

Daily Digest

HIGHLIGHTS

Senate passed H.R. 6049 Renewable Energy and Job Creation Act.

Senate

Chamber Action

Routine Proceedings, pages S9223–S9347

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 3538–3549, S. Res. 678, and S. Con. Res. 101. **Pages S9280–81**

Measures Reported:

S. 2292, to amend the Homeland Security Act of 2002, to establish the Office for Bombing Prevention, to address terrorist explosive threats, with an amendment in the nature of a substitute. (S. Rept. No. 110–481)

H.R. 3999, to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System. (S. Rept. No. 110–482)

H.R. 390, to require the establishment of a national database in the National Archives to preserve records of servitude, emancipation, and post-Civil War reconstruction and to provide grants to State and local entities to establish similar local databases, with an amendment.

S. Res. 598, expressing the sense of the Senate regarding the need for the United States to lead renewed international efforts to assist developing nations in conserving natural resources and preventing the impending extinction of a large portion of the world's plant and animal species.

S. 1007, to direct the Secretary of State to work with the Government of Brazil and other foreign governments to develop partnerships that will strengthen diplomatic relations and energy security by accelerating the development of biofuels production, research, and infrastructure to alleviate poverty, create jobs, and increase income, while improving energy security and protecting the environment, with an amendment in the nature of a substitute.

S. 2609, to establish a Global Service Fellowship Program, with an amendment in the nature of a substitute.

S. 3103, to amend the Iran, North Korea, and Syria nonproliferation Act to allow certain extraordinary payments in connection with the International Space Station.

S. 3426, to amend the Foreign Service Act of 1980 to extend comparability pay adjustments to members of the Foreign Service assigned to posts abroad, and to amend the provision relating to the death gratuity payable to surviving dependents on Foreign Service employees who die as a result of injuries sustained in the performance of duty abroad.

S. 3548, to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy. **Pages S9279–80**

Measures Passed:

ALS Registry Act: Senate passed S. 1382, to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S9230–32

Reid/Warner Amendment No. 5637, in the nature of a substitute. **Pages S9230–31**

Renewable Energy and Job Creation Act: By 93 yeas to 2 nays (Vote No. 205), Senate passed H.R. 6049, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, after taking action on the following amendments proposed thereto:

Pages S9234–38, S9238–61

Adopted:

Baucus Amendment No. 5633, in the nature of a substitute. (By 93 yeas to 2 nays, (Vote No. 202), and pursuant to the order of Thursday, September

18, 2008, the amendment having achieved 60 affirmative votes, was agreed to).

Pages S9234–38, S9238–54

Withdrawn:

By 53 yeas to 42 nays (Vote No. 203), Conrad Amendment No. 5634, to provide alternative minimum tax relief. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn).

Pages S9239–41, S9246–53, S9254–55

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

By 84 yeas to 11 nays (Vote No. 204), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 201 of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to Baucus Amendment No. 5635, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. Thus, the point of order raised by Senator Conrad was rendered moot. Under the previous order, the amendment was agreed to.

Pages S9243–46, S9253–54, S9255–56

Homeland Security Act: Senate passed S. 3328, to amend the Homeland Security Act of 2002 to provide for a one-year extension of other transaction authority, after agreeing to the following amendment proposed thereto:

Pages S9335–36

Menendez (for Lieberman) Amendment No. 5638, to provide for additional oversight.

Pages S9335–36

Federal Protective Service Guard Contracting Reform Act: Senate passed H.R. 3068, to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony, after agreeing to the committee amendment in the nature of a substitute.

Page S9336

Indian Arts and Crafts Amendments Act: Senate passed S. 1255, to protect Indian arts and crafts through the improvement of applicable criminal proceedings, after agreeing to the committee amendments.

Pages S9336–38

Airport and Airway Trust Fund: Senate passed H.R. 6984, to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, clearing the measure for the President.

Pages S9338–40

Chief Human Capital Officer: Senate passed S. 2816, to provide for the appointment of the Chief

Human Capital Officer of the Department of Homeland Security by the Secretary of Homeland Security.

Page S9340

Poison Center Support, Enhancement, and Awareness Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 2932, to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S9340–41

Menendez (for Murray/Burr) Amendment No. 5639, in the nature of a substitute.

