3821, S. 4042, S. 4046, S. 4091, S. 4092, and S. 4093 were held at the desk; and S. 2322 was referred to the Committee on Energy and Commerce. **Pages H8892, H8928, H8977**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page H8898. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:25 p.m.

Committee Meetings

IRAQ—AFGHANISTAN U.S. MILITARY TRANSITION TEAMS

Committee on Armed Services: Held a hearing on U.S. military transition teams in Iraq and Afghanistan. Testimony was heard from the following officials of the Department of Defense: LTG James J. Lovelace, Jr., USA, Deputy Chief of Staff, G–3, U.S. Army; MG George J. Flynn, USMC, Commanding General, Training and Education Command, U.S. Marine Corps; and MG Carter F. Ham, USA, Commanding General, 1st Infantry Division, U.S. Army.

ADMINISTRATIVE LAW, PROCESS AND PROCEDURE PROJECT; OVERSIGHT NFL PLAYERS ASSOCIATION ARBITRATION PROCESS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law adopted a motion approving the Interim Report on the Administrative Law, Process and Procedure Project for the 21st Century.

The Subcommittee also held an oversight hearing on The Arbitration Process of the National Football League Players Association. Testimony was heard from public witnesses.

CONFERENCE REPORT—HENRY J. HYDE UNITED STATES-INDIA PEACEFUL ATOMIC ENERGY COOPERATION ACT

Committee on Rules: Granted by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5682, Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Royce.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules. Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of December 8, 2006. The rule provides that suspensions will be in order at any time on the legislative day of December 8, 2006. The rule further provides that the Speaker or his designee shall consult with the Minority Leader or her designee on any suspension considered under the rule.

TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO PROVIDE THAT THE TAX COURT MAY REVIEW CLAIMS FOR EQUITABLE INNOCENT SPOUSE RELIEF AND TO SUSPEND THE RUNNING ON THE PERIOD OF LIMITATIONS WHILE SUCH CLAIMS ARE PENDING

Committee on Rules. Granted, by voice vote, a rule providing for the disposition of the Senate amendment to H.R. 6111, to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending. The rule makes in order a motion by the chairman of the Committee on Ways and Means to concur in the Senate amendment with the amendment printed in the Rules Committee report accompanying the resolution. The rule waives all points of order against the motion. The rule provides for 1 hour of debate on the motion equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and means. Finally, the rule provides one motion to amend, which shall be separately debatable for 5 minutes by the proponent and 5 minutes by an opponent.

TO MODIFY TEMPORARILY CERTAIN RATES OF DUTY AND MAKE OTHER TECHNICAL AMENDMENTS TO THE TRADE LAWS, TO EXTEND CERTAIN TRADE PREFERENCE PROGRAMS, AND FOR OTHER PURPOSES

Committee on Rules. Granted, by voice vote, a closed rule providing 1 hour of debate in the House on

H.R. 6406, to modify temporarily certain rates of duty and make other technical amendments to the trade laws, to extend certain trade preference programs, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides one motion to recommend. The rule provides that, in the engrossment of the House amendment to the Senate amendment to the bill H.R. 6111, the Clerk shall (1) add the text of H.R. 6406, as passed by the House, as new matter at the end of such engrossment; (2) assign appropriate designations to provisions within the engrossment; and (3) conform provisions for short titles within the engrossment.

OVERSIGHT—SERVICEMEMBERS/VETERANS TRANSITION ISSUES

Committee on Veterans' Affairs. Subcommittee on Economic Opportunity held an oversight hearing to review the Departments of Veterans Affairs, Labor, and Defense actions regarding the recommendations of the 1999 Congressional Commission on Servicemembers and Veterans Transition Assistance Report. Testimony was heard from Gordon Mansfield, Deputy Secretary, Department of Veterans Affairs; Charles S. Ciccolella, Assistant Secretary, Veterans Employment and Training Service, Department of Labor; Leslye Arsht, Deputy Under Secretary, Military Community and Family Policy, Department of Defense; and Anthony J. Principi, Chairman, Congressional Commission on Servicemembers and Veterans Transition Assistance.

**COMMITTEE MEETINGS FOR FRIDAY,
DECEMBER 8, 2006**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, December 8

Next Meeting of the HOUSE OF REPRESENTATIVES

9:30 a.m., Friday, December 8

Senate Chamber

Program for Friday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will resume consideration of the nomination of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, with a vote on the motion to invoke cloture to occur thereon. Also, Senate will consider any cleared legislative and executive matters.

House Chamber

Program for Friday: To be announced.

Extensions of Remarks, as inserted in this issue

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