

# Daily Digest

## HIGHLIGHTS

The House passed H.R. 6899—Comprehensive American Energy Security and Consumer Protection Act

## Senate

### *Chamber Action*

*Routine Proceedings, pages S8809–S8896*

**Measures Introduced:** Twelve bills and two resolutions were introduced, as follows: S. 3491–3502, S. Res. 662, and S. Con. Res. 99. **Pages S8855–56**

#### **Measures Reported:**

S. 3168, to authorize United States participation in the replenishment of resources of the International Development Association. (S. Rept. No. 110–464)

S. 2321, to amend the E–Government Act of 2002 (Public Law 107–347) to reauthorize appropriations, with an amendment. (S. Rept. No. 110–465)

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. (S. Rept. No. 110–466)

S. 3038, to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, with an amendment in the nature of a substitute. (S. Rept. No. 110–467)

H.R. 29, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, with an amendment in the nature of a substitute.

H.R. 31, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects.

H.R. 236, to authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating

to water supply, water quality, and environmental restoration.

H.R. 813, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, with an amendment in the nature of a substitute.

H.R. 816, to provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada and to grant a right-of-way across the released land for the construction and maintenance of a flood control project, with an amendment.

H.R. 838, to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, with an amendment.

H.R. 903, to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, with an amendment in the nature of a substitute.

H.R. 1139, to authorize the Secretary of the Interior to plan, design and construct facilities to provide water for irrigation, municipal, domestic, and other uses from the Bunker Hill Groundwater Basin, Santa Ana River, California, with an amendment in the nature of a substitute.

H.R. 1737, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California.

H.R. 1803, to direct the Secretary of the Interior to conduct a feasibility study to design and construct a four reservoir intertie system for the purposes of improving the water storage opportunities, water supply reliability, and water yield of San Vicente, El Capitan, Murray, and Loveland Reservoirs in San Diego County, California in consultation and cooperation with the City of San Diego and the Sweetwater Authority.

H.R. 2246, to provide for the release of any reversionary interest of the United States in and to certain lands in Reno, Nevada.

H.R. 2614, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California.

H.R. 2632, to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, with an amendment in the nature of a substitute.

H.R. 3022, to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, with an amendment.

H.R. 3323, to authorize the Secretary of the Interior to convey a water distribution system to the Goleta Water District.

H.R. 3473, to provide for a land exchange with the City of Bountiful, Utah, involving National Forest System land in the Wasatch-Cache National Forest and to further land ownership consolidation in that national forest, with an amendment in the nature of a substitute.

H.R. 3490, to transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, with amendments.

H.R. 3682, to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, with amendments.

H.R. 5137, to ensure that hunting remains a purpose of the New River Gorge National River.

S. 390, to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, with an amendment in the nature of a substitute.

S. 1477, to authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado, with an amendment in the nature of a substitute.

S. 1680, to provide for the inclusion of certain non-Federal land in the Izembek National Wildlife Refuge and the Alaska Peninsula National Wildlife

Refuge in the State of Alaska, with an amendment in the nature of a substitute.

S. 1756, to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, with an amendment in the nature of a substitute.

S. 1816, to authorize the Secretary of the Interior to establish a commemorative trail in connection with the Women's Rights National Historical Park to link properties that are historically and thematically associated with the struggle for women's suffrage, with an amendment in the nature of a substitute.

S. 2093, to amend the Wild and Scenic Rivers Act to designate a segment of the Missisquoi and Trout Rivers in the State of Vermont for study for potential addition to the National Wild and Scenic Rivers System, with an amendment in the nature of a substitute.

S. 2156, to authorize and facilitate the improvement of water management by the Bureau of Reclamation, to require the Secretary of the Interior and the Secretary of Energy to increase the acquisition and analysis of water resources for irrigation, hydroelectric power, municipal, and environmental uses, with an amendment in the nature of a substitute.

S. 2255, to amend the National Trails System Act to provide for studies of the Chisholm Trail and Great Western Trail to determine whether to add the trails to the National Trails System, with an amendment.

