

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S9439–S9557*

**Measures Introduced:** Twenty-eight bills and one resolution were introduced, as follows: S. 3576–3603, and S. Res. 685. **Pages S9492–93**

#### Measures Reported:

H.R. 2963, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, with amendments. (S. Rept. No. 110–503)

H.R. 5680, to amend certain laws relating to Native Americans, with amendments. (S. Rept. No. 110–504)

S. 160, to provide for compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River. (S. Rept. No. 110–505)

S. 2489, to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program. (S. Rept. No. 110–506)

Report to accompany S. 2041, to amend the False Claims Act. (S. Rept. No. 110–507)

S. 3160, to reauthorize and amend the National Sea Grant College Program Act. (S. Rept. No. 110–508)

H.R. 1943, to provide for an effective HIV AIDS program in Federal prisons.

H.R. 2631, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, with an amendment in the nature of a substitute.

H.R. 3971, to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, with an amendment in the nature of a substitute.

S. Res. 659, designating September 27, 2008, as Alcohol and Drug Addiction Recovery Day.

S. 3477, to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence, with amendments.

S. 3501, to ensure that Congress is notified when the Department of Justice determines that the Executive Branch is not bound by a statute. **Pages S9491–92**

#### Measures Passed:

**United States Supreme Court Police:** Senate passed S. 3296, to extend the authority of the United States Supreme Court Police to protect court officials off the Supreme Court Grounds and change the title of the Administrative Assistant to the Chief Justice, after agreeing to the following amendment proposed thereto: **Page S9459**

Reid (for Kyl) Amendment No. 5645, to provide for a limitation on acceptance of honorary memberships by justices and judges. **Page S9459**

**Michelle's Law:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 2851, to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and the bill was then passed, clearing the measure for the President. **Page S9459**

**Social Security Act:** Committee on Finance was discharged from further consideration of S. 3560, to amend title XIX of the Social Security Act to provide additional funds for the qualifying individual (QI) program, and the bill was then passed. **Pages S9459–61**

**Debbie Smith Reauthorization Act:** Committee on the Judiciary was discharged from further consideration of H.R. 5057, to reauthorize the Debbie Smith DNA Backlog Grant Program, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S9461**

Reid (for Biden) Amendment No. 5646, in the nature of a substitute. **Page S9461**

**Methamphetamine Production Prevention Act:** Senate passed S. 1276, to facilitate the creation of

methamphetamine precursor electronic logbook systems, after agreeing to the committee amendment in the nature of a substitute. **Pages S9461–63**

**National Aeronautics and Space Administration Authorization Act:** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 6063, to authorize the programs of the National Aeronautics and Space Administration, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S9471–73**

Nelson (FL)/Vitter Amendment No. 5648, in the nature of a substitute. **Page S9471**

**Great Lakes Legacy Reauthorization Act:** Senate passed H.R. 6460, to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, after agreeing to the following amendment proposed thereto: **Pages S9473–74**

Nelson (FL) (for Levin/Voinovich) Amendment No. 5649, to limit the duration of reauthorization. **Pages S9373–74**

**Native American Housing Assistance and Self-Determination Reauthorization Act:** Committee on Indian Affairs was discharged from further consideration of H.R. 2786, to reauthorize the programs for housing assistance for Native Americans, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S9474**

Nelson (FL) (for Dorgan) Amendment No. 5647, in the nature of a substitute. **Page S9474**

**Combating Child Exploitation Act:** Senate passed S. 1738, to require the Department of Justice to develop and implement a National Strategy Child Exploitation Prevention and Interdiction, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute child predators, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendments proposed thereto: **Pages S9544–48**

Durbin (for Biden) Amendment No. 5650, in the nature of a substitute. **Pages S9544–48**

Durbin (for Biden) Amendment No. 5651, to amend the title. **Page S9548**

**Runaway and Homeless Youth Protection Act:** Senate passed S. 2982, to amend the Runaway and Homeless Youth Act to authorize appropriations, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S9548–51**

Durbin (for Leahy) Amendment No. 5652, in the nature of a substitute. **Pages S9548–51**

**Extend Waiver Authority:** Senate passed H.R. 6890, to extend the waiver authority for the Secretary of Education under section 105 of subtitle A of title IV of division B of Public Law 109–148, relating to elementary and secondary education hurricane recovery relief, clearing the measure for the President. **Page S9551**

