

# Daily Digest

## HIGHLIGHTS

Senate passed S. 2020, Tax Relief Act.

The House agreed to H.J. Res. 72, Making Further Continuing Appropriations for the Fiscal Year 2006;

The House failed to agree to the Conference Report on H.R. 3010, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006; and

The House passed H.R. 4241, Deficit Reduction Act of 2005.

## Senate

### Chamber Action

*Routine Proceedings, pages S13147–S13282*

**Measures Introduced:** Twenty-four bills and four resolutions were introduced, as follows: S. 2028–2051, S. Res. 318–319, and S. Con. Res. 65–66. **Pages S13160–61**

#### Measures Reported:

S. 1390, to reauthorize the Coral Reef Conservation Act of 2000, with amendments. (S. Rept. No. 109–182)

S. 2029, to amend and enhance certain maritime programs of the Department of Transportation. (S. Rept. No. 109–183)

S. 1354, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II.

S. 1614, to extend the authorization of programs under the Higher Education Act of 1965, with an amendment in the nature of a substitute.

S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with an amendment in the nature of a substitute.

S. 1961, to extend and expand the Child Safety Pilot Program.

S. 2006, to provide for recovery efforts relating to Hurricanes Katrina and Rita for Corps of Engineers projects, with amendments.

S. 2032, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page S13160**

#### Measures Passed:

**Housing and Service Needs of Seniors:** Senate passed S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, after agreeing to the committee amendment in the nature of a substitute. **Pages S13253–60**

**Tax Relief Act:** By 64 yeas to 33 nays (Vote No. 347), Senate passed S. 2020, to provide for reconciliation pursuant to section 202(b) of the concurrent resolution on the budget for fiscal year 2006, after taking action on the following amendments proposed thereto: **Pages S13072–S13145**

#### Adopted:

Grassley/Baucus Modified Amendment No. 2647, to provide an extension and increase in minimum tax relief to individuals. **Pages S13113–14**

Obama Amendment No. 2605, expressing the sense of the Senate that the Federal Emergency Management Agency should immediately address issues relating to no-bid contracting. **Pages S13090–92, S13124**

Nelson (NE)/DeWine Amendment No. 2625, to require the Secretary of the Treasury to establish a disability preference program for qualified tax collection contracts. **Pages S13120–21, S13130**

Dayton Amendment No. 2658, to provide valuation of employee personal use of noncommercial aircraft. **Page S13134**

Landrieu/Vitter Amendment No. 2669, to provide housing relief for individuals affected by Hurricane Katrina. **Pages S13134–35**

Craig/Rockefeller Amendment No. 2655, to express the sense of Congress regarding the conditions for the United States to become a signatory to any multilateral agreement on trade resulting from the World Trade Organization's Doha Development Agenda Round. **Pages S13135–36**

Grassley/Baucus Amendment No. 2670, to make certain improvements to the bill. **Page S13137**

Rejected:

Baucus (for Reid) Modified Amendment No. 2653, to amend the Internal Revenue Code of 1986 to extend through 2010 certain tax incentives for renewable energy production and energy efficient building construction. **Pages S13118–19, S13126, S13128**

Bingaman/Kerry Amendment No. 2642, to provide for a tax credit for offering employer-based health insurance coverage. **Pages S13120, S13129**

Durbin Amendment No. 2623, to reduce the tax on Patriot employers. **Pages S13120, S13129–30**

Snowe Amendment No. 2667, to impose withholding on certain payments made by government entities and to use the revenues collected to fund programs under the Low-Income Home Energy Assistance Act of 1981 through a trust fund. **Pages S13136–37**

Withdrawn:

Lincoln Amendment No. 2652, to modify the income threshold used to calculate the refundable portion of the child tax credit. **Pages S13127–28**

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

By 44 yeas to 55 nays (Vote No. 330), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Conrad Amendment No. 2602, in the nature of a substitute. Subsequently, the Chair sustained a point of order that Conrad Amendment No. 2602, was not germane, and the amendment thus fell. **Pages S13072–80**

