

Daily Digest

HIGHLIGHTS

Senate passed S. 3709, United States-India Peaceful Atomic Energy Cooperation Act.

Senate agreed to H. Con. Res. 496, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S10977–S11106

Measures Introduced: Eighteen bills and seven resolutions were introduced, as follows: S. 4057–4074, and S. Res. 615–621. **Pages S11057–58**

Measures Reported:

Special Report entitled “Committee Activities of 108th Congress”. (S. Rept. No. 109–360)

Report to accompany S. 3778, to reauthorize and improve the Small Business Act and the Small Business Act of 1958. (S. Rept. No. 109–361)

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. **Page S11056**

Measures Passed:

Federal and District of Columbia Government Real Property Act: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 3699, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, which was referred to the Committee on Energy and Natural Resources, was discharged from further consideration of the bill, and then passed, clearing the measure for the President. **Pages S10981–82**

United States and India Nuclear Cooperation Promotion Act: By 85 yeas to 12 nays (Vote No. 270), Senate passed H.R. 5682, to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 3709, Senate

companion measure, after taking action on the following amendments proposed thereto:

Pages S10982–S11034

Adopted:

Lugar Amendment No. 5168, in the nature of a substitute. (By unanimous consent, the amendment will be considered as original text for the purpose of further amendment.) **Pages S10984–85**

Lugar (for Obama) Amendment No. 5169, to clarify United States policy in order to deter nuclear testing by foreign governments. **Page S10985**

Lugar (for Harkin) Amendment No. 5173, to make the waiver authority of the President contingent upon a determination that India is fully and actively participating in United States and international efforts to dissuade, sanction, and contain Iran for its nuclear program consistent with United Nations Security Council resolutions. **Pages S10996–98**

Lugar (for Bingaman) Amendment No. 5179, to require as part of the implementation and compliance report an estimate of uranium use and an analysis of the production rate of nuclear explosive devices. **Pages S11002–03**

Lugar (for Bingaman/Domenici) Amendment No. 5180, to establish a United States-India scientific cooperative threat reduction program. **Pages S11002–03**

Rejected:

By 26 yeas to 73 nays (Vote No. 265), Bingaman Amendment No. 5174, to limit the waiver authority of the President. **Pages S10998–S11001, S11008–09**

By 27 yeas to 71 nays (Vote No. 266), Dorgan Modified Amendment No. 5178, to declare that it is the policy of the United States to continue to support implementation of United Nations Security Council Resolution 1172 (1998). **Pages S11001, S11003–05, S11006, S11009**

Dorgan Amendment No. 5182, to require as a precondition to United States-India peaceful atomic energy cooperation a determination by the President

that India has committed to certain basic provisions consistent with United States non-proliferation goals and the obligations and political commitments undertaken by State Parties to the Nuclear Non-Proliferation Treaty. **Pages S11005–06, S11006–08, S11009**

By 27 yeas to 71 nays (Vote No. 267), Ensign Amendment No. 5181, to ensure that IAEA inspection equipment is not used for espionage purposes.

Pages S11009–10

By 25 yeas to 71 nays (Vote No. 268), Feingold Amendment No. 5183, to require as a precondition to United States-India peaceful atomic energy cooperation determinations by the President that United States nuclear cooperation with India does nothing to assist, encourage, or induce India to manufacture or acquire nuclear weapons or other nuclear explosive devices.

Pages S11010–16, S11020

By 38 yeas to 59 nays (Vote No. 269), Boxer Amendment No. 5187, to make the waiver authority of the President contingent upon a certification that India has agreed to suspend military-to-military cooperation with Iran, including training exercises, until such time as Iran is no longer designated as a state sponsor of terrorism. **Pages S11016–20, S11020–21**

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

A motion was made, in accordance with Rule 21 of the Standing Rules of the Senate, and the Senate met in a closed session. **Page S11010**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate.

S. 3709 was returned to the Senate calendar.

Robert Silvey Department of Veterans Affairs Outpatient Clinic: Senate passed S. 4073, to designate the outpatient clinic of the Department of Veterans Affairs located in Farmington, Missouri, as the “Robert Silvey Department of Veterans Affairs Outpatient Clinic”. **Page S11095**

Inauguration of Mexican President: Senate agreed to S. Res. 616, authorizing the Majority Leader and one staff member to travel to Mexico for the inauguration of the new President of Mexico scheduled for December 2, 2006. **Page S11095**

Paint Bank National Fish Hatchery and Wytheville National Fish Hatchery: Senate passed H.R. 5061, to direct the Secretary of the Interior to convey Paint Bank National Fish Hatchery and Wytheville National Fish Hatchery to the State of Virginia, clearing the measure for the President. **Page S11095**

