

Daily Digest

HIGHLIGHTS

Senate passed S. 2663, Consumer Product Safety Modernization Act.

Senate

Chamber Action

Routine Proceedings, pages S1661–S1718

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2723–2730, S. Res. 475, and S. Con. Res. 69. **Page S1703**

Measures Passed:

Consumer Product Safety Modernization Act: By 79 yeas and 13 nays (Vote No. 41), Senate passed H.R. 4040, to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2663, Senate companion measure, as amended. **Pages S1669–97**

Consumer Product Safety Commission Reform Act: Senate continued consideration of S. 2663, 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, taking action on the following amendments proposed thereto: **Pages S1669–97**

Adopted:

Pryor (for Feinstein) Amendment No. 4104, to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain specified phthalates. **Pages S1669, S1693**

Pryor (for Klobuchar) Amendment No. 4088, to authorize the Commission by rule to exempt lead crystal from the ban on lead in children's products if the Commission determines that the lead content is not absorbable and does not have an adverse impact on public safety. **Pages S1693–94**

Pryor (for Dodd) Modified Amendment No. 4092, to encourage and ensure the use of safe equestrian helmets. **Pages S1693–94**

Pryor (for McCaskill) Amendment No. 4101, to revise the section on Inspector General reports. **Pages S1693–94**

Pryor (for Boxer) Amendment No. 4112, to clarify the requirement to include cautionary statements on advertisements. **Pages S1693–94**

Pryor (for Landrieu) Amendment No. 4120, to authorize the Consumer Product Safety Commission to identify and validate alternative technologies for the facilitation of recalls of durable infant or toddler products. **Pages S1693, S1694–95**

Pryor (for Collins) Amendment No. 4123, to provide that Federal employees shall be limited to the remedies available under chapters 12 and 23 of title 5, United States Code, for any violation of the whistleblower provisions. **Pages S1693, S1695**

Pryor (for Klobuchar) Amendment No. 4128, to revise the inaccessible component rule for children's products. **Pages S1693, S1695**

Pryor (for Nelson (FL)/Klobuchar) Modified Amendment No. 4130, to require the Consumer Product Safety Commission to promulgate consumer product safety rules with respect to durable infant or toddler products and to improve provisions related to registration of such products. **Pages S1682–93, S1695**

Pryor (for Obama/Cardin) Amendment No. 4113, to clarify and expand requirements with respect to information in recall notices. **Pages S1693, S1695**

Pryor (for Obama) Amendment No. 4114, to require the Comptroller General of the United States conduct a study and report on the effectiveness of authorities relating to the safety of imported consumer products. **Pages S1693, S1695–96**

Pryor (for Durbin/Hatch) Amendment No. 4141, to modify the automatic residential garage door operators standards requirements. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4136, of a perfecting nature. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4137, to modify the scope of products to which section 15(b) applies. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4138, to revise the section requiring a study of preventable injuries and deaths of minority children related to certain consumer products. **Pages S1693, S1696**

Pryor (for Snowe) Amendment No. 4143, to ensure that the Commission appropriately addresses impacts on small businesses of the revised civil penalties provisions. **Pages S1693, S1696**

Pryor (for Kyl) Modified Amendment No. 4116, to provide that attorney-client privileged information shall retain the same protections that would apply in private civil litigation if private counsel is retained to pursue an enforcement action authorized under this Act. **Pages S1693, S1696**

Pryor (for Kyl) Modified Amendment No. 4118, to require a court to review the reasonableness of fees paid to private counsel retained in an enforcement action that is authorized under this Act. **Pages S1693, S1696**

Pryor Amendment No. 4090, of a technical nature. **Pages S1669, S1693**

Cardin Amendment No. 4103, to require the Consumer Product Safety Commission to develop training standards for product safety inspectors. **Pages S1669, S1693**

Dorgan Amendment No. 4098, to ban the importation of toys made by companies that have a persistent pattern of violating consumer product safety standards. **Pages S1669, S1693**

Pryor (for Casey) Modified Amendment No. 4109, to require the Consumer Product Safety Commission to study the use of formaldehyde in the manufacturing of textiles and apparel articles and to prescribe consumer product safety standards with respect to such articles. **Pages S1669, S1693**

Pryor (for Cornyn) Modified Amendment No. 4108, to provide appropriate procedures for individual actions by whistleblowers, to provide for the appropriate assessment of costs and expenses in whistleblower cases. **Pages S1669, S1693, S1696**

Rejected:

Vitter Amendment No. 4097, to allow the prevailing party in certain civil actions related to consumer product safety rules to recover attorney fees. (By 56 yeas and 39 nays (Vote No. 40), Senate tabled the amendment). **Pages S1669-71**

Withdrawn:

Dorgan Amendment No. 4122, to strike the provision allowing the Commission to certify a proprietary laboratory for third party testing. **Page S1669**

DeMint Amendment No. 4124, to strike section 31, relating to garage door opener standards. **Page S1669**

Brown/Casey Amendment No. 4132, to authorize the temporary refusal of admission into the customs territory of the United States of consumer products

manufactured by companies that have violated consumer product safety rules. **Pages S1679-82**

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

The motion to invoke cloture on the bill was withdrawn. **Page S1694**

Subsequently, S. 2663 was returned to the Senate calendar. **Page S1694**

Iowa State University of Science and Technology: Senate agreed to S. Res. 475, congratulating Iowa State University of Science and Technology on its 150 years of leadership and service to the United States and the world as Iowa's land-grant university. **Pages S1716-17**

Nomination Confirmed: Senate confirmed the following nomination:

Hector E. Morales, of Texas, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador. **Page S1718**

Messages from the House: **Page S1702**

Measures Referred: **Page S1702**

Measures Placed on the Calendar: **Pages S1661-62, S1702-03**

Measures Read the First Time: **Pages S1703, S1717-18**

Executive Reports of Committees: **Page S1703**

Additional Cosponsors: **Pages S1703-05**

Statements on Introduced Bills/Resolutions: **Pages S1705-12**

Additional Statements: **Pages S1701-02**

Amendments Submitted: **Pages S1712-16**

Authorities for Committees to Meet: **Page S1716**

Record Votes: Two record votes were taken today. (Total—41) **Pages S1671, S1697**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:00 p.m., until 10:00 a.m. on Friday, March 7, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1718.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Department of