

Daily Digest

HIGHLIGHTS

Senate agreed to S. Con. Res. 49, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S12695–S12828

Measures Introduced: Twenty bills and two resolutions were introduced, as follows: S. 2137–2156, S. Res. 344, and S. Con. Res. 49. **Pages S12774–75**

Measures Reported:

S. 221, to amend title 9, United States Code, to provide for greater fairness in the arbitration process relating to livestock and poultry contracts. (S. Rept. No. 110–190)

S. 453, to prohibit deceptive practices in Federal elections, with an amendment in the nature of a substitute. (S. Rept. No. 110–191)

H. Con. Res. 193, recognizing all hunters across the United States for their continued commitment to safety.

S. Res. 326, supporting the goals and ideals of a National Day of Remembrance for Murder Victims.

S. 1640, to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

S.J. Res. 17, directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

S. Con. Res. 39, supporting the goals and ideals of a world day of remembrance for road crash victims. **Page S12774**

Measures Passed:

Adjournment Resolution: Senate agreed to S. Con. Res. 49, providing for a conditional adjournment or recess of the Senate. **Page S12702**

Ban Asbestos in America Act: Senate passed S. 742, to amend the Toxic Substances Control Act to reduce the health risks posed by asbestos-containing materials and products having asbestos-containing material, after agreeing to the committee amend-

ment in the nature of a substitute, and the following amendments proposed thereto: **Pages S12728–37**

Murray Amendment No. 3257, of a perfecting nature. **Page S12731**

Murray Amendment No. 3258, to amend the title. **Page S12731**

Vessel Hull Design Protection Amendments: Senate passed S. 1640, to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck. **Page S12826**

Commending the Government of Germany: Senate agreed to S. Res. 344, commending the Government of Germany for preventing a large-scale terrorist attack in September 2007, and supporting future cooperation to prevent terrorism. **Page S12826**

Arctic Ocean Migratory and Transboundary Fish Stocks: Senate agreed to S.J. Res. 17, directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

Pages S12826–27

Road Crash Victims Remembrance Day: Senate agreed to S. Con. Res. 39, supporting the goals and ideals of a world day of remembrance for road crash victims. **Pages S12826–27**

Measures Considered:

Commerce and Justice, and Science Appropriations Act—Agreement: Senate began consideration of H.R. 3093, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, taking action on the following amendments proposed thereto:

Pages S12702–28, S12737–53

Adopted:

Mikulski/Shelby Amendment No. 3211, in the nature of a substitute. (By unanimous consent, the

amendment will be considered as original text for the purpose of further amendment.) **Page S12702**

Mikulski Amendment No. 3216, to require certain evaluations by the Secretary of Commerce and the Director of the Office of Management and Budget before the satellite acquisition program of the National Oceanic and Atmospheric Administration may proceed. **Pages S12707–08**

Mikulski Amendment No. 3215, to require reporting regarding the costs of conferences held by the Department of Justice. **Pages S12706–07, S12717**

Shelby/Mikulski Amendment No. 3231, to improve the working conditions for the United States Marshal's Service. **Page S12711**

Mikulski (for Menendez) Amendment No. 3220, to provide additional funding for juvenile mentoring programs. **Pages S12711–12**

Mikulski (for Dorgan) Amendment No. 3227, to provide adequate funding for the Drug Courts program. **Page S12712**

Mikulski Amendment No. 3233, to provide additional funding for the Office on Violence Against Women. (Subsequent to its adoption, a unanimous-consent agreement was reached providing that the amendment be modified). **Pages S12713, S12748–49**

Mikulski (for Coburn) Amendment No. 3230 (to Amendment No. 3215), to ensure Department of Justice conference spending does not fund excessive junkets, lavish meals, or organizations linked to terrorism. **Page S12717**

Mikulski (for Domenici) Modified Amendment No. 3213, to increase the number of Deputy United States Marshals assigned to work on immigration-related matters. **Pages S12720–21**

Mikulski (for Landrieu) Amendment No. 3222, to provide for hiring additional conciliators for the regional offices of the Community Relations Service of the Department of Justice. **Page S12722**

