

# Daily Digest

## HIGHLIGHTS

The House agreed to the Conference Report on H.R. 2419, Energy and Water Development Appropriations Act, 2006; and

The House agreed to the Conference Report on H.R. 2862, Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006.

## Senate

### Chamber Action

*Routine Proceedings, pages S12553–S12629*

**Measures Introduced:** Eleven bills and two resolutions were introduced, as follows: S. 1978–1988, and S. Con. Res. 63–64. **Pages S12606–07**

#### Measures Passed:

**Korea Oil Stockpile:** Senate passed S. 1988, to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea. **Page S12628**

**Department of Defense Authorization:** Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

**Pages S12560–S12601**

#### Adopted:

By a unanimous vote of 99 yeas (Vote No. 312), Inhofe Modified Amendment No. 2440, to ensure by law the ability of the military service academies to include the offering of a voluntary, non-denominational prayer as an element of their activities.

**Page S12561–65, S12566–69, S12576–77**

By 98 yeas to 1 nay (Vote No. 313), Ensign Amendment No. 2443, to restate United States policy on the use of riot control agents by members of the Armed Forces. **Pages S12560, S12569, S12577–78**

Durbin (for Bayh/Durbin) Amendment No. 2483, to provide income replacement payments for certain Reserves experiencing extended and frequent mobilization for active duty service. **Pages S12579–83**

By a unanimous vote of 99 yeas (Vote No. 314), Chambliss Amendment No. 2433, to reduce the eli-

gibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or an active duty for significant periods. **Pages S12560, S12569, S12573–74, S12584–86**

Warner Amendment No. 2499 (to Amendment No. 1396 (previously agreed to)), to make a technical correction. **Pages S12589–95**

Warner (for McCain) Amendment No. 1438, to redesignate the Naval Reserve as the Navy Reserve. **Pages S12589–95**

Warner Amendment No. 2500, to extend by one year the date of the final report of the advisory panel on laws and regulations on acquisition practices and to require an interim report. **Pages S12589–95**

Warner/Leahy Amendment No. 1562, to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the “William B. Bryant Annex”. **Pages S12589–95**

Warner (for Feinstein/Hagel) Amendment No. 1410, to express the sense of Congress concerning actions to support the Nuclear Non-Proliferation Treaty. **Pages S12589–95**

Warner (for Martinez) Amendment No. 1885, to authorize the Secretary of the Navy to provide for welfare of Special Category Residents at Naval Station Guantanamo Bay, Cuba. **Pages S12589–95**

Warner (for Nelson (FL)) Amendment No. 2501, to express the sense of the Senate on National Defense Appropriations Act Fiscal Year 2006. **Pages S12589–95**

Warner Modified Amendment No. 1567, to modify the exclusion from officer distribution and strength limitations of officers serving in intelligence community positions. **Pages S12589–95**

Warner Modified Amendment No. 1560, to increase by \$1,500,000 the amount authorized to be appropriated to the Navy for research within the High-Brightness Electron Source program, and to provide an offset. **Pages S12589-95**

Warner Modified Amendment No. 1559, to increase by \$1,000,000 the amount authorized to be appropriated to the Army for research, development, test, and evaluation, to be available for research on and facilitation of technology for converting obsolete chemical munitions to fertilizer, and to provide an offset. **Pages S12589-95**

Warner (for Domenici/Graham) Amendment No. 1543, to authorize the Secretary of Energy to carry out certain new plant projects for defense nuclear nonproliferation activities. **Pages S12589-95**

Warner/Levin Amendment No. 2502, to modify the designation of facilities and resources constituting the Major Range and Test Facility Base. **Pages S12589-95**

Warner (for Vitter) Amendment No. 1471, to require a study on the deployment of members of the National Guard and Reserves in the global war on terrorism. **Pages S12589-95**

Warner (for Allard/Salazar) Amendment No. 2503, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Pages S12589-95**

Warner (for Santorum) Modified Amendment No. 1329, to authorize, with an offset, an additional \$1,000,000 for procurement for the Marine Corps for General Property for Field Medical Equipment for the Rapid Intravenous (IV) Infusion Pump. **Pages S12589-95**

Warner (for Roberts) Amendment No. 2504, to authorize, with an offset, an additional \$4,000,000 for research, development, test, and evaluation for the Air Force for Aging Military Aircraft Fleet Support. **Pages S12589-95**

Warner (for Inouye) Amendment No. 2505, to make United States nationals eligible for appointment to the Senior Reserve Officers' Training Corps. **Pages S12589-95**

Warner (for Hutchison) Amendment No. 2506, to require a report on cooperation between the Department of Defense and the National Aeronautics and Space Administration on research, development, test, and evaluation activities. **Pages S12589-95**

