

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8897–S9058

Measures Introduced: Twenty-four bills and six resolutions were introduced, as follows: S. 1280–1503, S.J. Res. 21, S. Res. 211–214, and S. Con. Res. 47. **Pages S8948–49**

Measures Reported:

S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010, with amendments. (S. Rept. No. 109–108)

H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–109) **Page S8947**

Measures Passed:

Soda Ash Royalty Reduction Act: Senate passed S. 203, to reduce temporarily the royalty required to be paid for sodium produced, to establish certain National Heritage Areas, after agreeing to the following amendments proposed thereto: **Page S9018**

Collins (for Domenici) Amendment No. 1583, in the nature of a substitute.

Collins (for Domenici) Amendment No. 1584, to amend the title. **Page S9018**

Pecos National Historical Park Land Exchange Act: Senate passed S. 47, to provide for the exchange of certain Federal land in the Santa Fe National Forest; and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico. **Pages S9018–19**

Rim of the Valley Corridor Study Act: Senate passed S. 153, to direct the Secretary of the Interior to conduct a resource study of the Rim of the Valley Corridor in the State of California to evaluate alternatives for protecting the resources of the Corridor. **Page S9019**

Valles Caldera Preservation Act: Senate passed S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera. **Pages S9019–20**

Federal Land Recreational Visitor Protection Act: Senate passed S. 225, to direct the Secretary of Agriculture to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, after agreeing to the committee amendment in the nature of a substitute and an amendment to the title. **Pages S9020–21**

Ojito Wilderness Act: Senate passed S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, after agreeing to the committee amendments. **Pages S9021–23**

New Mexico Water Planning Assistance Act: Senate passed S. 178, to provide assistance to the State of New Mexico for the development of comprehensive State water plans. **Pages S9023–24**

United States-Mexico Transboundary Aquifer Assessment Act: Senate passed S. 214, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, after agreeing to the following amendment proposed thereto: **Pages S9024–26**

Collins (for Bingaman/Domenici) Amendment No. 1585, to designate the San Pedro aquifers as priority transboundary aquifers. **Page S9025**

Albuquerque Biological Park Title Clarification Act: Senate passed S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project. **Page S9026**

Rocky Mountain National Park Boundary Adjustment Act: Senate passed S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado. **Pages S9026–27**

Wind Cave National Park Boundary Revision Act: Senate passed S. 276, to revise the boundary of

the Wind Cave National Park in the State of South Dakota. **Page S9027**

Upper Connecticut River Partnership Act: Senate passed S. 301, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, after agreeing to the committee amendment. **Pages S9027–28**

Buffalo Soldiers Commemoration Act: Senate passed S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, after agreeing to the committee amendment. **Page S9028**

Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act: Senate passed S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana. **Pages S9028–29**

National Heritage Partnership Act: Senate passed S. 243, to establish a program and criteria for National Heritage Areas in the United States, after agreeing to the following amendment proposed thereto: **Pages S9029–31**

Collins (for Domenici) Amendment No. 1586, in the nature of a substitute. **Page S9031**

Wild Sky Wilderness Act: Senate passed S. 152, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, after agreeing to the committee amendments. **Pages S9031–32**

Alaska Hydroelectric Project: Senate passed S. 176, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. **Page S9033**

Wallowa Lake Dam Rehabilitation and Water Management Act: Senate passed S. 231, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon. **Page S9033**

Fish Passage and Screening Facilities: Senate passed S. 232, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects. **Pages S9033–34**

Wyoming Hydroelectric Project: Senate passed S. 244, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. **Page S9034**

Hawaii Water Resources Act: Senate passed S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii, after agreeing to the following amendment proposed thereto: **Pages S9034–35**

Collins (for Domenici) Amendment No. 1587, to make certain technical corrections. **Page S9034**

Caribbean National Forest Act: Senate passed S. 272 to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System, after agreeing to the committee amendments and an amendment to the title. **Page S9035**

Paleontological Resources Preservation Act: Senate passed S. 263, to provide for the protection of paleontological resources on Federal lands, after agreeing to the committee amendments. **Pages S9035–39**

Big Horn Bentonite Act: Senate passed S. 97, to provide for the sale of bentonite in Big Horn County, Wyoming. **Page S9039**

Dandini Research Park Conveyance Act: Senate passed S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada. **Page S9039**

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: Senate passed S. 253, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, after agreeing to the committee amendments. **Pages S9039–40**