S. 2354, to direct the Secretary of the Interior to convey 4 parcels of land from the Bureau of Land Management to the city of Twin Falls, Idaho, with amendments.

S. 2359, to establish the St. Augustine 450th Commemoration Commission, with an amendment in the nature of a substitute.

S. 2448, to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections.

S. 2535, to revise the boundary of the Martin Van Buren National Historic Site, with amendments.

S. 2561, to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War.

S. 2779, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects.

S. 2805, to direct the Secretary of the Interior, acting through the Commissioner of Reclamation, to assess the irrigation infrastructure of the Rio Grande Pueblos in the State of New Mexico and provide

grants to, and enter into cooperative agreements with, the Rio Grande Pueblos to repair, rehabilitate, or reconstruct existing infrastructure, with an amendment in the nature of a substitute.

S. 2842, to require the Secretary of the Interior to carry out annual inspections of canals, levees, tunnels, dikes, pumping plants, dams, and reservoirs under the jurisdiction of the Secretary, with an amendment in the nature of a substitute.

S. 2875, to authorize the Secretary of the Interior to provide grants to designated States and tribes to carry out programs to reduce the risk of livestock loss due to predation by gray wolves and other predator species or to compensate landowners for livestock loss due to predation, with an amendment in the nature of a substitute.

S. 2943, to amend the National Trails System Act to designate the Pacific Northwest National Scenic Trail, with amendments.

S. 2974, to provide for the construction of the Arkansas Valley Conduit in the State of Colorado, with an amendment in the nature of a substitute.

S. 3010, to reauthorize the Route 66 Corridor Preservation Program.

S. 3011, to amend the Palo Alto Battlefield National Historic Site Act of 1991 to expand the boundaries of the historic site, with an amendment in the nature of a substitute.

S. 3017, to designate the Beaver Basin Wilderness at Pictured Rocks National Lakeshore in the State of Michigan, with an amendment in the nature of a substitute.

S. 3045, to establish the Kenai Mountains-Turnagain Arm National Forest Heritage Area in the State of Alaska, with an amendment in the nature of a substitute.

S. 3051, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the site of the Battle of Camden in South Carolina, as a unit of the National Park System, with an amendment in the nature of a substitute.

S. 3065, to establish the Dominguez-Escalante National Conservation Area and the Dominguez Canyon Wilderness Area, with an amendment in the nature of a substitute.

S. 3069, to designate certain land as wilderness in the State of California, with an amendment in the nature of a substitute.

S. 3085, to require the Secretary of the Interior to establish a cooperative watershed management program, with an amendment in the nature of a substitute.

S. 3088, to designate certain land in the State of Oregon as wilderness, with an amendment in the nature of a substitute.

S. 3089, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, with an amendment in the nature of a substitute.

S. 3096, to amend the National Cave and Karst Research Institute Act of 1998 to authorize appropriations for the National Cave and Karst Research Institute.

S. 3158, to extend the authority for the Cape Cod National Seashore Advisory Commission, with an amendment.

S. 3179, to authorize the conveyance of certain public land in the State of New Mexico owned or leased by the Department of Energy, with an amendment.

S. 3189, to amend Public Law 106–392 to require the Administrator of the Western Area Power Administration and the Commissioner of Reclamation to maintain sufficient revenues in the Upper Colorado River Basin Fund, with an amendment in the nature of a substitute.

S. 3226, to rename the Abraham Lincoln Birthplace National Historic Site in the State of Kentucky as the “Abraham Lincoln Birthplace National Historical Park”, with an amendment.