Mikulski (for Bingaman) Modified Amendment No. 3210, to conduct a study regarding investments in intangible assets. **Pages S12722–23**

Mikulski (for Murray) Modified Amendment No. 3219, to ensure FBI work force is properly allocated to meet the FBI's mission requirements and priorities. **Page S12723**

Landrieu Amendment No. 3223, to waive certain matching requirements for counties and parishes in which the President declared a major disaster in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005. **Pages S12741–42**

Mikulski Amendment No. 3250, to provide necessary expenses for return to flight activities associated with the space shuttle and to provide that funding for such expenses is designated as emergency spending. **Pages S12723–28, S12739–41, S12748**

Mikulski (for Murray) Modified Amendment No. 3218, to provide funds for a Northern Border Prosecutor Initiative. **Pages S12749–50**

Mikulski (for Reid) Amendment No. 3225, to require an analysis of the methods for collecting data regarding the status of the United States economy and a determination of whether the current data results in an overstatement of United States economic growth, domestic manufacturing output, and productivity. **Page S12750**

Mikulski Amendment No. 3268, to provide funds for science, engineering, technology, and mathematics-related activities. **Page S12750**

Rejected:

Coburn Amendment No. 3243, to provide \$1,680,000 to investigate and prosecute unsolved civil rights crimes in a fiscally responsible manner by prioritizing spending. (By 61 yeas to 31 nays (Vote No. 363), Senate tabled the amendment). **Pages S12742–47**

Withdrawn:

Dorgan Amendment No. 3240, to increase funding for crime control and methamphetamine abuse projects for Indians, with an offset. **Pages S12747–48**

Pending:

Inouye Amendment No. 3214, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies. **Pages S12709–11**

Casey (for Biden) Amendment No. 3256, to appropriate an additional \$110,000,000 for community-oriented policing services and to provide a full offset for such amount. **Page S12749**

Brown Amendment No. 3260, to prohibit the use of any funds made available in this Act in a manner that is inconsistent with the trade remedy laws of the United States. **Pages S12750–53**

A unanimous-consent agreement was reached providing that all first-degree amendments to the bill be filed at the desk by 2:30 p.m., on Monday, October 15, 2007. **Pages S12827–28**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at 3 p.m., on Monday, October 15, 2007. **Pages S12827–28**

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, all committees be authorized to file legislative and executive reports on Tuesday, October 9, 2007 from 12 noon until 3 p.m. **Page S12825**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President of the Senate 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 S12826

Second Reading—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the pro forma session of the Senate on Friday, October 5, 2007, that S. 2152, to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program through fiscal year 2012, and H.R. 2740, to require accountability for contractors and contract personnel under Federal contracts, be considered as having received a second reading, and placed on the Calendar.

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Nominations Confirmed: Senate confirmed the following nominations:

Roslynn Renee Mauskopf, of New York, to be United States District Judge for the Eastern District of New York.

Patrick P. Shen, of Maryland, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

Kristine Mary Miller, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2010.

Brenda L Kingery, of Texas, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2012.

Julie E. Kitka, of Alaska, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2012.

Sonya Kelliher-Combs, of Alaska, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2008.

Perry R. Eaton, of Alaska, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2012.

Sharion Aycock, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

Richard A. Jones, of Washington, to be United States District Judge for the Western District of Washington.

Jennifer Walker Elrod, of Texas, to be United States Circuit Judge for the Fifth Circuit.

James Russell Dedrick, of Tennessee, to be United States Attorney for the Eastern District of Tennessee for the term of four years.

Robert Charles Tapella, of Virginia, to be Public Printer.

Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.

Donald M. Kerr, of Virginia, to be Principal Deputy Director of National Intelligence.

Thomas P. O'Brien, of California, to be United States Attorney for the Central District of California for the term of four years.

Edward Meacham Yarbrough, of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years vice James K. Vines, resigned.

