

to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EQUIVALENCY OF MERCHANT MARINER DOCUMENTS AND TRANSPORTATION WORKER IDENTITY CREDENTIAL.

Section 7302 of title 46, United States Code, is amended by adding at the end the following new subsection:

“(h) A merchant mariner’s document issued under this section shall be treated as a biometric transportation security card required by section 70105.”

SEC. ____ . INCLUSION OF BIOMETRIC IDENTIFIER TO MERCHANT MARINER DOCUMENTS.

Section 7303 of title 46, United States Code, is amended by adding at the end the following: “The document shall also include a biometric identifier that complies with the requirements of section 70105.”

SEC. COAST GUARD.

In issuing merchant mariner documents, the Coast Guard shall be the lead agency responsible for ensuring compliance with the requirements of section 70105 of title 46, United States Code governing issuance of biometric transportation security card.

SA 5015. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4942 proposed by Mr. LAUTENBERG to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

Strike all beginning at line 1 and insert: “Section ____ . Interim Verification of Individuals—(a) TERRORIST WATCH LIST COMPARISON AND IMMIGRATION RECORDS CHECK.—Not later than 90 days after the date of enactment of this Act, the Secretary shall—

(1) complete a comparison of each individual who has unescorted access to a secure area of a seaport facility (as designated in an approved facility security plan in accordance with section 70103(c) of title 46, United States Code) against terrorist watch lists to determine if the individual poses a threat; and

(2) determine whether each such individual may be denied admission to the United States, or removed from the United States, under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) CONTINUING REQUIREMENT.—In the case of an individual who is given unescorted access to a secure area of a seaport facility after the date on which the Secretary completes the requirements of paragraph (1) and before the date on which the Secretary begins issuing transportation security cards at the seaport facility, the Secretary shall conduct a comparison of the individual against terrorist watch lists and determine whether the individual is lawfully present in the United States.

(c) INTERIM FINAL REGULATIONS.—In order to carry out this subsection, the Secretary shall issue interim final regulations to require submission to the Secretary of information necessary to carry out the requirements of paragraph (1).

(d) PRIVACY REQUIREMENTS.—Terrorist watch list comparisons and immigration records checks under this subsection shall be carried out in accordance with the requirements of section 552a of title 5, United States Code.

(e) RESTRICTIONS ON USE AND MAINTENANCE OF INFORMATION.—

(1) RESTRICTION ON DISCLOSURE.—Information obtained by the Secretary in the course of comparing the individual against terrorist watch lists under this subsection may not be made available to the public, including the individual’s employer.

(2) CONFIDENTIALITY; USE.—Any information constituting grounds for prohibiting the employment of an individual in a position described in paragraph (1)(A) shall be maintained confidentially by the Secretary and may be used only for making determinations under this section. The Secretary may share any such information with appropriate Federal, State, local, and tribal law enforcement agencies.

(f) TERRORIST WATCH LISTS DEFINED.—In this subsection, the term ‘terrorist watch lists’ means all available information on known or suspected terrorists or terrorist threats.”

SA 5016. Mr. STEVENS proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ . PHASE-OUT OF VESSELS SUPPORTING OIL AND GAS DEVELOPMENT.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883) and sections 12105(c) and 12106 of title 46, United States Code, a foreign-flag vessel may be employed for the movement or transportation of anchors for operations in support of exploration of offshore mineral or energy resources in the Beaufort Sea or the Chukchi Sea by or on behalf of a lessee—

(1) until January 1, 2010, if the Secretary of the department in which the Coast Guard is operating determines that insufficient eligible vessels documented under chapter 121 of title 46, United States Code, are reasonably available and suitable for these support operations; and

(2) during the period beginning January 1, 2010, and ending December 31, 2012, if the Secretary determines that—

(A) the lessee has entered into a binding agreement to use eligible vessels documented under chapter 121 of title 46, United States Code, in sufficient numbers and with sufficient suitability to replace foreign flag vessels operating under this section; and

(B) the Secretary determines that no eligible vessel documented under chapter 121 of title 46, United States Code, is reasonably available and suitable for these support operations to replace any foreign flag vessel operating under this section. If such a determination is made, until January 1, 2013, if no vessel documented under the laws of the United States is reasonably available and suitable for these support operations to replace any foreign-flag vessel operating under this section.

SA 5017. Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

On page 5, line 2, insert “to” before “secure”.

On page 8, line 8, strike the first period and “, and”.

On page 12, line 24, strike “, of this section” and insert “of this section.”

On page 16, line 15, strike “and State” and insert “State”.

On page 16, line 18, after “stakeholders” insert the following: “adversely affected by a

transportation security incident or transportation disruption”.

On page 17, line 23, insert “Public Law 108-293” before “118”.

On page 20, line 15, strike “of the Nation’s commercial seaports” and insert “of the commercial seaports of the United States”.

On page 24, line 4, strike the semicolon and insert a comma.

On page 24, line 13, strike “(2)” and insert “(1)”.

On page 27, line 23, strike “ocean-borne” and insert “oceanborne”.

On page 28, line 8, strike “ocean-borne” and insert “oceanborne”.

On page 29, line 5, strike “, and” and insert “and”.

On page 33, line 17, after “issues”, insert “resulting from a transportation security incident or transportation disruption”.