By 35 yeas to 64 nays (Vote No. 331), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Dorgan Amendment No. 2587, to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to rebate the tax collected back to the American consumer. Subsequently, the Chair sustained a point of order that Dorgan Amendment No. 2587, was not germane, and the amendment thus fell. **Pages S13101–02**

By 48 yeas to 51 nays (Vote No. 332), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feinstein Amendment No. 2609, to repeal certain tax benefits, relating to oil and gas wells intangible drilling and development costs. Subsequently, the Chair sustained a point of order that Feinstein Amendment No. 2609, was not germane, and the amendment thus fell. **Pages S13081–85, S13102**

By 40 yeas to 59 nays (Vote No. 333), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feinstein/Kerry Amendment No. 2610, to reinstate for millionaires a top individual income tax rate of 39.6 percent, the pre-May 2003 rates of tax on capital gains and dividends, and to repeal the reduction and termination of the phase out of personal exemptions and overall limitation on itemized deductions, until the Federal budget deficit is eliminated. Subsequently, the Chair sustained a point of order that Feinstein Amendment No. 2610, was not germane, and the amendment thus fell. **Pages S13081–85, S13089–90, S13102–03**

By 57 yeas to 42 nays (Vote No. 334), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 2612, to improve the Federal Trade Commission's ability to protect consumers from price-gouging during energy emergencies. Subsequently, the Chair sustained a point of order that Cantwell Amendment No. 2612, was not germane, and the amendment thus fell. **Pages S13085–89, S13103–04**

By 51 yeas to 47 nays (Vote No. 335), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Lott Amendment No. 2633, to clarify treatment of outside income and expenses in the Senate. Subsequently, the Chair sustained a point of order that Lott Amendment No. 2633, was not germane, and the amendment thus fell. **Pages S13104–13, S13114–15, S13123**

By 53 yeas to 45 nays (Vote No. 336), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 313 (b)(1)(A) of the Congressional Budget Act of 1974, with respect to Grassley Amendment No. 2654, to express the sense of the Senate. Subsequently, the Chair sustained the point

of order that the amendment was in violation of the Byrd Rule, and the amendment thus fell.

**Pages S13123–24**

By 43 yeas to 55 nays (Vote No. 337), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Durbin Amendment No. 2596, to express the sense of the Senate concerning the provision of health care for children before providing tax cuts for the wealthy. Subsequently, the Chair sustained a point of order that Durbin Amendment No. 2596, was not germane, and the amendment thus fell. **Page S13124**

By 36 yeas to 62 nays (Vote No. 338), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Kennedy/Landrieu Amendment No. 2588, to eliminate child poverty. Subsequently, the Chair sustained the point of order that Kennedy/Landrieu Amendment No. 2588, was not germane, and the amendment thus fell. **Pages S13092–95, S13124–25**

By 50 yeas to 48 nays (Vote No. 339), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Reed Amendment No. 2626, to impose a temporary windfall profits tax on crude oil and to use the proceeds of the tax collected to fund programs under the Low-Income Energy Assistance Act of 1981 through a trust fund. Subsequently, the Chair sustained a point of order that Reed Amendment No. 2626, was not germane, and the amendment thus fell. **Pages S13097–S13101, S13125–26**

By 50 yeas to 48 nays (Vote No. 340), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feingold Amendment No. 2650, to fully reinstate the pay-as-you-go requirement through 2010. Subsequently, the Chair sustained the point of order that Feingold Amendment No. 2650 was not germane, and the amendment thus fell. **Pages S13115–16, S13121–22, S13126–27**

Chair sustained a point of order against Sununu Amendment No. 2651, to repeal State and local taxation exemptions applicable to the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, as being in violation of sections 305(b) and 310(e) of the Congressional Budget Act of 1974, and the amendment thus fell. **Page S13116, S13127**

By 33 yeas to 65 nays (Vote No. 341), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 2635, to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to use the proceeds of the tax collected to provide a nonrefundable tax credit of \$100 for every personal exemption claimed for taxable years beginning in 2005. Subsequently, the Chair sustained the point of order that Schumer Amendment No. 2635 was not germane, and the amendment thus fell. **Pages S13116–18, S13122, S13128**