Northern Arizona Land Exchange and Verde River Basin Partnership Act: Senate passed S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership. **Pages S9040–43**

Uintah Research and Curatorial Center Act: Senate passed S. 182, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, after agreeing to the committee amendment. **Page S9043**

Beaver County, Utah Land Conveyance: Senate passed S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah. **Page S9043**

National Historic Trails Studies: Senate passed S. 54, to amend the National Trails System Act to

require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, after agreeing to the committee amendments. **Pages S9043–45**

Rio Grande Natural Area Act: Senate passed S. 56, to establish the Rio Grande Natural Area in the State of Colorado. **Pages S9045–46**

Wyoming Land Conveyance: Senate passed S. 101, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation. **Pages S9046–47**

Northern California Coastal Wild Heritage Wilderness Act: Senate passed S. 128, to designate certain public land in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, after agreeing to the following amendment proposed thereto:

Pages S9047–49

Collins (for Domenici) Amendment No. 1588, in the nature of a substitute. **Page S9049**

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act: Senate passed S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and to adjust the boundaries of Redwood National Park, after agreeing to the committee amendments, and the following amendments proposed thereto:

Pages S9049–51

Collins (for Domenici) Amendment No. 1589, in the nature of a substitute. **Page S9050**

Collins (for Domenici) Amendment No. 1590, to amend the title. **Page S9050**

Wyoming Water Project: Senate passed H.R. 1046, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming, clearing the measure for the President. **Pages S9051–52**

Upper White Salmon Wild and Scenic Rivers Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 38, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System, and the bill was then passed, clearing the measure for the President. **Page S9052**

Sand Creek Massacre National Historic Site Trust Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 481, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, and the bill was then passed, clearing the measure for the President. **Page S9052**

Lander County, Nevada Land Conveyance: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, and the bill was then passed, clearing the measure for the President. **Page S9052**

Indian Rental Proceeds: Senate passed S. 1480, to establish the treatment of actual rental proceeds from leases of land acquired under an Act providing for loans to Indian tribes and tribal corporations. **Pages S9053, S9055**

Indian Land Probate Reform: Senate passed S. 1481, to amend the Indian Land Consolidation Act to provide for probate reform. **Pages S9053–54, S9055**

Indian Reservation Contracts: Senate passed S. 1482, to amend the Act of August 9, 1955, to provide for binding arbitration for Gila River Indian Community Reservation Contracts. **Pages S9053, S9054, S9055**

Indian Student Count Definition: Senate passed S. 1483, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to modify the definition of "Indian student count." **Pages S9053, S9054, S9055**

Indian Water Rights: Senate passed S. 1484, to amend the Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990. **Pages S9053, S9054–55**

Indian Leases Authorization: Senate passed S. 1485, to amend the Act of August 9, 1955, to extend the authorization of certain leases. **Pages S9053, S9055**

Colorado River Indian Reservation Boundary Correction Act: Committee on Indian Affairs was discharged from further consideration of H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona, and the bill was then passed, clearing the measure for the President. **Page S9055**

Prairie Island Land Conveyance Act: Committee on Indian Affairs was discharged from further consideration of S. 706, to convey all right, title, and

interest of the United States in and to the land described in this Act to the Secretary of the Interior for the Prairie Island Indian Community in Minnesota, and the bill was then passed. **Pages S9055–56**

Indian Criminal Jurisdiction: Committee on Indian Affairs was discharged from further consideration of S. 279, to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S9055–56

Collins (for Domenici/Bingaman) Amendment No. 1591, in the nature of a substitute. **Page S9056**

Children's Hospitals Educational Equity and Research Act: Senate passed S. 285, to reauthorize the Children's Hospitals Graduate Medical Education Program, after agreeing to the committee amendment in the nature of a substitute. **Page S9056**

Senate Legal Representation: Senate agreed to S. Res. 213, to authorize representation by the Senate Legal Counsel in the case of Keyter v. McCain, et al. **Page S9057**

Senate Legal Representation: Senate agreed to S. Res. 214, to authorize representation by the Senate Legal Counsel in the case of Jones v. Salt River Pima-Maricopa Indian Community, et al. **Page S9057**

Presidential Succession: Committee on Rules and Administration was discharged from further consideration of S. 442, to provide for the Secretary of Homeland Security to be included in the line of Presidential succession, and the bill was then passed.

Page S9057

Measures Indefinitely Postponed:

Upper White Salmon Wild and Scenic River Act: S. 74, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System. **Page S9052**

Central Nevada Rural Cemeteries Act: S. 254, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.

