

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2669, Higher Education Access Act.

The House passed H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008.

House committees ordered reported 28 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S9533–S9643

Measures Introduced: Twenty four bills and one resolution were introduced, as follows: S. 1816–1839, and S. Res. 276. **Pages S9612–13**

Measures Passed:

21st Century Competitiveness Act: Senate passed H.R. 2272, to invest in innovation through research and development, and to improve the competitiveness of the United States, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 761, Senate companion measure, and Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Bingaman, Inouye, Kennedy, Lieberman, Mikulski, Kerry, Nelson (FL), Domenici, Stevens, Enzi, Alexander, Ensign, and Coleman. **Page S9574**

Higher Education Access Act: By 78 yeas to 18 nays (Vote No. 272), Senate passed H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, after taking action on the following amendments proposed thereto: **Pages S9534–97**

Adopted:

By 73 yeas to 24 nays (Vote No. 254), Murkowski Amendment No. 2329 (to Amendment No. 2327), to increase the amount appropriated for the college access partnership grant program. **Pages S9534, S9544–45**

By 52 yeas to 45 nays (Vote No. 255), Kennedy Amendment No. 2330 (to Amendment No. 2327),

to amend the amounts appropriated for Promise Grants for fiscal year 2014 through 2017. **Pages S9534, S9595**

By 94 yeas to 3 nays (Vote No. 259), McConnell Amendment No. 2351 (to Amendment No. 2327), to express the sense of the Senate on the detainees at Guantanamo Bay, Cuba. **Pages S9577–79**

Graham Amendment No. 2360 (to Amendment No. 2327), to discourage drug use among college students. **Page S9585**

Coleman Amendment No. 2359 (to Amendment No. 2327), to protect innocent children. **Pages S9585–86**

Enzi (for Coleman/Landrieu) Amendment No. 2338 (to Amendment No. 2327), to make a technical correction to the definition of independent student in the Higher Education Act of 1965. **Page S9592**

Kennedy Amendment No. 2327, in the nature of a substitute. **Page S9534**

Rejected:

By 35 yeas to 62 nays (Vote No. 256), Nelson (NE)/Burr Amendment No. 2337 (to Amendment No. 2327), to amend the special allowance payments. **Pages S9541–46**

By 42 yeas to 55 nays (Vote No. 257), Sessions Amendment No. 2333 (to Amendment No. 2327), to strike the provisions relating to loan forgiveness for public service employees. **Pages S9556–76**

Withdrawn:

Sessions Amendment No. 2342 (to Amendment No. 2327), to amend the Internal Revenue Code of 1896 to allow personal exemptions under the individual alternative minimum tax. **Page S9556**

McConnell Amendment No. 2357 (to Amendment No. 2327), relative to former President William Jefferson Clinton. **Pages S9582–83**

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

By 49 yeas to 48 nays (Vote No. 258), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Coleman Amendment No. 2334 (to Amendment No. 2327), to prevent the Federal Communications Commission from repromulgating the Fairness Doctrine. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Page S9577

By 42 yeas to 54 nays (Vote No. 260), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to DeMint Amendment No. 2352 (to Amendment No. 2327), to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9579–80

By 57 yeas to 39 nays (Vote No. 261), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Collins Amendment No. 2340 (to Amendment No. 2327), to provide limited immunity for reports of suspicious behavior and response. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9580–81

Salazar Amendment No. 2356 (to Amendment No. 2327), relative to I. Lewis "Scooter" Libby. The yeas-and-nays were requested and there was a sufficient second. (Subsequently, a unanimous-consent agreement was reached providing that the action taken on Salazar Amendment No. 2356, including the vote, be vitiated).

Pages S9581–82

By 53 yeas to 44 nays (Vote No. 262), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Stabenow Amendment No. 2358 (to Amendment No. 2355), relative to illegal aliens qualifying for Social Security benefits. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9584–85

By 57 yeas to 40 nays (Vote No. 263), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Ensign Amendment No. 2355, to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system, by ensuring that individuals are not able to receive Social Security benefits as a result of unlawful activity. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9583–85

By 48 yeas to 48 nays (Vote No. 264), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 2361 (to Amendment No. 2341), a sense of the Senate relative to tax policy. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9586–87

By 47 yeas to 48 nays (Vote No. 265), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Sununu Amendment No. 2341 (to Amendment No. 2327), to permanently extend certain education-related tax incentives. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9586–87

By 55 yeas to 40 nays (Vote No. 266), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Cornyn Amendment No. 2339 (to Amendment No. 2327), to provide interim relief for shortages in employment-based visas for aliens with extraordinary ability and advanced degrees and for nurses. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Page S9588

By 48 yeas to 48 nays (Vote No. 267), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Landrieu Amendment No. 2363 (to Amendment No. 2362), a sense of the Senate relative to the adoption tax credit. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Page S9589

By 48 yeas to 48 nays (Vote No. 268), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to DeMint Amendment No. 2362 (to Amendment No. 2327), to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell. **Pages S9588–90**

By 42 yeas to 54 nays (Vote No. 269), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Dole/McConnell Amendment No. 2350 (to Amendment No. 2327), to amend the Help America Vote Act of 2002 to require individuals voting in person to present photo identification. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9590–91

By 48 yeas to 48 nays (Vote No. 270), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Kerry Amendment No. 2364 (to Amendment No. 2353), a sense of the Senate relative to the Alternative Minimum Tax. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

Pages S9591–92

By 47 yeas to 49 nays (Vote No. 271), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, with respect to Kyl Amendment No. 2353 (to Amendment No. 2327), to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell.