By 51 yeas to 47 nays (Vote No. 342), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Nelson (FL) Amendment No. 2601, to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006. Subsequently, the Chair sustained the point of order that Nelson (FL) Amendment No. 2601, was not germane, and the amendment thus fell. **Pages S13119, S13128–29**

By 43 yeas to 55 nays (Vote No. 343), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Boxer Amendment No. 2634, to provide an additional \$500,000,000 for each of fiscal years 2006 through 2010, to be used for readjustment counseling, related mental health services, and treatment and rehabilitative services for veterans with mental illness, post-traumatic stress disorder, or substance use disorder. Subsequently, the Chair sustained the point of order that Boxer Amendment No. 2634, was not germane, and the amendment thus fell. **Pages S13130–31**

By 55 yeas to 43 nays (Vote No. 344), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive under section 305(b) of the Congressional Budget Act of 1974, with respect to Kerry/Obama Amendment No. 2616, to accelerate marriage penalty relief for the earned income tax credit, to extend the election to include combat pay in earned income, and to make modifications of effective dates of leasing provisions of the American Jobs Creation Act of 2004. Subsequently, the Chair sustained the point of order that Kerry/Obama Amendment No. 2616 was not germane, and the amendment thus fell. **Pages S13131–32**

By 47 yeas to 51 nays (Vote No. 345), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Dayton Amendment No. 2629, to allow a refundable tax credit for the energy costs of farmers and ranchers, and to modify the foreign tax credit rules applicable to dual capacity taxpayers. Subsequently, the Chair sustained the point of order that Dayton Amendment No. 2629 was not germane, and the amendment thus fell. **Pages S13132–33**

By 42 yeas to 56 nays (Vote No. 346), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Harkin/Obama Amendment No. 2665, to amend the Internal Revenue Code of 1986 to restore the phaseout of personal exemptions and the overall limitation on itemized deductions and to modify the income threshold used to calculate the refundable portion of the child tax credit. Subsequently, the Chair sustained the point of order that Harkin/Obama Amendment No. 2665, was not germane, and the amendment thus fell. **Pages S13133–34**

**Wired For Health Care Quality Act:** Senate passed S. 1418, to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S13260–77**

Frist (for Enzi) Amendment No. 2671, in the nature of a substitute. **Page S13271**

**Terrorism Risk Insurance Extension Act:** Senate passed S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S13277–82**

Frist (for Shelby) Amendment No. 2600, to make a modification. **Page S13282**

**U.S.S. Carl Vinson:** Senate passed H.R. 4326, to authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN–70), clearing the measure for the President. **Page S13282**

**Continuing Resolution—Agreement:** A unanimous-consent agreement was reached providing that on Friday, November 18, 2005, Senate begin consideration of H.J. Res. 72, making further continuing appropriations for the fiscal year 2006; that Senator Harkin be recognized to offer an amendment rel-

evant to CSBG, and that there be 20 minutes of debate on the amendment; that following the use or yielding back of time, Senate vote on or in relation to the amendment, to be followed by a vote on final passage of the resolution. **Page S13260**

**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:

Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108–24);

Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109–2); and

Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109–1). **Page S13282**

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

Dennis Bottorff, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

Robert M. Duncan, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

William B. Sansom, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

Howard A. Thraikill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007.

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law.

**Pages S13146, S13282**

**Messages From the House:** **Page S13158**

**Measures Referred:** **Page S13158**

**Enrolled Bills Presented:** **Page S13158**

**Executive Communications:** **Pages S13159–60**

**Executive Reports of Committee:** **Page S13160**

**Additional Cosponsors:** **Pages S13161–62**

**Statements on Introduced Bills/Resolutions:** **Pages S13162–85**

**Additional Statements:** **Pages S13156–58**

**Amendments Submitted:** **Pages S13185–S13252**

**Notices of Hearings/Meetings:** **Page S13252**

**Authorities for Committees to Meet:** **Pages S13252–53**

**Privileges of the Floor:** **Page S13253**

**Record Votes:** Eighteen record votes were taken today. (Total—347)

**Pages S13080, S13101-04, S13123-29, S13131-34, S13145**

**Recess:** Senate convened at 9:30 a.m., and recessed at 12:58 a.m., on Friday, November 17, 2005 and will reconvene at 8:15 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13146.)