Pages S9340–41

Prenatally and Postnatally Diagnosed Conditions Awareness Act: Senate passed S. 1810, to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally and postnatally diagnosed conditions, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S9341–43

Menendez (for Brownback/Kennedy) Amendment No. 5640, in the nature of a substitute.

Pages S9342–43

Effective Child Pornography Prosecution Act: Committee on the Judiciary was discharged from further consideration of H.R. 4120, to amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S9343–44

Menendez (for Reid) Amendment No. 5641, in the nature of a substitute.

Pages S9343–44

Alvin Ailey American Dance Theater: Committee on the Judiciary was discharged from further consideration of S. Res. 490, recognizing the Alvin Ailey American Dance Theater for 50 years of service to the performing arts, and the resolution was then agreed to.

Page S9344

USS Constellation: Senate agreed to S. Res. 540, recognizing the historical significance of the sloop-of-war USS *Constellation* as a reminder of the participation of the United States in the transatlantic slave trade and of the efforts of the United States to end the slave trade.

Pages S9344–45

University of Nebraska at Omaha: Senate agreed to S. Con. Res. 101, honoring the University of Nebraska at Omaha for its 100 years of commitment to higher education. **Pages S9345–46**

National Ovarian Cancer Awareness Month: Senate agreed to S. Res. 678, supporting the goals and ideals of National Ovarian Cancer Awareness Month. **Page S9346**

National Spina Bifida Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 661, supporting the goals and ideals of National Spina Bifida Awareness Month, and the resolution was then agreed to. **Pages S9346–47**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification were agreed to:

Extradition Agreement with the European Union (Treaty Doc. 109–14) with (23 resolutions of ratification) 1 condition and 23 declarations—1 per treaty;

Extradition Treaty with Latvia (Treaty Doc. 109–15) with 1 declaration;

Extradition Treaty with Malta (Treaty Doc. 109–17) with 1 declaration;

Extradition Treaty with Estonia (Treaty Doc. 109–16) with 1 declaration;

Extradition Treaty with Bulgaria and an Agreement on Certain Aspects of Mutual Legal Assistance in Criminal Matters with Bulgaria (Treaty Doc. 110–12) with 1 declaration; and S;

Extradition Treaty with Romania and Protocol to the Treaty on Mutual Legal Assistance in Criminal Matters with Romania (Treaty Doc. 110–11) with 1 declaration; and S;

Treaty with Malaysia on Mutual Legal Assistance (Treaty Doc. 109–22) with 1 declaration;

Protocol Amending 1980 Tax Convention with Canada (Treaty Doc. 110–15) with 1 declaration and 1 condition;

Tax Convention with Bulgaria with Proposed Protocol of Amendment (Treaty Doc. 110–18) with 1 declaration;

Tax Convention with Iceland (Treaty Doc. 110–17) with 1 declaration;

Partial Revision (1992) of Radio Regulations (Geneva 1979) (Treaty Doc. 107–17) with declarations and reservations;

1995 Revision of Radio Regulations (Treaty Doc. 108–28) with declarations and reservations; and

Incendiary Weapons Protocol (Treaty Doc. 105–1(B)) with 1 reservation, 1 understanding and 1 declaration;

Protocol On Blinding Laser Weapons (Treaty Doc. 105–1(C)) with 1 understanding and 1 declaration;

Amendment to Article 1 of the Convention on Prohibitions or Restrictions on Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to have Indiscriminate Effects (Treaty Doc. 109–10(B)) with 1 declaration;

Treaty with Sweden on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 107–12) with 1 declaration;

Mutual Legal Assistance Agreement with the European Union (Treaty Doc. 109–13) with (26 resolutions of ratification) 1 declaration per treaty.

Pages S9328–35

Executive Reports of Committees: Senate received the following executive reports of a committee:

Treaty Doc. 110–20: Protocols to the North Atlantic Treaty of 1949 on Accession of Albania and Croatia with 1 declaration and 1 condition for each Protocol (Ex. Rept. 110–27); Treaty Doc. 108–5: Amendments to Constitution and Convention of International Telecommunication Union (ITU) (Geneva 1992) with declarations and reservations (Ex. Rept. 110–28); Treaty Doc. 109–11: 2002

Amendments to the ITU Constitution and Convention with declarations and reservations (Ex. Rept. 110–28); and Treaty Doc. 110–16: Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) with declarations and reservations (Ex. Rept. 110–28)