S. 3499, to protect innocent Americans from violent crime in national parks. **Pages S8853–54**

#### Measures Passed:

*Library of Congress Sound Recording and Film Preservation Programs Reauthorization Act:* Committee on Rules and Administration was discharged from further consideration of H.R. 5893, to reauthorize the sound recording and film preservation programs of the Library of Congress, and the bill was then passed, clearing the measure for the President. **Page S8875**

*District of Columbia Courts:* Senate passed H.R. 5551, to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, clearing the measure for the President. **Page S8875**

*Veterans' Benefits Improvement Act:* Senate passed S. 3023, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veterans Affairs regarding the substantiation of claims, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S8875–89**

Levin (for Akaka) Amendment No. 5614, to strike section 311, relating to relief for students who discontinue education because of military service, and to provide a temporary increase in the number of authorized judges of the United States Court of Appeals for Veterans Claims. **Page S8883**

**Republic of Latvia Independence 90th Anniversary:** Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 87, congratulating the Republic of Latvia on the 90th anniversary of its declaration of independence, and the resolution was then agreed to. **Pages S8889–90**

#### Measures Considered:

**National Defense Authorization Act:** Senate continued consideration of S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto:

**Pages S8814–21, S8821–37**

#### Pending:

Reid Amendment No. 5290, to change the enactment date. **Page S8814**

Reid Amendment No. 5291 (to Amendment No. 5290), of a perfecting nature. **Page S8814**

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

By 61 yeas to 32 nays (Vote No. 200), 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 bill. **Page S8826**

Subsequently, the motion to recommit the bill to the Committee on Armed Services with instructions to report back forthwith, with Reid Amendment No. 5292 (to the instructions of the motion to recommit), to change the enactment date, fell when the motion to invoke cloture on the bill was agreed to. **Pages S8814, S8826**

Reid Amendment No. 5293 (to the instructions of the motion to recommit to the bill), of a perfecting nature, fell when Reid Amendment No. 5292 fell. **Pages S8814, S8826**

Reid Amendment No. 5294 (to Amendment No. 5293), of a perfecting nature, fell when Reid Amendment No. 5292 fell. **Pages S8814, S8826**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, September 17, 2008, and that all time in adjournment, recess, and morning business count post-cloture. **Page S8890**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that Senator Harkin be authorized to sign the duly enrolled

copy of S. 3406, to restore the intent and protections of the Americans with Disabilities Act of 1990.

**Page S8890**

#### Executive Reports of Committees:

By Mr. Biden, from the Committee on Foreign Relations:

Treaty Doc. 110–6: Amendment to Convention on Physical Protection of Nuclear Material with 1 reservation, 3 understandings, and 1 declaration (Ex. Rept. 110–24);

Treaty Doc. 110–8: Protocols of 2005 to the Convention concerning Safety of Maritime Navigation and to the Protocol concerning Safety of Fixed Platforms on the Continental Shelf with reservations, understandings, and declarations (Ex. Rept. 110–25); and

Treaty Doc. 106–1(A): The Hague Convention with 4 understandings and 1 declaration (Ex. Rept. 110–26). **Pages S8854–55**

**Nominations Received:** Senate received the following nominations:

Bill Nelson, of Florida, to be a Representative of the United States of America to the Sixty-third Session of the General Assembly of the United Nations.

Bob Corker, of Tennessee, to be a Representative of the United States of America to the Sixty-third Session of the General Assembly of the United Nations.

Anthony H. Gioia, of New York, to be a Representative of the United States of America to the Sixty-third Session of the General Assembly of the United Nations.

Karen Elliott House, of New Jersey, to be an Alternate Representative of the United States of America to the Sixty-third Session of the General Assembly of the United Nations.

James W. Ceaser, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Alfred S. Irving, Jr., of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Routine lists in the Army, Coast Guard.

**Pages S8890–96**

#### Messages from the House:

**Page S8852**

#### Measures Referred:

**Page S8852**

#### Enrolled Bills Presented:

**Page S8852**

#### Executive Reports of Committees:

**Pages S8854–55**

#### Additional Cosponsors:

**Pages S8856–58**

#### Statements on Introduced Bills/Resolutions:

**Pages S8858–63**

#### Additional Statements:

**Pages S8848–52**

Amendments Submitted:	Pages S8863–75
Notices of Hearings/Meetings:	Page S8875
Authorities for Committees To Meet:	Page S8875
Privileges of the Floor:	Page S8875
Record Votes: One record vote was taken today. (Total—200)	Page S8826

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:51 p.m., until 9:30 a.m. on Wednesday, September 17, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8890.)