Federal Water Pollution Control Act: Senate passed H.R. 6121, to amend the Federal Water Pollution Control Act to reauthorize a program relating

to the Lake Pontchartrain Basin, clearing the measure for the President. **Page S11096**

National Forest System Land: Senate passed H.R. 4559, to provide for the conveyance of certain National Forest System land to the towns of Laona and Wabeno, Wisconsin, clearing the measure for the President. **Page S11096**

Konnarock Lutheran Girls School: Senate passed H.R. 5103, to provide for the conveyance of the former Konnarock Lutheran Girls School in Smyth County, Virginia, which is currently owned by the United States and administered by the Forest Service, to facilitate the restoration and reuse of the property, clearing the measure for the President. **Page S11096**

Ouachita National Forest: Senate passed H.R. 5690, to adjust the boundaries of the Ouachita National Forest in the States of Oklahoma and Arkansas, clearing the measure for the President. **Page S11096**

Printing of House Document: Senate agreed to H. Con. Res. 423, authorizing the printing as a House document of “A History, Committee on the Judiciary, United States House of Representatives, 1813–2006”. **Page S11096**

Captain William Wylie Galt Readiness Center: Committee on Armed Services was discharged from further consideration of 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, and the bill was then passed. **Page S11096**

Admission to NATO: Committee on Foreign Relations was discharged from further consideration of S. 4014, to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO, and the bill was then passed. **Page S11096**

Child Abduction Prevention: Committee on Judiciary was discharged from further consideration of S. 994, to authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Frist (for Feinstein) Amendment No. 5192, to make technical changes. **Pages S11096–97**

Lawrence Berkeley National Laboratory: Committee on Energy and Natural Resources was discharged from further consideration of S. Res. 595,

recognizing the Lawrence Berkeley National Laboratory as 1 of the premier science and research institutions of the world, and the resolution was then agreed to.

Pages S11097–S11102

National Firefighter Appreciation Day: Committee on the Judiciary was discharged from further consideration of S. Res. 596, designating Tuesday, October 10, 2006, as “National Firefighter Appreciation Day” to honor and celebrate the firefighters of the United States, and the resolution was then agreed to.

Pages S11097–S11102

National Hispanic Media Week: Committee on the Judiciary was discharged from further consideration of S. Res. 597, designating the period beginning on October 8, 2006, and ending on October 14, 2006, as “National Hispanic Media Week”, in honor of the Hispanic media of the United States, and the resolution was then agreed to.

Pages S11097–S11102

National Character Counts Week: Committee on the Judiciary was discharged from further consideration of S. Res. 598, designating the week beginning October 15, 2006, as “National Character Counts Week”, and the resolution was then agreed to.

Pages S11097–S11102

National Childhood Lead Poisoning Prevention Week: Committee on the Judiciary was discharged from further consideration of S. Res. 599, designating the week of October 23, 2006, through October 27, 2006, as “National Childhood Lead Poisoning Prevention Week”, and the resolution was then agreed to.

Pages S11097–S11102

National Alternative Fuel Vehicle Day: Committee on the Judiciary was discharged from further consideration of S. Res. 600, designating October 12, 2006, as “National Alternative Fuel Vehicle Day”, and the resolution was then agreed to.

Pages S11097–S11102

Recognizing Outstanding Hispanic Scientists: Committee on the Judiciary was discharged from further consideration of S. Res. 601, recognizing the efforts and contributions of outstanding Hispanic scientists in the United States, and the resolution was then agreed to.

Pages S11097–S11102

Honoring Byron Nelson: Committee on the Judiciary was discharged from further consideration of S. Res. 602, memorializing and honoring the contributions of Byron Nelson, and the resolution was then agreed to.

Pages S11097–S11102

Feed America Day: Committee on the Judiciary was discharged from further consideration of S. Res. 603, designating Thursday, November 16, 2006, as

“Feed America Day”, and the resolution was then agreed to.

Pages S11097–S11102

Recognizing Britt Mayfield: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 604, recognizing the work and accomplishments of Mr. Britt “Max” Mayfield, Director of the National Hurricane Center’s Tropical Prediction Center upon his retirement, and the resolution was then agreed to.

Pages S11097–S11102

Recognizing Contributions of Hispanic Serving Institutions: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 608, recognizing the contributions of Hispanic Serving Institutions, and the 20 years of educational endeavors provided by the Hispanic Association of Colleges and Universities, and the resolution was then agreed to.

Pages S11097–S11102

Child Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 609, honoring the children’s charities, youth-serving organizations, and other nongovernmental organizations committed to enriching and bettering the lives of children and designating the week of September 24, 2006, as “Child Awareness Week”, and the resolution was then agreed to.