Pages S9278–79

Messages from the House: **Page S9275**

Enrolled Bills Presented: **Page S9276**

Executive Communications: **Pages S9276–78**

Executive Reports of Committees: **Pages S9278–79, S9280**

Additional Cosponsors: **Pages S9281–82**

Statements on Introduced Bills/Resolutions: **Pages S9282–85**

Additional Statements: **Pages S9271–75**

Amendments Submitted: **Pages S9285–S9327**

Notices of Hearings/Meetings: **Page S9327**

Authorities for Committees to Meet: **Pages S9327–28**

Record Votes: Four record votes were taken today. (Total—205) **Pages S9254, S9255, S9255, S9261**

Recess: Senate convened at 10 a.m. and recessed at 7:46 p.m., until 9:30 a.m. on Wednesday, September 24, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9347.)

Committee Meetings

(Committees not listed did not meet)

FOOD MARKETING

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a joint hearing with the Subcommittee on Financial Services and General Government to examine childhood obesity and the impact of food marketing to children, after receiving testimony from Julie L. Gerberding, Director, Centers for Disease Control and Prevention, and Administrator, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; Jon Leibowitz, Commissioner, Federal Trade Commission; Kevin J. Martin, Chairman, Federal Communications Commission; J. Michael McGinnis, National Academies, Washington, D.C.; Marc S. Firestone, Kraft Foods, Inc., Northfield, Illinois; Marva Smalls, Nickelodeon/MTV Networks Kids and Family Group, New York, New York; and Patti Miller, Children Now, Oakland, California.

IRAQ/AFGHANISTAN

Committee on Armed Services: Committee concluded a hearing to examine the situation in Iraq and Afghanistan, after receiving testimony from Robert M. Gates, Secretary, and General James E. Cartwright, USMC, Vice Chairman, Joint Chiefs of Staff, both of the Department of Defense.

CURRENT CREDIT MARKETS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine turmoil in United States credit markets, focusing on recent actions regarding government sponsored entities, investment banks and other financial institutions, after receiving testimony from Henry M. Paulson, Jr., Secretary of the Treasury; Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System; former Representative Christopher Cox, Chairman, U.S. Securities and Exchange Commission; and James B. Lockhart III, Director, Federal Housing Finance Agency.

DIGITAL TELEVISION TRANSITION

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the transition to digital television, focusing on the February 2009 deadline, after receiving testi-

mony from Kevin J. Martin, Chairman, Federal Communications Commission; Meredith Attwell Baker, Acting Assistant Secretary of Commerce for Communications and Information, National Telecommunications and Information Administration; Mark L. Goldstein, Director, Physical Infrastructure, Government Accountability Office; Josefina Carbonell, Assistant Secretary of Health and Human Services for Aging; and Mayor Bill Saffo, Wilmington, North Carolina.

DIESEL PRICES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine reasons that diesel fuel prices have been so high and action that can be taken to address this situation, after receiving testimony from Howard Gruenspecht, Acting Administrator, Energy Information Administration, Department of Energy; former Representative Dave McCurdy, Alliance of Automobile Manufacturers, and Gregory M. Scott, National Petrochemical and Refiners Association, both of Washington, D.C.; and Barbara Windsor, American Trucking Associations, Inc., New Market, Maryland.

CLEAN AIR ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine regulation of greenhouse gases under the Clean Air Act (Public Law 101-549), after receiving testimony from Robert J. Meyers, Principal Deputy Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Mary D. Nichols, California Air Resources Board, Sacramento; and David Bookbinder, Sierra Club, William L. Kovacs, United States Chamber of Commerce, Marlo Lewis, Competitive Enterprise Institute, and Jason Burnett, all of Washington, D.C.

HEALTH INSURANCE

Committee on Finance: Committee concluded a hearing to examine covering the uninsured and reforming the healthcare system, focusing on the rating practices of the private health insurance market, after receiving testimony from Kim Holland, Commissioner of Insurance, Oklahoma City, Oklahoma; John Bertko, RAND Corporation, Flagstaff, Arizona; Andrew Dreyfus, Blue Cross Blue Shield of Massachusetts, Boston; and Pam MacEwan, Group Health Cooperative, Seattle.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following:

Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Albania and the Republic of Croatia adopted at Brussels on July 9,