**Defense Production Act Extension and Reauthorization:** Senate passed H.R. 6894, to extend and reauthorize the Defense Production Act of 1950, clearing the measure for the President. **Pages S9551–52**

**Need-Based Educational Aid Act:** Committee on the Judiciary was discharged from further consideration of H.R. 1777, to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S9552**

Durbin (for Leahy/Hatch) Amendment No. 5653, to amend the Improving America's Schools Act of 1994 to extend the favorable treatment of need-based educational aid under the antitrust laws. **Page S9552**

**White Mountain Apache Tribe Rural Water System Loan Authorization Act:** Senate passed S. 3128, to direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project, after agreeing to the committee amendment in the nature of a substitute. **Pages S9552–53**

**Community Food Projects:** Senate passed S. 3597, to provide that funds allocated for community food projects for fiscal year 2008 shall remain available until September 30, 2009. **Page S9553**

**Submersible Vessels and Semi-Submersible Vessels:** Senate passed S. 3598, to amend titles 46 and 18, United States Code, with respect to the operation of submersible vessels and semi-submersible vessels without nationality. **Pages S9553–54**

#### Appointments:

**Commission on the Abolition of the Transatlantic Slave Trade:** The Presiding Officer announced that the Minority Leader, pursuant to Public Law 110–183, appointed the following individual as a member of the Commission on the Abolition of the Transatlantic Slave Trade: Mark Rodgers, of Virginia. **Page S9557**

**Federal Protective Service Guard Contracting Reform Act—Agreement:** A unanimous-consent agreement was reached providing that the Secretary of the Senate be authorized to request the return of the papers on 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, from the House of Representatives. **Page S9474**

**Department of Homeland Security Appropriations Act—Agreement:** A unanimous consent agreement was reached providing that with respect to the message from the House of Representatives to accompany H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, that if the motion to invoke cloture is filed on the motion to concur in the House amendment with a technical amendment on Friday, September 26, 2008, it be as though the cloture motion was filed on Thursday, September 25, 2008; provided further, that the mandatory cloture vote under Rule XXII be waived and the vote occur on Saturday, September 27, 2008, at a time to be determined. **Page S9557**

**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:

Land-Based Sources Protocol to Cartagena Convention (Treaty Doc. 110–1) with 2 declarations;

International Convention for Suppression of Acts of Nuclear Terrorism (Treaty Doc. 110–4) with 1 reservation, 4 understandings, and 1 declaration;

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

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

The Hague Convention (Treaty Doc. 106–1(A)) with 4 understandings and 1 declaration;

Protocols to the North Atlantic Treaty of 1949 on Accession of Albania and Croatia (Treaty Doc. 110–20) with 1 declaration and 1 condition for each Protocol;

Amendments to Constitution and Convention of International Telecommunication Union (ITU) (Geneva 1992) (Treaty Doc. 108–5) with declarations and reservations;

2002 Amendments to the ITU Constitution and Convention (Treaty Doc. 109–11) with declarations and reservations; and

Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) (Treaty Doc. 110–16) with declarations and reservations. **Pages S9554–57**

**Nominations Discharged:** The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Gracia M. Hillman, of the District of Columbia, to be a Member of the Election Assistance Commission for a term expiring December 12, 2009, which was sent to the Senate on June 13, 2007, from the Senate Committee on Rules and Administration.

Donetta Davidson, of Colorado, to be a Member of the Election Assistance Commission for a term expiring December 12, 2011, which was sent to the Senate on May 8, 2008, from the Senate Committee on Rules and Administration.

Rosemary E. Rodriguez, of Colorado, to be a Member of the Election Assistance Commission for a term expiring December 12, 2011, which was sent to the Senate on May 8, 2008, from the Senate Committee on Rules and Administration.

Gineen Bresso Beach, of New York, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2009, which was sent to the Senate on July 31, 2008, from the Senate Committee on Rules and Administration.