## Committee Meetings

(Committees not listed did not meet)

### BROADBAND DATA IMPROVEMENT ACT

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine reasons that broadband Internet access matters, including S. 1492, to improve the quality of Federal and State data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation, after receiving testimony from Margaret Conroy, Missouri State Librarian, Jefferson City, on behalf of the American Library Association; Rey Ramsey, One Economy Corporation, Larry Cohen, Communications Workers of America, Jonathan Linkous, American Telemedicine Association, and Mara Mayor, AARP, all of Washington, D.C.; and Gene Peltola, Yukon-Kuskokwim Health Corporation, Bethel, Alaska.

### ELECTRIC POWER

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the current state of vehicles powered by the electric grid and the prospects for wider deployment in the near future, after receiving testimony from Brian P. Wynne, Electric Drive Transportation Association, and Robert Wimmer, Toyota Motor North America, both of Washington, D.C.; Ed Kjaer, Southern California Edison Company, Rosemead; Joseph T. Dalum, DUECO, Waukesha, Wisconsin; and Thad Balkman, Phoenix Motorcars, Ontario, California.

### ENERGY MARKETS

*Committee on Energy and Natural Resources:* Subcommittee on Energy concluded a hearing to examine recent analyses of the role of speculative investment in energy markets, after receiving testimony from Jeffrey Harris, Chief Economist, Commodity Futures Trading Commission; Michael W. Masters, Masters Capital Management, LLC, Saint Croix, U.S.

Virgin Islands; Robert F. McCullough, Jr., McCullough Research, Portland, Oregon; and Lawrence Eagles, JPMorgan Chase and Company, on behalf of the Securities Industry and Financial Markets Association (SIFMA), James Newsome, CME Group, and Fadel Gheit, Oppenheimer and Company, Inc., all of New York, New York.

### CHILDREN'S HEALTH PROTECTION

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine the children's health protection efforts of the Environmental Protection Agency (EPA), after receiving testimony from George Gray, Assistant Administrator for Research and Development, Environmental Protection Agency; John B. Stephenson, Director, Natural Resources and Environment, Government Accountability Office; Leonardo Trasande, Mount Sinai School of Medicine Children's Environmental Health Center, New York, New York; Susan West Marmagas, Commonweal, Bolinas, California; and Robert L. Brent, A.I. duPont Hospital for Children, Wilmington, Delaware.

### DELIVERY SYSTEM REFORM

*Committee on Finance:* Committee concluded a hearing to examine aligning incentives, focusing on the case for health care delivery system reform, after receiving testimony from Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; Glenn D. Steele, Jr., Geisinger Health System, Danville, Pennsylvania; Robert A. Berenson, Urban Institute, Washington, D.C.; and Eric G. Campbell, Massachusetts General Hospital, Boston.

### RULE OF LAW

*Committee on the Judiciary:* Subcommittee on the Constitution concluded a hearing to examine restoring the rule of law, after receiving testimony from former Representative Mickey Edwards, Constitution Project, Charles J. Cooper, Cooper and Kirk, PLLC, Elisa Massimino, Human Rights First, Patrick F. Philbin, Kirkland and Ellis LLP, John D. Podesta, Center for American Progress Action Fund, and Suzanne E. Spaulding, Bingham Consulting Group, all of Washington, D.C.; Harold Hongju Koh, Yale Law School, New Haven, Connecticut; Frederick A.O. Schwarz, Jr., New York University School of Law Brennan Center for Justice, New York, New York; Robert Turner, University of Virginia School of Law Center for National Security Law, Charlottesville; Walter Dellinger, former Solicitor General of the United States, Department of Justice, Duke University School of Law, Chapel Hill, North Carolina; and Kyndra Rotunda, Chapman University School of Law, Orange, California.