

In the amendment strike 4 and insert 3.

**SA 242.** Mrs. HUTCHISON (for herself, Mr. INHOFE, Mr. ALLARD, Mr. BAUCUS, Mr. BENNETT, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mrs. DOLE, Mr. ENZI, Mr. GRAHAM, Mr. KYL, Mr. LOTT, Mr. MARTINEZ, Mr. MCCAIN, Mr. ROBERTS, Mr. SESSIONS, Mr. THOMAS, Mr. VITTER, Mr. VOINOVICH, Mr. STEVENS, Mr. WARNER, and Mr. McCONNELL) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, between lines 16 and 17, insert the following:

“Sec. 20815. (a) The amount appropriated or otherwise made available by section 20804 for ‘Department of Defense Base Closure Account 2005’ is hereby increased by \$3,136,802,000.

“(b) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.73 percent of—

“(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2007 for any discretionary account in this division (except chapters 2 and 8 of this title and the amounts made available by section 101 for ‘Department of Defense Base Closure Account 1990’, ‘North Atlantic Treaty Organization Security Investment Program’);

“(2) the budget authority provided in any advance appropriation for fiscal year 2007 for any discretionary account in any prior fiscal year appropriation Act; and

“(3) the contract authority provided in fiscal year 2007 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

“(c) PROPORTIONATE APPLICATION.—Any rescission made by subsection (b) shall be applied proportionately—

“(1) to each discretionary account and each item of budget authority described in this subsection; and

“(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President’s budget).”

**SA 243.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, line 20, strike “of which not to exceed \$200,000” and insert “of which \$99,000,000”.

**SA 244.** Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, between lines 11 and 12, insert the following:

“SEC. 20522. None of the funds made available by this division or any other Act

may be used by the Administrator of the Environmental Protection Agency to promulgate the final version of the rule entitled ‘NPDES Permit Fee Incentive for Clean Water Act Section 106 Grants; Allotment Formula’ (72 Fed. Reg. 293 (January 4, 2007)).

**SA 245.** Mr. INHOFE submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, strike line 14 and insert the following: the managers in Conference Report 109-188, except that—

“(1) not less than \$5,500,000 of those amounts shall be used by the Administrator of the Environmental Protection Agency to develop alternative technologies to comply with the national primary drinking water regulations for disinfection byproducts promulgated pursuant to section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j-12(q)); and

“(2) using not less than \$11,000,000 of those amounts, the Administrator of the Environmental Protection Agency shall—

“(A) carry out a competitive grant program to continue the provision of technical assistance under section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j-12(q)) to small public water system organizations; and

“(B) give priority for the provision of grants under the program to small public water system organizations that have the most support (or a majority of support) from small communities in each State.

**SA 246.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On 115, line 19, strike the colon and all that follows through the page 117, line 12, and insert a period.

**SA 247.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, line 10, strike the period, and insert the following: “: Provided further, That notwithstanding any other provision of law, the renewal funding formula set forth under the third proviso under this section shall not apply in determining the funding for the calendar year 2007 funding cycle of any public housing agency located in any jurisdiction in which the President declared a major disaster or emergency between January 1, 2004 and December 31, 2005 in connection with a hurricane.”

**SA 248.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 94, line 23, insert after “agency support programs” the following: “(with the Administrator authorized to reduce each subaccount as necessary to ensure full funding for exploration systems)”.

**SA 249.** Mr. MARTINEZ submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 94, beginning on line 19, strike “\$10,075,000,000” and all that follows through line 25 and insert “\$10,524,400,000, of which \$5,251,200,000 shall be for science, \$724,400,000 shall be for aeronautics research, \$3,978,300,000 shall be for exploration systems, and \$491,700,000 shall be for cross-agency support programs (with the Administrator authorized to reduce each subaccount as necessary to ensure full funding for exploration systems); ‘Exploration Capabilities’, \$6,234,400,000; and ‘Office of Inspector General’, \$33,500,000. Notwithstanding any other provision of this Act, the aggregate of the levels appropriated by this Act, other than the levels appropriated for the National Aeronautics and Space Administration, are hereby reduced by \$545,300,000, with the amount of such reduction to be allocated among the accounts and subaccounts funded by this Act in such manner as the President shall specify.”

