

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13459–S13516

Measures Introduced: Twelve bills were introduced as follows: S. 2084–2095. **Pages S13501–02**

Measures Passed:

United States-Bahrain Free Trade Agreement Implementation Act: Senate passed H.R. 4340, to implement the United States-Bahrain Free Trade Agreement, clearing the measure for the President. **Pages S13507–08**

Morris K. Udall Scholarship: Senate passed S. 2093, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy. **Pages S13508–09**

Indian Tribal Justice Systems: Senate passed S. 2094, to reauthorize certain provisions relating to Indian tribal justice systems. **Page S13509**

National Teen Dating Violence Awareness and Prevention Week: Committee on the Judiciary was discharged from further consideration of S. Res. 275, designating the week of February 6, 2006 as “National Teen Dating Violence Awareness and Prevention Week”, and the resolution was then agreed to. **Page S13509**

Deficit Reduction Act—Agreement: A unanimous-consent-time agreement was reached providing that following morning business on Wednesday, December 14, 2005, Senate begin consideration of a message from the House of Representatives to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), that the Senate disagree to the amendment of the House and request a conference with the House thereon; that only certain motions to instruct the conferees be in order; that the Chair be authorized to appoint conferees on the part of the Senate; that no amendments be in order to the motions to instruct; that the only debate in order under the statute, other than debate on the motions, be 30 min-

utes equally divided for general debate between the Chairman and Ranking Member of the Committee on the Budget; that all motions be debated on Wednesday, and that the votes occur in relation to the motions in a stacked sequence at a time to be determined; provided further, that any votes which do not occur prior to 1 p.m. on Wednesday, December 14, 2005, be stacked to occur beginning at 3:30 p.m. on Thursday, December 15, 2005. **Page S13510**

Nominations Received: Senate received the following Nominations:

Michael L. Dominguez, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness.

Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy.

Gary A. Grappo, of Virginia, to be Ambassador to the Sultanate of Oman.

Bradford R. Higgins, of Connecticut, to be an Assistant Secretary of State (Resource Management).

Bradford R. Higgins, of Connecticut, to be Chief Financial Officer, Department of State.

Michell C. Clark, of Virginia, to be Assistant Secretary for Management, Department of Education.

Anne-Imelda Radice, of Vermont, to be Director of the Institute of Museum Services.

25 Air Force nominations in the rank of general.

20 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Army, Navy, and Foreign Service. **Pages S13510–16**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Services, which was sent to the Senate on January 24, 2005.

Ellen G. Engleman Conners, of Indiana, to be Chairman of the National Transportation Safety Board for a term of two years, which was sent to the Senate on April 4, 2005.

John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning), which was sent to the Senate on September 6, 2005.

Page S13516

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

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005, which was sent to the Senate on November 9, 2005, from the Senate Committee on Commerce, Science, and Transportation.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007, which was sent to the Senate on November 9, 2005, from the Senate Committee on Commerce, Science, and Transportation. **Pages S13501, S13508**

Measures Placed on Calendar: **Page S13500**

Executive Communications: **Pages S13500–01**

Additional Cosponsors: **Pages S13502–03**

Statements on Introduced Bills/Resolutions:
Pages S13503–06

Additional Statements: **Pages S13497–S13500**

Authorities for Committees to Meet:
Pages S13506–07

Privileges of the Floor: **Page S13507**

Adjournment: Senate convened at 11 a.m., and adjourned at 6:21 p.m., until 9:45 a.m., on Wednesday, December 14, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S13510.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a closed hearing to examine the nomination of J. Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense for Public Affairs.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Deborah Taylor Tate, of Tennessee, who was introduced by Senator Alexander, and Michael Joseph Copps, of Virginia, who was introduced by Senator Inouye, each to be a Member of the Federal Communications Commission, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 4500–4522; 1 private bill, H.R. 4523; and 1 resolution, H. Res. 597 were introduced. **Pages H11502–04**

Additional Cosponsors: **Pages H11504–05**

Reports Filed: Reports were filed today as follows:

H.R. 2695, to amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking (H. Rept. 109–336);

Conference report on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–337);

H.R. 1728, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the

State of Missouri as a unit of the National Park System, with an amendment (H. Rept. 109–338);

H.R. 3626, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized, with an amendment (H. Rept. 109–339);

H.R. 3153, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs (H. Rept. 109–340);

H.R. 2720, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive (H. Rept. 109–341, Pt. 1);

H.R. 3422, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, with an amendment (H. Rept. 109–342);

H. Res. 595, waiving points of order against the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism (H. Rept. 109–343);

H. Res. 596, waiving points of order against the further conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–344); and

H.R. 4437, to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes (H. Rept. 109–345, Pt. 1).