On page 36, line 11, insert “the” before “Container”.

On page 39, line 24, strike “ocean-borne” and insert “oceanborne”.

On page 48, line 7, insert a comma after “Commissioner”.

On page 69, line 3, strike “Undersecretary” and insert “Under Secretary”.

On page 72, lines 18 and 19, strike “the current fiscal year” and insert “the fiscal year in which the report is filed”.

On page 73, line 23, strike “the current fiscal year” and insert “the fiscal year in which the report is filed”.

On page 85, line 23, strike the first period.

SA 5018. Mr. STEVENS (for Ms. SNOWE) proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ . COAST GUARD PROPERTY IN PORTLAND, MAINE.

Section 347(c) of the Maritime Transportation Security Act of 2002 (Public Law 107-295; 116 Stat. 2109) is amended by striking “within 30 months from the date of conveyance.” and inserting “by December 31, 2009.”

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, September 21, 2006 at 2:30 p.m. in Room SD-628 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1106, to authorize the construction of the Arkansas Valley Conduit in the State of Colorado, and for other purposes; S. 1811, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, UT, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; S. 2070, to provide certain requirements for hydroelectric projects on the Mohawk River in the State of New York; S. 3522, to

amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, and for other purposes; S. 3832, to direct the Secretary of the Interior to establish criteria to transfer title to reclamation facilities, and for other purposes; S. 3851, to provide for the extension of preliminary permit periods by the Federal Energy Regulatory Commission for certain hydroelectric projects in the State of Alaska; S. 3798, to direct the Secretary of the Interior to exclude and defer from the pooled reimbursable costs of the Central Valley Project the reimbursable capital costs of the unused capacity of the Folsom South Canal, Auburn-Folsom South Unit, Central Valley Project, and for other purposes; H.R. 2563, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, and for other purposes; and H.R. 3897, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Nate Gentry at 202-224-2179 or Steve Waskiewicz at 202-228-6195.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 14, 2006, at 10:30 a.m., in closed session to mark up the Military Commissions Act of 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 14, 2006, at 10 a.m., to conduct a hearing on "A Review of the Department of Defense's Report on Predatory Lending Practices Directed at Members of the Armed Forces and Their Dependents."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Com-

mittee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, September 14, at 10 a.m. The purpose of the hearing is to consider the nomination of C. Stephen Allred, of Idaho, to be an Assistant Secretary of the Interior, Vice Rebecca W. Watson, resigned; and Robert W. Johnson, of Nevada, to be Commissioner of Reclamation, Vice John W. Keys, III, resigned.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, September 14, 2006, at 10:30 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, September 14, 2006, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on the nomination of Carl J. Artman to be Assistant Secretary for Indian Affairs, U.S. Department of the Interior, Washington, DC, to be followed immediately by a business meeting to approve the nomination of Carl J. Artman.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 14, 2006, at 9:30 a.m. in the Dirksen Senate Office Building, Room 226.

Agenda

I. Nominations

Terrence W. Boyle, to be U.S. Circuit Judge for the Fourth Circuit; William James Haynes II, to be U.S. Circuit Judge for the Fourth Circuit; Peter D. Keisler, to be U.S. Circuit Judge for the District of Columbia Circuit; William Gerry Myers III, to be U.S. Circuit Judge for the Ninth Circuit; Norman Randy Smith, to be U.S. Circuit Judge for the Ninth Circuit; Valerie L. Baker, to be U.S. District Judge for the Central District of California; Francisco Augusto Besosa, to be U.S. District Judge for the District of Puerto Rico; Philip S. Gutierrez, to be U.S. District Judge for the Central District of California; Marcia Morales Howard, to be U.S. District Judge for the Middle District of Florida; John Alfred Jarvey, to be U.S. District Judge for the Southern District of Iowa; and Sara Elizabeth Lioi, to be U.S. District Judge for the Northern District of Ohio.

II. Bills

S. 2831, Free Flow of Information Act of 2006, Lugar, Specter, Schumer,

Graham, Biden, Grassley; S. 155, Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter; S. 1845, Circuit Court of Appeals Restructuring and Modernization Act of 2005, Ensign, Kyl; S. 394, OPEN Government Act of 2005, Cornyn, Leahy, Feingold; and S. 2644, Perform Act of 2006, Feinstein, Graham, Biden.

III. Other Matters

Changes to 18 U.S.C. 2441, War Crimes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. FRIST. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Thursday, September 14, 2006 from 10 a.m.-12 p.m. in Dirksen 562 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AVIATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to hold a hearing at 10 a.m. on Thursday, September 14, 2006 to discuss rural air service.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY

Mr. FRIST. Mr. President, I ask unanimous consent that on Thursday, September 14, 2006 at 9:30 a.m. the Subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to hold an oversight hearing on the NRC's responsibility and capability for long- and short-term spent fuel storage programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION AND INTERNATIONAL SECURITY

Mr. FRIST. Mr. President, I ask unanimous consent that the subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, September 14, 2006, at 2:30 p.m. for a hearing regarding "Part Two: Federal Agencies and Conference Spending".

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Steve Midas, who is a Coast Guard detailee assigned to the Homeland Security Committee, be accorded privileges of the floor for the remainder of the consideration of the Port Security Improvement Act of 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.