Warner (for Santorum) Amendment No. 2484, to authorize, with an offset, an additional \$1,000,000 for research, development, test, and evaluation for the Army for Warhead/Grenade Scientific Based Manufacturing Technology. **Pages S12589-95**

Warner (for Reed) Modified Amendment No. 1316, to authorize, with an offset, an additional \$5,000,000 for research, development, test, and eval-

uation for the Army for the Joint Service Small Arms Program. **Pages S12589-95**

Warner (for Akaka) Amendment No. 2485, to establish the National Foreign Language Coordination Council to develop and implement a foreign language strategy. **Pages S12589-95**

Warner (for Ensign) Amendment No. 2486, to provide, with an offset, an additional \$16,000,000 for Operation and Maintenance, Army, for the Point of Maintenance/Arsenal/Depot AIT Initiative. **Pages S12589-95**

Warner (for Ensign) Amendment No. 2487, to provide, with an offset, an additional \$4,500,000 for Operation and Maintenance, Army, for procurement of the RI-2200 and RI-2400 Long Arm High-Intensity Arc Metal Halide Handheld Searchlight. **Pages S12589-95**

Warner (for Coleman) Amendment No. 2488, to support the acquisition of foreign language skills among participants in the Reserve Officers' Training Corps. **Pages S12589-95**

Warner (for Bingaman/Domenici) Amendment No. 2489, to make available, with an offset, \$3,000,000 for Research, Development, Test, and Evaluation, Air Force, for assurance for the Field Programmable Gate Array. **Pages S12589-95**

Warner (for Domenici/Bingaman) Modified Amendment No. 1544, to authorize, with an offset, an additional \$6,000,000 for Research, Development, Test, and Evaluation, Navy, for research and development on Long Wavelength Array low frequency radio astronomy instruments. **Pages S12589-95**

Warner Amendment No. 2491, to delay until September 30, 2007, the limitation on the procurement by the Department of Defense of systems that are not equipped with the Global Positioning System. **Pages S12589-95**

Warner (for Kennedy) Amendment No. 2492, to make available, with an offset, additional amounts for defense basic research programs. **Pages S12589-95**

Warner (for Clinton/Kennedy) Amendment No. 1444, to ensure that any reimbursement for services is retained for fire protection activity. **Pages S12589-95**

Warner (for DeWine) Amendment No. 1534, to permit the Department of Defense and other Federal agencies to enter into reciprocal agreements with fire organizations for emergency medical services, hazardous material containment, and other emergency services. **Pages S12589-95**

Warner Amendment No. 2493, to improve the provision relating to clarification of authority of military legal assistance counsel. **Pages S12589-95**

Warner (for Thomas/Enzi) Modified Amendment No. 1469, to renew the moratorium on the return

of veterans memorial objects to foreign nations without specific authorization in law. **Pages S12589–95**

Warner (for Byrd) Amendment No. 2494, to provide an education loan repayment program for chaplains in the Selected Reserve. **Pages S12589–95**

Warner (for Dodd/Kennedy) Amendment No. 2495, to modify and improve the National Call to Service program. **Pages S12589–95**

Warner (for Santorum) Amendment No. 2496, to provide for the policy of the Department of Defense on the recruitment and enlistment of home schooled individuals in the Armed Forces. **Pages S12589–95**

Warner (for Feingold) Modified Amendment No. 1550, to improve national security through the establishment of a Civilian Linguist Reserve Corps Pilot Project within the Department of Defense comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties, as needed. **Pages S12589–95**

Warner (for Kerry) Amendment No. 2497, to make available, with an offset, \$10,000,000 for Project Sheriff. **Pages S12589–95**

Warner (for Allard) Modified Amendment 1382, to require a report on the aircraft of the Army to perform the High-altitude Aviation Training Site of the Army National Guard. **Pages S12589–95**

Warner (for Levin) Amendment No. 2498, to make available, with an offset, an additional \$5,000,000 for Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications. **Pages S12589–95**

Warner (for Salazar) Amendment No. 2490, to provide for Department of Defense support of certain Paralympic sporting events. **Pages S12589–95**

Rejected:

By 40 yeas to 59 nays (Vote No. 315), Levin (for Durbin) Modified Amendment No. 2473, to provide for eligibility for retired pay for non-regular service. **Pages S12574, S12586**

Pending:

Dorgan Amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Pages S12571–73, S12574–75**

Lautenberg Amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance. **Pages S12575–76, S12589**

Talent Amendment No. 2477, to modify the multiyear procurement authority for C-17 aircraft. **Pages S12586–89**

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

Warner Modified Amendment No. 1563, to authorize the Secretary of the Navy to lease United States Navy Museum facilities at Washington Naval Yard, District of Columbia, to the Naval Historical Foundation, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page S12569**