Pages H11348–H11441, H11467, H11502

Speaker: Read a letter from the Speaker wherein he appointed Representative Pearce to act as Speaker Pro Tempore for today. **Page H11335**

Recess: The House recessed at 12:46 p.m. and reconvened at 2 p.m. **Pages H11336–37**

Chaplain: The prayer was offered today by Rev. Dr. Barry C. Black, Chaplain, United States Senate. **Page H11337**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals and ideals of Korean American Day: H. Res. 487, to support the goals and ideals of Korean American Day, by a ye-and-nay vote of 405 yeas none voting “nay”, Roll No. 623; **Pages H11338–41, H11467–68**

Designating the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the “Mont and Mark Stephensen Veterans Memorial Post Office Building”: H.R. 4295, to designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the “Mont and Mark Stephensen Veterans Memorial Post Office Building”; **Pages H11341–42**

Designating the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the “Maryland State Delegate Lena K. Lee Post Office Building”: H.R. 4107, to designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the “Maryland State Delegate Lena K. Lee Post Office Building”; **Pages H11342–43**

Recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the

last century: H. Con. Res. 218, to recognize the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century; **Pages H11343–47**

Congratulating the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship: H. Res. 574, to congratulate the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship; **Page H11347**

Authorizing 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: H.R. 125, amended, 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; **Pages H11441–42**

Removing certain restrictions on the Mammoth Community Water District’s ability to use certain property acquired by that District from the United States: H.R. 853, to remove certain restrictions on the Mammoth Community Water District’s ability to use certain property acquired by that District from the United States; **Pages H11442–43**

TRAIL Act: H.R. 975, amended, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies; **Pages H11443–44**

Directing the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District: H.R. 3443, amended, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; **Pages H11444–46**

Authorizing the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers’ Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System: H.R. 452, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers’ Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; **Pages H11446–47**

Presidential \$1 Coin Act of 2005: S. 1047, to require the Secretary of the Treasury to mint coins in

commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the \$1 coin, to create a new bullion coin, by a yea-and-nay vote of 291 yeas to 113 nays, Roll No. 624; **Pages H11447–53, H11468–69**

Small Public Housing Authority Act: H.R. 3422, amended, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, by a yea-and-nay vote of 387 yeas to 2 nays, Roll No. 625; **Pages H11453–55, H11470–71**

Brownfields Redevelopment Enhancement Act: H.R. 280, amended, to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields; **Pages H11455–59**

Designating certain buildings of the Centers for Disease Control and Prevention: H.R. 4500, to designate certain buildings of the Centers for Disease Control and Prevention; and **Page H11459–62**

Methamphetamine Remediation Research Act of 2005: H.R. 798, amended, to provide for a research program for remediation of closed methamphetamine production laboratories. **Pages H11462–67**

Recess: The House recessed at 5:17 p.m. and reconvened at 6:30 p.m. **Page H11467**

Honoring the 50th anniversary of the Honorable John D. Dingell's service in the House of Representatives: The House agreed to H. Res. 594, to honor the 50th anniversary of the Honorable John D. Dingell's service in the House of Representatives, by voice vote after ordering the previous question. **Pages H11469–70**

Senate Message: Messages received from the Senate today appear on pages H11337, H11469.

Senate Referrals: S. 1231, and S. 2093 were held at the desk. S. 2094 was referred to Committees on Resources and the Judiciary. S. 1295 was referred to the Committee on Resources. **Page H11500**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H11467–68, H11468–69 and H11470–71. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 12 midnight.

Committee Meetings

IMPORTED PHARMACEUTICALS SAFETY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Safety of Imported Pharmaceuticals: Strengthening

Efforts to Combat the Sales of Controlled Substances Over the Internet." Testimony was heard from Richard Stana, Director, Homeland Security and Justice Issues, GAO; Joseph Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Deputy Chief, Office of Enforcement Operations, DEA, Department of Justice; Jayson Aherne, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection, Department of Homeland Security; Robert Meyer, M.D., Director, Office of Drug Evaluation II, Office of New Drugs, Center for Drug Evaluation and Research, FDA, Department of Health and Human Services; and public witnesses.