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 8, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to consider pending legislative business, to be followed immediately by an oversight hearing on diabetes in Indian Country, with particular focus on the Special Diabetes Program for Indians.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform the Members that the Committee on Small Business and Entrepreneurship will hold a hearing entitled “Alternatives for Easing the Small Business Health Care Burden,” on Tuesday, February 13, 2007 at 10 a.m. in Russell 428A.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BYRD. 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 Thursday, February 8, 2007, at 11:30 a.m. to mark up an original bill entitled “Public Transportation Terrorism Prevention Act of 2007.”

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

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing

during the session of the Senate on Thursday, February 8, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate the present and future of public safety communications.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Thursday, February 8, 2007, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building. The purpose of the hearing is to receive testimony on issues relating to labor, immigration, law enforcement, and economic conditions in the Commonwealth of the Northern Mariana Islands.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 8, 2007, at 9:15 a.m. to hold a hearing on the fiscal year 2008 budget request for international affairs.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BYRD. 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, February 8, 2007 at 10 a.m. in SH-216.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, February 8, 2007, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to consider pending legislative business, to be followed immediately by an oversight hearing on diabetes in Indian Country, with particular focus on the Special Diabetes Program for Indians.

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

COMMITTEE ON THE JUDICIARY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, February 8, 2007, at 10 a.m. in Dirksen Room 226.

Agenda

*I. Nominations*

Norman Randy Smith, to be U.S. Circuit Judge for the Ninth Circuit; 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.

*II. Bills*

S. 188, To revise the short title of the Voting Rights Act Reauthorization and Amendments Act of 2006, Salazar;

S. 214, To amend chapter 35 of title 28, To Preserve the Independence of U.S. Attorneys, Feinstein;

S. 316, The Preserve Access to Affordable Generics Act, Kohl, Grassley, Leahy, Schumer, Feingold; S. 236, The Federal Agency Data Mining Reporting Act of 2007, Feingold, Sununu, Leahy, Akaka, Kennedy.

*III. Resolutions*

S. Res. 23, National School Counseling Week, Murray;

S. Res. 36, Honoring women's health advocate Cynthia Doles Dailard, Snowe;

S. Res. 37, Designating March 26, 2007 as National Support the Troops Day, Stabenow;

S. Con. Res. 5, Honoring the life of Percy Lavon Julian, a pioneer in the field of organic chemistry and the first and only African-American chemist to be inducted into the National Academy of Sciences, Obama.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 8, 2007 at 2:30 p.m. to hold a closed hearing.

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

ORDERS FOR MONDAY, FEBRUARY 12, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 1 p.m. Monday, February 12; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each; that on Monday, Members have until 2:30 p.m. to file first-degree amendments and that the mandatory quorum required under rule XXII be waived.

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

PROGRAM

Mr. DURBIN. Today the Senate confirmed the nomination of GEN George Casey to be the Chief of Staff of the Army. Also, we began consideration of the continuing funding resolution, and cloture has been filed on the joint resolution. However, the majority leader has indicated on more than one occasion that we will continue to discuss

the parameters of how the Senate will conclude action on the legislation. There will be no rollcall votes Friday, nor will the Senate be in session. Also, there will not be any rollcall votes Monday. However, we will be in session and continue our discussions about several issues, including the issue of BRAC, which has been the subject of some debate today. Senators are advised that the cloture vote on the funding resolution will occur Tuesday morning.

Mr. President, at this point, in deference to the minority leader, to make sure there are not any housekeeping items that should be considered before we close business, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, let me say to my good friend, the assistant Democratic leader, we appreciate the willingness of the majority leader and the Senator from Illinois to consider the amendments that we would like to offer to the continuing resolution. Members on my side of the aisle have been on the Senate floor all afternoon discussing what they believe to be the shortcomings of the continuing resolution as it is currently structured. I appreciate the majority taking a look at those amendments and allowing us to continue discussion about the appropriateness of making some adjustments to this massive \$464 billion bill.

I have also had some conversations with the majority leader about some nominations that we hope to wrap up next week. There is a circuit judge reported out of the Judiciary Committee today. I have an understanding with the majority leader that judge will be confirmed next week. There are some other executive branch nominations that we think should not generate any controversy that, hopefully, we can wrap up before the Lincoln recess.

Mr. President, with that I yield the floor.

Mr. DURBIN. Mr. President, I am looking forward to working with the minority leader on the business ahead. We want to pass this continuing resolution and make sure there is no interruption in the services of our Government. We face an extraordinary challenge because much of the work that we are doing now is work that should have been done previously. But in a positive, constructive, and bipartisan fashion, I am confident we can complete it in time and not risk any possibility of shutting down the Government. So I look forward, on behalf of the majority leader on our side, to working closely with the minority and its leader.