Pages S12753–62, S12825, H12828

Messages from the House: **Page S12773**

Measures Referred: **Page S12773**

Measures Placed on the Calendar:
Pages S12695–96, S12773

Measures Read the First Time:
Pages S12773, S12827

Enrolled Bills Presented: **Page S12773**

Executive Communications: **Pages S12773–74**

Executive Reports of Committees: **Page S12774**

Additional Cosponsors: **Pages S12775–76**

Statements on Introduced Bills/Resolutions:
Pages S12776–87

Additional Statements: **Pages S12771–73**

Amendments Submitted: **Pages S12787–S12811**

Notices of Hearings/Meetings: **Page S12811**

Authorities for Committees to Meet:
Pages S12811–12

Privileges of the Floor: **Page S12812**

Text of H.R. 3222 as Previously Passed:
Pages S12812–25

Record Votes: One record vote was taken today. (Total—363) **Page S12747**

Adjournment: Senate convened at 9 a.m. and adjourned at 7:32 p.m., until 9:30 a.m. on Friday, October 5, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S12827–28.)

Committee Meetings

(Committees not listed did not meet)

SUBPOENA ISSUANCE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies approved authorizing a subpoena for the testimony of Robert E. Murray, Chairman, President and Chief Executive Officer of Murray Energy, Inc., related to the Crandall Canyon Mine Disaster in Utah.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Douglas A. Brook, of California, to be an Assistant Secretary of the Navy, John J. Young, Jr., of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, who was introduced by Senators Stevens and Inouye, and Robert L. Smolen, of Pennsylvania, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, after the nominees testified and answered questions in their own behalf.

INDUSTRIAL LOAN COMPANIES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the regulation and supervision of industrial loan companies, financial institutions in the United States that lend money, and may be owned by non-financial institutions, after receiving testimony from Scott G. Alvarez, General Counsel, Board of Governors of the Federal Reserve System; John F. Bovenzi, Chief Operating Officer and Deputy to the Chairman, Federal Deposit Insurance Corporation; Scott M. Polakoff, Senior Deputy Director, Office of Thrift Supervision, Department of the Treasury; Erik Sirri, Director, Division of Market Regulation, U.S. Securities and Exchange Commission; G. Edward Leary, Utah Commissioner of Financial Institutions, Salt Lake City; Edward L. Yingling, American Bankers Association, Arthur E. Wilmarth, Jr., George Washington University Law School, and Peter J. Wallison, American Enterprise Institute, all of Washington, D.C.; Marc E. Lackritz, Securities Industry and Financial Markets Association, New York, New York; Brigid Kelly, United Food and Commercial Workers International Union, Monroe, Ohio; and Jagjit Singh, Transportation Alliance Bank, Ogden, Utah, on behalf of the Utah Association of Financial Services.

NATION'S SEAPORTS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the security of our nation's seaports, focusing on the SAFE

Port Act (Public Law 109-347), after receiving testimony from Rear Admiral David Pekoske, Assistant Commandant for Operations, United States Coast Guard, Maurine Fanguy, Program Director, Transportation Security Administration, and Thomas S. Winkowski, Assistant Commissioner, Office of Field Operations, United States Customs and Border Protection (CBP), all of the Department of Homeland Security; Stephen L. Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office; and Anthony Coscia, Port Authority of New York and New Jersey, New York, New York.

CONSUMER PRODUCT SAFETY COMMISSION REFORM

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Insurance, and Automotive Safety concluded a hearing to examine S. 2045, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, after receiving testimony from Senator Durbin; Nancy A. Nord, Acting Chairman, and Thomas H. Moore, Commissioner, both of the U.S. Consumer Product Safety Commission; Edmund Mierzwinski, U.S. Public Interest Research Group, Travis Plunkett, Consumer Federation of America, Alan Korn, Safe Kids USA, and Joseph M. McGuire, Association of Home Appliance Manufacturers, on behalf of the National Association of Manufacturers, all of Washington, D.C.; and Al Thompson, Retail Industry Leaders Association, Arlington, Virginia.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following:

An original bill entitled, "The Heartland, Habitat, Harvest, and Horticulture Act of 2007"; and

A bill to implement the United States-Peru Trade Promotion Agreement.

LAW OF THE SEA TREATY

Committee on Foreign Relations: Committee concluded a hearing to examine the United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the "Convention"), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the "Agreement"), and signed by the United States, subject to ratification, on July 29, 1994 (Treaty Doc. 103-39), after receiving testimony from Admiral Vernon