Mark Everett Keenum, of Mississippi, to be a Member of the Farm Credit Administration Board, Farm Credit Administration for a term expiring May 21, 2014, which was sent to the Senate on June 26, 2008, from the Senate Committee on Agriculture, Nutrition, and Forestry. **Page S9557**

**Messages From the House:** **Pages S9487–88**

**Measures Referred:** **Page S9488**

**Enrolled Bills Presented:** **Page S9488**

**Executive Communications:** **Pages S9488–91**

**Executive Reports of Committees:** **Page S9492**

**Additional Cosponsors:** **Pages S9493–94**

**Statements on Introduced Bills/Resolutions:** **Pages S9494–S9519**

**Additional Statements:** **Pages S9483–87**

**Amendments Submitted:** **Pages S9519–43**

**Authorities for Committees to Meet:** **Pages S9543–44**

**Privileges of the Floor:** **Page S9544**

**Recess:** Senate convened at 9:30 a.m. and recessed at 9:22 p.m., until 9:30 a.m. on Friday, September 26, 2008. (For Senate's program, see the remarks of

the Acting Majority Leader in today's Record on page S9557.)

## Committee Meetings

(Committees not listed did not meet)

### SERE TECHNIQUES

*Committee on Armed Services:* Committee concluded a hearing to examine the authorization of Survival Evasion Resistance and Escape (SERE) techniques for interrogations in Iraq, focusing on the Committee's inquiry into the treatment of detainees in United States custody, after receiving testimony from Colonel Steven M. Kleinman, USAFR, former Director of Intelligence, Personnel Recovery Academy, and Colonel John R. Moulton II, USAF (Ret.), former Commander, both of the Joint Personnel Recovery Agency, United States Joint Forces Command, Department of Defense.

### CONSUMER PRIVACY

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine broadband internet service providers and consumer privacy, focusing on online advertising, after receiving testimony from Dorothy Attwood, AT&T, Inc., San Antonio, Texas; Peter Stern, Time Warner Cable, Stamford, Connecticut; and Thomas J. Tauke, Verizon Communications, and Gigi B. Sohn, Public Knowledge, both of Washington, D.C.

### SUPERFUND SITE

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine the Environmental Protection Agency's (EPA) clean-up of the Superfund site in Libby, Montana, after receiving testimony from Stephen J. Nesbitt, Assistant Inspector General for Investigations, Office of Inspector General, Environmental Protection Agency; and Brad Black, Center for Asbestos Related Disease, and Marianne Roose, Board of Commissioners, both of Libby, Montana.

### MIDDLE EAST PEACE PROCESS

*Committee on Foreign Relations:* Subcommittee on Near Eastern and South and Central Asian Affairs concluded a hearing to examine the Middle East peace process, focusing on progress and prospects, after receiving testimony from David Welch, Assistant Secretary of State for Near Eastern Affairs.

### PREVENTING NUCLEAR TERRORISM

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine ways to prevent nuclear terrorism, focusing on radiation detection portal monitors as key elements in

the national defenses against the threats of nuclear smuggling, after receiving testimony from Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office; Vayl S. Oxford, Director, Domestic Nuclear Detection Office, and Thomas S. Winkowski, Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, both of the Department of Homeland Security; Thomas B. Cochran, Natural Resources Defense Council, Inc., Washington, D.C.; and Richard L. Wagner, Jr., Center for the Study of the Presidency, McLean, Virginia.

### WEAPONS SYSTEMS

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the cost growth of major Department of Defense (DOD) weapons systems, focusing on fundamental changes that are needed to improve weapon program outcomes, after receiving testimony from James I. Finley, Deputy Under Secretary of Defense for Acquisition and Technology; Michael J. Sullivan, Director, Acquisition and Sourcing Management, Government Accountability Office; and Steven L. Schooner, George Washington University Law School Government Procurement Law Program, and Clark Murdock, Center for Strategic and International Studies, both of Washington, D.C.

### BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported S. 3355, to authorize the Crow Tribe of Indians water rights settlement.

### RECOGNITION BILLS

*Committee on Indian Affairs:* Committee concluded a hearing to examine S. 724, to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, S. 514, to extend Federal recognition to the Muscogee Nation of Florida, S. 1058, to expedite review of the Grand River Bands of Ottawa Indians of Michigan to secure a timely and just determination of whether the Bands are entitled to recognition as a Federal Indian tribe so that the Bands may receive eligible funds before the funds are no longer available, and H.R. 1294, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, after receiving testimony from Senator Webb; Representative Moran; Virginia Governor Timothy M. Kaine, Richmond; R. Lee Fleming, Director, Office of Federal Acknowledgment, Department of the Interior; John Sinclair, Little