Pages S11097–S11102

Supporting the Effort of the Independent National Electoral Commission of the Government of Nigeria: Committee on Foreign Relations was discharged from further consideration of S. Res. 611, supporting the efforts of the Independent National Electoral Commission of the Government of Nigeria, political parties, civil society, religious organizations, and the people of Nigeria from one civilian government to another in the general elections to be held in April 2007, and the resolution was then agreed to.

Pages S11097–S11102

Honoring Firefighters: Committee on the Judiciary was discharged from further consideration of S. Res. 614, honoring the firefighters and other public servants who responded to the devastating Esperanza Incident fire in southern California in October 2006, and the resolution was then agreed to.

Pages S11097–S11102

Recognizing Alpha Phi Alpha Fraternity, Incorporated: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 384, Recognizing and honoring the 100th anniversary of the founding of the Alpha Phi Alpha Fraternity, Incorporated, the first intercollegiate Greek-letter fraternity established for African Americans, and the resolution was then agreed to.

Pages S11097–S11102

Farmers and Ranchers Cooperative Self-Help Efforts: Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. Con. Res. 119, expressing the sense of Congress that public policy should continue to protect and strengthen the ability of farmers and ranchers to join together in cooperative self-help efforts, and the resolution was then agreed to. **Pages S11097–S11102**

Recognizing Successes of the Adoption and Safe Families Act: Committee on Finance was discharged from further consideration of S. Res. 547, recognizing and supporting the successes of the Adoption and Safe Families Act of 1997 in increasing adoption, observing the efforts that the Act has spurred, including National Adoption Day and National Adoption Month, and encouraging citizens of the United States to consider adoption throughout the year, and the resolution was then agreed to. **Pages S11097–S11102**

Acknowledging African Descendants of the Transatlantic Slave Trade in All of the Americas: Committee on Foreign Relations was discharged from further consideration of H. Con. Res. 175, acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean, and the resolution was then agreed to. **Pages S11097–S11102**

Condemning Repression in Iran: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 101, condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S11097–S11102**

Frist (for Reid) Amendment No. 5193, to make a clarification. **Pages S11097–S11102**

Drive Safer Sunday: Senate agreed to S. Res. 618, designating November 26, 2006, as "Drive Safer Sunday". **Pages S11102–03**

Honoring the Late Senator Paul Wellstone: Senate agreed to S. Res. 619, expressing the sense of the Senate that Senator Paul Wellstone should be remembered for his compassion and leadership on social issues and that Congress should act to end discrimination against citizens of the United States who live with mental illness by making legislation relating to mental health parity a priority for the 110th Congress. **Page S11103**

National Lung Cancer Awareness Month: Senate agreed to S. Res. 620, designating November 2006 as "National Lung Cancer Awareness Month". **Page S11103**

National Teen Dating Violence Awareness and Prevention Week: Senate agreed to S. Res. 621, designating the week of February 5 through February 9, 2007, as "National Teen Dating Violence Awareness and Prevention Week". **Page S11103**

Adjournment: Senate agreed to H. Con. Res. 496, providing for an adjournment or recess of the two Houses. **Pages S11103–04**

License Reinstatement: Senate passed S. 2028, to provide for the reinstatement of a license for a certain Federal Energy Regulatory Commission project, after agreeing to the Committee amendment. **Page S11105**

Preservation of Historic Confinement Sites: Senate passed H.R. 1492, to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, after agreeing to the Committee amendments. **Page S11105**

Authorizations for the Secretary of the Interior: Senate passed H.R. 4000, to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, clearing the measure for the President. **Pages S11105–06**

Time Extension: Senate passed H.R. 4377, to extend the time required for construction of a hydroelectric project, clearing the measure for the President. **Page S11106**

Valle Vidal Protection Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 3817, to withdraw the Valle Vidal Unit of the Carson National Forest in New Mexico from location, entry, and patent under the mining laws, and the bill was then passed, clearing the measure for the President. **Page S11106**

Designating the C.W. "Bill" Jones Pumping Plant: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 2383, to redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C.W. 'Bill' Jones Pumping Plant", and the bill was then passed, clearing the measure for the President. **Page S11106**

Agriculture Appropriations—Agreement: A unanimous-consent agreement was reached providing

that at 2 p.m. on Tuesday, December 5, 2006, Senate begin consideration of the H.R. 5384, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007; that, upon conclusion of remarks by the Chairman and Ranking Member of the Committee on Agriculture, Nutrition, and Forestry, Senator Conrad be recognized to propose an amendment (1st degree) and upon conclusion of his remarks, Senator Dorgan be recognized to speak, and that following his remarks, Senator Landrieu be recognized to speak up to 10 minutes.