Page S9052

Sand Creek Massacre National Historic Site Trust Act: S. 57, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000. **Page S9052**

Wyoming Water Project: S. 99, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. **Page S9052**

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 S8897–S8908

Adopted:

By a unanimous vote of 98 yeas (Vote No. 202), Collins Modified Amendment No. 1377, to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act. **Pages S8903–05**

By a unanimous vote of 98 yeas (Vote No. 204), Frist Modified Amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America.

Pages S8905–07

Rejected:

By 47 yeas to 51 nays (Vote No. 203), Lautenberg Amendment No. 1351, to stop corporations from financing terrorism. **Page S8905**

Pending:

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States.

Page S8897

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross.

Page S8897

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page S8897**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page S8897**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page S8897**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page S8897**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment.

Page S8897

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Page S8897**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program. **Page S8897**

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page S8897**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Page S8897**

Dorgan Amendment No. 1429, 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. **Page S8897**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page S8897**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page S8897**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page S8897**

Collins (for Thune) Amendment No. 1489, to postpone the 2005 round of defense base closure and realignment. **Page S8897**

Collins (for Thune) Amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies. **Page S8897**

Collins (for Thune) Amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation. **Page S8897**

Reed (for Levin) Amendment No. 1492, to make available, with an offset, an additional \$50,000,000, for Operation and Maintenance for Cooperative Threat Reduction. **Page S8897**

Hatch Amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page S8897**

Inhofe Amendment No. 1476, to express the sense of Congress that the President should take im-

mediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page S8897**

Allard Amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites. **Pages S8897-98**

Allard/Salazar Amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page S8898**

McCain Modified Amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense. **Page S8898**

Warner Amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense. **Page S8898**

McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government. **Page S8898**

Stabenow/Johnson Amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation. **Page S8898**

Murray Amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page S8898**

Murray Amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page S8898**

Levin Amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page S8898**

Hutchison Amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties. **Page S8898**

Graham/McCain Modified Amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba. **Page S8898**

Nelson (FL) Amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page S8898**

Durbin Amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois. **Page S8898**

Durbin Amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page S8898**

Levin Amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page S8898**

Levin Amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense. **Page S8898**

Levin (for Harkin/Dorgan) Amendment No. 1425, relating to the American Forces Network. **Page S8898**

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

By 50 yeas to 48 nays (Vote No. 205), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Pages S8907–08**

Protection of Lawful Commerce in Arms Act: Senate resumed consideration of the motion to proceed to consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. **Pages S8908–32**

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

By 66 yeas to 32 nays (Vote No. 206), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S8908–09**

A unanimous-consent-time agreement was reached providing for further consideration of the motion to

proceed to consideration of the bill at 9:30 a.m. on Wednesday, July 27, 2005; provided further, that the time from 10 a.m. to 2 p.m. be equally divided for debate, followed by a vote on the motion to proceed. **Page S9057**

Messages From the House: **Page S8945**

Measures Referred: **Page S8945**

Measures Read First Time: **Page S8945**

Executive Communications: **Pages S8945–47**

Executive Reports of Committees: **Pages S8947–48**

Additional Cosponsors: **Pages S8949–51**

Statements on Introduced Bills/Resolutions:
Pages S8951–88

Additional Statements: **Pages S8943–45**

Amendments Submitted: **Pages S8988–S9017**

Authority for Committees to Meet: **Pages S9017–18**

Privilege of the Floor: **Page S9018**

Record Votes: Five record votes were taken today. (Total—206) **Pages S8905, S8906, S8907–08, S8909**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:09 p.m. until 9:30 a.m., on Wednesday, July 27, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S9057–58.)

Committee Meetings

(Committees not listed did not meet)

SPECIES CONSERVATION

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded a hearing to examine how farm bill programs can better support species conservation, focusing on the Wetlands Reserve Program, the eastern bog turtle and ivory billed woodpecker, pallid sturgeon, salmon, and the sage grouse, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, Department of Agriculture; J. Kent Foster, Idaho Association of Soil Districts, Boise; James L. Cummins, Mississippi Fish and Wildlife Foundation, Stoneville; Steve Manning, Leon River Restoration Project, Gatesville, Texas; and Timothy D. Searchinger, Environmental Defense, Washington, D.C.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Christopher Cox, of California, who was introduced by Senators Stevens, Feinstein, and Boxer, Roel C. Campos, of Texas, and Annette L.