

# Daily Digest

## HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 2419, Food, Conservation, and Energy Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S4211–S4289*

**Measures Introduced:** Ten bills and two resolutions were introduced, as follows: S. 3020–3029, and S. Res. 567–568. **Page S4282**

#### Measures Reported:

S. 2511, to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship, with an amendment.

S. 2913, to provide a limitation on judicial remedies in copyright infringement cases involving orphan works, with an amendment in the nature of a substitute. **Page S4282**

#### Measures Passed:

**FCC Rule Disapproval:** Senate passed S.J. Res. 28, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership. **Pages S4267–70**

**National Governors Association Anniversary:** Senate agreed to S. Res. 568, commemorating the 100th anniversary of the founding of the National Governors Association. **Pages S4271–72**

**Encourage Display of Flag:** Committee on the Judiciary was discharged from further consideration of H.R. 2356, to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day, and the bill was then passed, clearing the measure for the President. **Page S4288**

**Small Business Act Programs Temporary Extension:** Senate passed S. 3029, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Pages S4288–89**

### Conference Reports:

**Food, Conservation, and Energy Act—Conference Report:** By 81 yeas to 15 nays (Vote No. 130), Senate agreed to the conference report to accompany H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012. **Pages S4212–43**

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

By 74 yeas to 21 nays (Vote No. 128), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 203 of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to the conference report. **Page S4227**

By 62 yeas to 34 nays (Vote No. 129), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive Rule XLIV, paragraph 8, of the Standing Rules of the Senate, with respect to all provisions of the conference report. **Page S4227**

### House Messages:

**Budget Resolution—Motions TO Instruct Conferees:** Senate began consideration of the amendment of the House of Representatives to S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, disagreed to the amendment of the House, agreed to the request of the House for a conference, agreed to the motion to authorize the Chair to appoint conferees, after taking action on the following motions to instruct conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution to be instructed to insist on the inclusion in the final conference report the following motions proposed thereto: **Pages S4247–67**

Adopted:

Gregg Motion to Instruct Conferees to insist on the inclusion in the final conference report the point of order against the consideration of a budget resolution in the Senate that does not contain a section regarding gross federal debt disclosure as contained in section 223 of the concurrent resolution as passed by the Senate, and further, that the conferees be instructed to include a debt disclosure section in the final conference report that itemizes the overall debt increase and the per person debt increase assumed by the final conference report. **Page S4263**

Gregg Motion to Instruct Conferees to insist that the final conference report include the individual points of order that empower the Senate to prevent future budget resolutions from raiding Social Security, enforces transparency during Senate consideration of the congressional budget by requiring disclosure of the gross federal debt held by the nation, strengthens the integrity of the reconciliation process, and provides an additional tool to thwart any net increases in deficits in the long term (four ten year periods after 2018), as contained in sections 226, 223/224, 202, and 201, respectively, of the concurrent resolution passed by the Senate. **Page S4263**

Conrad Motion to Instruct Conferees to insist that the revenue levels in the resolution include the cost of providing relief from the Alternative Minimum Tax in 2008. **Pages S4261–63**

Kyl Motion to Instruct Conferees to reject the House amendment that assumes \$110 billion in tax increases as a result of having to offset the extension of tax policies that expired at the end of 2007 and will expire at the end of 2008 (including the AMT patch, the research and experimentation tax credit, the state and local sales tax deduction, the combat pay earned income tax credit, education tax credits, at the alternative energy tax credits) and insist that the final conference report include in the recommended levels and amounts in Title I reductions in revenues commensurate with extending these tax policies without offsetting tax increases. **Pages S4251–53**

Gregg Motion to Instruct Conferees to insist on the inclusion in the final conference report section 311 of the concurrent resolution, the deficit neutral reserve fund to improve energy efficiency and production, as passed by the Senate, and that such section include an additional requirement that the legislation also encourages the removal of existing barriers to building new zero-emission nuclear power plants in the United States. **Page S4258**

By 55 yeas to 40 nays (Vote No. 132), Boxer Motion to Instruct Conferees that no legislation providing for new mandates on greenhouse gas emis-

sions should be enacted until it effectively addresses imports from China, India and other nations that have no similar emissions programs. **Pages S4255–57, S4264–65**

Rejected:

By 44 yeas to 51 nays (Vote No. 131), Gregg Motion to Instruct Conferees to reject the revenue levels in both the Senate-passed and the House-passed budget resolutions, both of which assume the largest tax increase in history, and include revenue levels consistent with extension of the tax rates currently in place. **Pages S4248–51, S4263–64**