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

Senators Kennedy, Dodd, Harkin, Mikulski, Bingaman, Murray, Reed, Clinton, Obama, Sanders, Brown, Enzi, Gregg, Alexander, Burr, Isakson, Murkowski, Hatch, Roberts, Allard, and Coburn.

Page S9597

Appointments:

United States Holocaust Memorial Council: The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public

Law 97–84 and Public Law 106–292, appointed the following Senators to the United States Holocaust Memorial Council for the 110th Congress: Senators Feingold, Lautenberg, and Sanders. **Page S9643**

Higher Education Amendments Act—Agreement: A unanimous-consent-time agreement was reached providing that at 2 p.m. on Monday, July 23, 2007, Senate begin consideration of S. 1642, to extend the authorization of programs under the Higher Education Act of 1965; that there be 8 hours of debate on the bill and any amendments thereto with 2 hours of time equally divided and controlled between the Chairman and Ranking Member of the Committee on Health, Education, Labor, and Pensions, or their designees; provided further, that the only amendments in order other than the committee-reported amendment in the nature of a substitute, be a total of twelve relevant first-degree amendments—six for the Chairman and six for the Ranking Member, relevant to the matter of S. 1642 and the substitute, and an additional manager's amendment which has been cleared by the managers or the leaders, with no other amendments in order; that the time on the first-degree amendments be limited to 30 minutes each, equally divided and controlled by the Chairman and Ranking Member; that relevant second-degree amendments be in order and must be relevant to the amendment to which offered and that an additional time of 15 minutes be available for any second-degree amendments which may be offered, equally divided and controlled, and that upon the disposition of all amendments, the substitute, as amended, if amended, be agreed to, the bill, as amended, be read a third time, and Senate vote on passage of the bill. **Pages S9573–74**

Department of Homeland Security Appropriations Act—Agreement: A unanimous-consent agreement was reached providing that on Tuesday, July 24, 2007, upon disposition of S. 1642 (listed above), Senate begin consideration of H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and that the motion to invoke cloture on the motion to proceed be withdrawn. **Pages S9598, S9643**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency and related measures dealing with the former Liberian regime of Charles Taylor; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–22)

Page S9610

Nomination Received: Senate received the following nomination:

David T. Johnson, of Georgia, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs). **Page S9643**

Nominations Reported: The following nominations were reported and placed on the Executive Calendar:

Bijan Rafiekian, of California, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2011, which was sent to the Senate on February 16, 2007, from the Committee on Banking, Housing, and Urban Affairs.

William Herbert Heyman, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2007 vice Deborah Doyle McWhinney, term expired, which was sent to the Senate on March 12, 2007, from the Committee on Banking, Housing, and Urban Affairs.

Mark S. Shelton, of Kansas, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2008, which was sent to the Senate on May 10, 2007, from the Committee on Banking, Housing, and Urban Affairs.

William S. Jasien, of Virginia, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2009, which was sent to the Senate on May 10, 2007, from the Committee on Banking, Housing, and Urban Affairs.

Diane G. Farrell, of Connecticut, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2011, which was sent to the Senate on May 24, 2007, from the Committee on Banking, Housing, and Urban Affairs.

William Herbert Heyman, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2010, which was sent to the Senate on March 12, 2007, from the Committee on Banking, Housing, and Urban Affairs.

2 National Oceanic and Atmospheric Administration nominations in the rank of admiral. **Page S9612**

Measures Read the First Time: **Page S9610**

Executive Communications: **Pages S9610–12**

Executive Reports of Committees: **Page S9612**

Additional Cosponsors: **Pages S9613–15**

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Additional Statements: **Pages S9609–10**

Amendments Submitted: **Pages S9625–41**

Notices of Hearings/Meetings: **Page S9641**

Authorities for Committees to Meet:

Pages S9642–43

Privileges of the Floor: **Page S9643**

Record Votes: Nineteen record votes were taken today. (Total—272) **Page S9545–46, S9576–81, S9585–92, S9597**

Adjournment: Senate convened at 10:00 a.m. on Thursday, July 19, 2007 and adjourned at 12:52 a.m. on Friday, July 20, 2007, until 10 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9643.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION

Committee on Appropriations: Committee ordered favorably reported an original bill making appropriations for the Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2008.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following:

The nominations of Bijan Rafiekian, of California, and Diane G. Farrell, of Connecticut, both to be Members of the Board of Directors of the Export-Import Bank of the United States, and William Herbert Heyman, of New York, William S. Jasien, of Virginia, and Mark S. Shelton, of Kansas, all to be Directors of the Securities Investor Protection Corporation.

SEMIANNUAL MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Semiannual Monetary Policy Report to the Congress, after receiving testimony from Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following:

S. 1769, to amend the Communications Act of 1934 to facilitate number portability in order to increase consumer choice of voice service provider;