Warner (for Dole) Modified Amendment No. 1526, to express the sense of the Senate on the need for community impact assistance related to the construction by the Navy of an outlying landing field in North Carolina, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page S12578**

A unanimous-consent-time agreement was reached providing that the time until 11:30 a.m., on Thursday, November 10, 2005, be equally divided, and that at 11:30 a.m., the Senate proceed to a vote on or in relation to Dorgan Amendment No. 2476 (listed above), to be followed by a vote on or in relation to Talent Amendment No. 2477 (listed above), with no second-degree amendments in order to the amendments prior to the votes. **Page S12595**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, November 10, 2005. **Pages S12628–29**

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Iran which was declared in Executive Order No. 12170 on November 14, 1979; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–30) **Page S12605**

**Executive Reports of Committees:** Senate received the following executive report from the Committee on Foreign Relations:

Report to accompany Council of Europe Convention on Cybercrime (Treaty Doc. 108–11) (Ex. Rept. 109–6).

**Nominations Received:** Senate received the following Nominations:

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

Janet Ann Sanderson, of Arizona, to be Ambassador to the Republic of Haiti.

Carol A. Dalton, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Paul J. McNulty, of Virginia, to be Deputy Attorney General. **Page S12629**

**Messages From the House:** **Pages S12605–06**

**Measures Referred:** **Page S12606**

**Enrolled Bills Presented:** **Page S12606**

**Executive Communications:** **Page S12606**

**Executive Reports of Committees:** **Page S12606**

**Additional Cosponsors:** **Pages S12607–08**

**Statements on Introduced Bills/Resolutions:** **Pages S12608–17**

**Amendments Submitted:** **Pages S12617–27**

**Notices of Hearings/Meetings:** **Page S12627**

**Authorities for Committees to Meet:** **Page S12627**

**Record Votes:** Four record votes were taken today. (Total—315) **Pages S12577, S12578, S12585, S12586**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Thursday, November 10, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12629.)

## Committee Meetings

(Committees not listed did not meet)

### AGRICULTURAL TRANSPORTATION AND ENERGY

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded hearings to examine the impact of higher energy prices and the disruption of the transportation system due to the recent hurricanes on United States agriculture, focusing on the winter energy outlook and energy's role in the agricultural sector, and the status of the Mississippi River Transportation System, after receiving testimony from Keith Collins, Chief Economist, Department of Agriculture; Gerald W. Barnes, Chief, Operations, Directorate of Civil Works, U.S. Army Corps of Engineers; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; Daniel T. Kelley, Normal, Illinois, on behalf of the National Council of Farmer Cooperatives and the Agriculture Energy Alliance; Richard Calhoun, Cargill Incorporated, Minneapolis, Minnesota, on behalf of the National Grain and Feed Association and the North American Export Grain Association; R. Neal Elliott, American Council for an Energy-Efficient Economy, Washington, D.C.; and Ryan Niebur, Rocky Mountain Farmers Union, Burlington, Colorado, on behalf of the National Farmers Union.

### DEPARTMENT OF DEFENSE ACCOUNTABILITY

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded hearings to examine the Department of Defense business transformation and financial management accountability, after receiving testimony from Kenneth J. Krieg, Under Secretary of Defense for Acquisition, Technology and Logistics; Tina W. Jonas, Under Secretary of Defense (Comptroller); and Randolph C. Hite, Director of Industrial Technology, Architecture and System Issues, Government Accountability Office.

### ENERGY PRICING AND PROFITS

*Committee on Commerce, Science, and Transportation/Committee on Energy and Natural Resources:* Committees concluded joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, issues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of Federal and State consumer protection laws to prevent occurrences of price gouging during supply disruptions, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission; New Jersey Attorney General Peter C. Harvey, Trenton; South Carolina Attorney General Henry McMaster, Columbia; Arizona Attorney General Terry Goddard, Phoenix; Lee R. Raymond, Exxon Mobil Corporation, Irving, Texas; David O'Reilly, Chevron Corporation, San Ramon, California; James J. Mulva, ConocoPhillips, and John Hofmeister, Shell Oil Company, both of Houston, Texas; and Ross J. Pillari, BP America, Warrenville, Illinois.

### COASTAL LOUISIANA HURRICANE PROTECTION PROJECT

*Committee on Environment and Public Works:* Committee concluded a hearing to examine issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation, after receiving testimony from George S. Dunlop, Principal Deputy Assistant Secretary of the Army for Civil Works; Major General Don T. Riley, Director of Civil Works, U.S. Army Corps of Engineers; Anu Mittal, Director, Natural Resources and Environment, Government Accountability Office; Windell A. Curole, South Lafourche Levee District, Galliano, Louisiana; and Peter H. Brink, National Trust for Historic Preservation, Steve Ellis, Taxpayers for Common Sense,