By 34 yeas to 61 nays (Vote No. 133), DeMint Motion to Instruct Conferees to insist that if the final conference report includes section 304 of the concurrent resolution, the deficit neutral reserve fund to invest in clean energy, preserve the environment and provide for certain settlements, as passed by the Senate, that such section shall include an additional requirement that legislation providing for new mandates on greenhouse gas emissions that would harm the United States economy or result in a loss of jobs should not be enacted unless similar mandates are enacted by China and India. **Pages S4253–55, S4265–66**

By 44 yeas to 51 nays (Vote No. 134), Vitter Motion to Instruct Conferees to insist that the conference report include a reserve fund that requires the Chairman of the Senate Committee on Budget to adjust budget aggregates and the allocation of the Committee on Energy and Natural Resources, if the Senate considers legislation that allows a governor, with the concurrence of the state legislature to petition for increased energy exploration on the Outer Continental Shelf and that allows for revenue sharing for such producing states on new areas of production and new leases made available, if the average price of regular gasoline in the United States reaches \$5 per gallon. **Pages S4258–60, S4266–67**

By 47 yeas to 48 nays (Vote No. 135), Gregg Motion to Instruct Conferees to insist that the final conference report include a level for 2009 budget authority not to exceed \$1 trillion for non-emergency discretionary appropriations. **Pages S4257–58, S4267**

The Chair was authorized to appoint the following conferees on the part of the Senate: Senators Conrad, Murray, Wyden, Gregg and Domenici. **Page S4267**

**Public Safety Employer-Employee Cooperation Act—Agreement:** A unanimous-consent agreement was reached providing that the following motions to invoke cloture relative to H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, be withdrawn:

A motion to close further debate on the Reid (for Gregg/Kennedy) Amendment No. 4751), in the nature of a substitute.

A motion to close further debate on the bill.

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that the Majority Leader, Senator Reid, be authorized to sign enrolled bills during the adjournment of the Senate.

Page S4289

**Messages from the House:** Page S4281

**Executive Communications:** Pages S4281–82

**Executive Reports of Committees:** Page S4282

**Additional Cosponsors:** Pages S4283–84

**Statements on Introduced Bills/Resolutions:**  
Pages S4284–86

**Additional Statements:** Pages S4279–81

**Amendments Submitted:** Pages S4286–87

**Authorities for Committees to Meet:**  
Pages S4287–88

**Privileges of the Floor:** Page S4288

**Record Votes:** Eight record votes were taken today. (Total—135)

Pages S4227, S4239, S4264, S4265, S4265–66, S4266, S4267

**Adjournment:** Senate convened at 9:31 a.m. and adjourned at 8:26 p.m., until 2 p.m. on Monday, May 19, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4289.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported a bill providing emergency supplemental appropriations for fiscal year 2008, with amendments.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following:

S. 2685, to prohibit cigarette manufacturers from making claims or representations based on data derived from the cigarette testing method established by the Federal Trade Commission;

H.R. 1187, to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, with amendments;

S. 2281, to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve;

H.R. 1006, to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue

Assistance Grant Program, with an amendment in the nature of a substitute;

S. 2997, to reauthorize the Maritime Administration, with amendments;

S. 2699, to require new vessels for carrying oil fuel to have double hulls, with amendments; and

The nominations of Lily Fu Claffee, of Illinois, to be General Counsel, and William J. Brennan, of Maine, to be Assistant Secretary for Oceans and Atmosphere, both of the Department of Commerce.

### OIL SHALE RESOURCES DEVELOPMENT

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine development of oil shale resources, after receiving testimony from Senators Hatch and Allard; C. Stephen Allred, Assistant Secretary of the Interior for Land and Minerals Management; Colorado Governor Bill Ritter, Jr., Terry O'Connor, Shell Exploration and Production Company, and Steve Smith, Wilderness Society, all of Denver, Colorado; and James V. Hansen, Oil Shale Exploration Company, Farmington, Utah.

### UNITED STATES–CHINA RELATIONS

*Committee on Foreign Relations:* Committee held a hearing to examine United States-China relations in the era of globalization, receiving testimony from John D. Negroponte, Deputy Secretary of State; Richard N. Haass, Council on Foreign Relations, New York, New York; and Kurt Campbell, Center for a New American Security, and Harry Harding, George Washington University, both of Washington, D.C.

Hearing recessed subject to the call of the Chair.

### MEDICAL CARE IN AFTERMATH OF NUCLEAR TERRORISM

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine nuclear terrorism, focusing on providing medical care and meeting basic needs in the aftermath of an attack, after receiving testimony from Irwin Redlener, Columbia University Mailman School of Public Health National Center for Disaster Preparedness, New York, New York; Ira Helfand, Physicians for Social Responsibility, Leeds, Massachusetts; and Joseph C. Becker, American Red Cross, and John Ullyot, Hill and Knowlton, Inc., both of Washington, D.C.

### STATE DEPARTMENT ROLE IN ARMS CONTROL

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the organizational structures of the Department of