Page S11034

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

Page S11104

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S11104

Nominations Confirmed: Senate confirmed the following nominations:

Jack Vaughn, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Stephen Thomas Conboy, of Virginia, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years.

Adolfo A. Franco, of Virginia, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2008 (Recess Appointment). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Roger W. Wallace, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring October 6, 2008 (Recess Appointment). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Kevin J. Martin, of North Carolina, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2006.

Kay Kelley Arnold, of Arkansas, to be a Member of the Board of Directors of the Inter-American

Foundation for a term expiring October 6, 2010. (Reappointment). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Gary C. Bryner, of Utah, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Thomas Joseph Dodd, of the District of Columbia, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

John P. Salazar, of New Mexico, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2012. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Thomas A. Shannon, Jr., of Virginia, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2012. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Jack Vaughn, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2012. (Reappointment). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Craig Roberts Stapleton, of Connecticut, to serve concurrently and without additional compensation as Ambassador to Monaco. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Ronald Spogli, of California, to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

1 Army nomination in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army.

Pages S11104, S11106

Messages From the House:

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Measures Referred:

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Executive Communications:

Pages S11055–56

Executive Reports of Committees:

Pages S11056–57

Additional Cosponsors:

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Statements on Introduced Bills/Resolutions:

Pages S11058–77

Additional Statements:

Pages S11052–55

Amendments Submitted: Pages S11077–86

Authorities for Committees to Meet: Pages S11086–87

Privileges of the Floor: Pages S11087

Record Votes: Six records vote were taken today. (Total—270)

Pages S11009, S11010, S11020, S11021, S11028

Adjournment: Senate convened at 9:30 a.m., on Thursday, November 16, 2006, and adjourned pursuant to the provisions of H. Con. Res. 496, at 10:01 p.m., until 10 a.m., on Monday, December 4, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11106.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS SYSTEMS MODERNIZATION

Subcommittee on Readiness and Management Support: Committee concluded a hearing to examine Department of Defense business systems modernization and financial management accountability efforts, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; John Argodale, Deputy Assistant Secretary of the Army for Financial Operations; David M. Wennergren, Chief Information Officer, Department of the Navy; and John G. Vonglis, Acting Principal Deputy Assistant Secretary of the Air Force for Financial Management and Comptroller.

PIPELINE SAFETY PROGRAM

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the reauthorization of the Pipeline Safety Program, focusing on safety concerns and the growing rate of construction-related pipeline accidents driven by a growing economy, including S. 3961, to provide for enhanced safety in pipeline transportation, after receiving testimony from Vice Admiral Thomas J. Barrett, USCG (Ret.), Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; Carl Weimer, Pipeline Safety Trust, Bellingham, Washington; Timothy Felt, Explorer Pipeline Company, Tulsa, Oklahoma, on behalf of the Association of Oil Pipe Lines and the American Petroleum Institute; Terry Boss, Interstate Natural Gas Association of America, Washington, D.C.; and E. Frank Bender, Baltimore Gas and Electric Company, Baltimore, Maryland, on behalf of the American Gas Association and the American Public Gas Association.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Kevin M. Kolevar, of Michigan, to be Assistant Secretary of Energy for Electricity Delivery and Energy Reliability, after the nominee testified and answered questions in his own behalf.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing 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, after receiving testimony from Senators Bennett, Ensign, and Reid; Chad Calvert, Principal Deputy Assistant Secretary of the Interior for Land and Minerals Management; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Brent Eldridge, White Pine County Board of County Commissioners, Ely, Nevada; Jerry Greenberg, Wilderness Society, Madison, Wisconsin, on behalf of sundry organizations; Alan Gardner, Board of Commissioners, Washington County, Utah; Peter Metcalf, Black Diamond Equipment, Limited, Salt Lake City, Utah, on behalf of the Outdoor Industry Association.

CHIP PROGRAM

Committee on Finance: Subcommittee on Health Care held a hearing to examine the States' perspective of the Children's Health Insurance Program (CHIP), receiving testimony from Nathan Checketts, Utah Department of Health, Salt Lake City; Sharon L. Carte, West Virginia Children's Health Insurance Agency, Charleston; Ann C. Kohler, New Jersey Department of Human Services, Trenton; Nina Owcharenko, The Heritage Foundation, Washington, D.C.; Lisa C. Dubay, Johns Hopkins Bloomberg School of Public Health, Baltimore, Maryland; and Tobi Drabczyk, Walkersville, Maryland.

Hearings recessed subject to the call.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

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 James H. Bilbray, of Nevada, and Thurgood Marshall, Jr., of Virginia, both to be