INTERNATIONAL MARITIME SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations and the Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a joint hearing entitled "International Maritime Security." Testimony was heard from Chris Swecker, Assistant Director, Criminal Investigation Division, FBI, Department of Justice; the following officials of the United States Coast Guard, Department of Homeland Security: RADM Wayne Justice, Director, Operations Policy; and RADM John Crowley, Judge Advocate General; RADM James E. McPherson, USN, The Judge Advocate General, Department of the Navy; and public witnesses.

STATE TAXATION OF RETIREMENT INCOME; BUSINESS ACTIVITY TAX SIMPLIFICATION ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action the following bills: H.R. 4019, To amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income; and H.R. 1956, amended, Business Activity Tax Simplification Act of 2005.

Prior to this action, the Subcommittee held a hearing on H.R. 4019. Testimony was heard from former Representative George W. Gekas, State of Pennsylvania; and public witnesses.

CONFERENCE REPORT—USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3199, USA Patriot Improvement and Reauthorization Act of 2005, and against its consideration. Testimony was heard from Chairman Sensenbrenner.

CONFERENCE REPORT—DEPARTMENTS OF LABOR, HHS, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3010, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Lewis.

HURRICANE KATRINA—CHARITIES RESPONSE

Committee on Ways and Means: Subcommittee on Oversight held a hearing to Review the Response by Charities to Hurricane Katrina. Testimony was heard from Representative McCrery; Cynthia M. Fagnoni, Managing Director, Education, Workforce and Income Security, GAO; and public witnesses.

Joint Meetings

APPROPRIATIONS: LABOR/HHS/ EDUCATION

Conferees agreed on Monday, December 12, 2005, to file a conference report on the differences between the Senate and House passed versions of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006.

COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 14, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: to hold hearings to examine the Environmental Protection Agency's spill prevention control and countermeasure program, 9 a.m., SD-406.

Committee on Finance: to hold hearings to examine the nominations of Antonio Fratto, of Pennsylvania, to be Assistant Secretary of the Treasury for Public Affairs, David M. Spooner, of Virginia, to be Assistant Secretary of Commerce for Import Administration, Vincent J. Ventimiglia, Jr., of Maryland, to be Assistant Secretary of Health and Human Services for Legislation, Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, and Jeffrey Robert Brown, of Illinois, to be a Member of Social Security Advisory Board, 11 a.m., SD-215.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing to review Technical Procedures of USDA's Establishment of Posted County Prices, 10 a.m., 1300 Longworth.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity, to continue hearings entitled "Housing Options in the Aftermath of Hurricanes Katrina and Rita," 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, hearing and mark up of H.R. 3197, Secure Handling of Ammonium Nitrate Act of 2005, 1:30 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on National Parks, oversight hearing on The National Park Service Organic Act and its Implementation through Daily Park Management, 2 p.m., 1324 Longworth.

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, hearing entitled "Hurricane Katrina: Preparedness and Response by the State of Louisiana," 10 a.m., 2154 Rayburn.

Next Meeting of the Senate

9:45 a.m., Wednesday, December 14

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will begin debate on the motions to instruct conferees with respect to S. 1932, Deficit Reduction Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, December 14

House Chamber

Program for Wednesday: Consideration of Suspensions: (1) S. 335—A bill to reauthorize the Congressional Award Act; (2) H.R. 4473—To reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives; (3) H. Res. 409—Condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Gov-

ernment of Zimbabwe as an operation to "restore order" to the country; (4) H. Con. Res. 294—Calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government; (5) H. Con. Res. 238—Honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979; (6) H. Res. 529—Recommending the integration of the Republic of Croatia into the North Atlantic Treaty Organization; (7) H. Con. Res. 252—Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country; (8) H. Con. Res. 312—Urging the Government of the Russian Federation to withdraw or modify proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic and foreign nongovernmental organizations in the Russian Federation; and (9) H. Res. 534—Recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq. Consideration of the conference report on H.R. 3199—USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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