## Committee Meetings

(Committees not listed did not meet)

### AVIAN INFLUENZA

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine the role of United States agriculture in the control and eradication of avian influenza, focusing on the healthcare system, antiviral drugs, and enhancement of quarantine stations, after receiving testimony from Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, Department of Agriculture; Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Department of Health and Human Services; Donald Waldrip, Wayne Farms, LLC, Oakwood, Georgia, on behalf of the National Chicken Council; S.H. Kleven, University of Georgia College of Veterinary Medicine Poultry Diagnostic and Research Center, Athens; Gretta Irwin, Iowa Turkey Federation, Ames, on behalf of the National Turkey Federation.

### FINANCIAL PRODUCT SALES

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine a Government Accountability Office report on the sale of financial products to military personnel, focusing on actions needed to protect military members, after receiving testimony from Richard J. Hillman, Managing Director, Financial Markets and Community Investment, Government Accountability Office; John M. Molino, Deputy Under Secretary of Defense for Military Community and Family Policy; Lori Richards, Director, Office of Compliance Inspections and Examinations, U.S. Securities and Exchange Commission; John Oxendine, Georgia Commissioner of Insurance, Atlanta; and Mary Schapiro, National Association of Securities Dealers, Washington, D.C.

### AVIATION SAFETY

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation concluded a hearing to examine the Federal Aviation Administration's efforts to maintain a high level of safety through a safety oversight system, after receiving testimony from Marion Blakey, Administrator, Federal Aviation Administra-

tion, and Kenneth Mead, Inspector General, both of the Department of Transportation; John S. Carr, National Air Traffic Controllers Association, Basil J. Barimo, Air Transport Association of America, Inc., and Robert Roach, Jr., International Association of Machinists and Aerospace Workers, all of Washington, D.C.; and Christian A. Klein, Aeronautical Repair Station Association, Alexandria, Virginia.

### BUSINESS MEETING

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

S. 1110, to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable, proposed Polar Bear Treaty, with amendments;

S. 2013, to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population;

S. 1052, to improve transportation security, with an amendment in the nature of a substitute;

S. 65, to amend the age restrictions for pilots, with an amendment in the nature of a substitute;

S. 1102, to extend the aviation war risk insurance program for 3 years;

S. 517, to establish a Weather Modification Operations and Research Board, with an amendment in the nature of a substitute;

S. 687, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute; and

The nominations of William E. Kovacic, of Virginia, J. Thomas Rosch, of California, each to be a Federal Trade Commissioner, and a Coast Guard Promotion List.

### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following business items:

S. 1496, to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps, with an amendment;

S. 1165, to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii, with an amendment;

S. 2006, to provide for recovery efforts relating to Hurricanes Katrina and Rita for Corps of Engineers projects, with an amendment;

S. 1708, to modify requirements relating to the authority of the Administrator of General Services to

enter into emergency leases during major disasters and other emergencies; and

S. 2015, to provide a site for construction of a national health museum.

#### NEW ORLEANS' LEVEES

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the degree to which the preliminary findings on the failure of the levees are being incorporated into the restoration of hurricane protection, after receiving testimony from Daniel H. Hitchings, Regional Business Director, Mississippi Valley Division, U.S. Army Corps of Engineers, Department of the Army; Thomas F. Zimmie, Rensselaer Polytechnic Institute Environmental Engineering Department, Troy, New York, on behalf of National Science Foundation Investigative Team; Sherwood Gagliano, Coastal Environments, Inc., and Joseph N. Suhayda, Louisiana State University, both of Baton Rouge, Louisiana; Larry Roth, American Society of Civil Engineers, Washington, D.C.; and Robert R.M. Verchick, Loyola University Law School, New Orleans, Louisiana.

#### AFRICAN ORGANIZATIONS

*Committee on Foreign Relations:* Subcommittee on African Affairs concluded a hearing to examine cross-continental progress relating to African organizations and institutions, focusing on the African Union and African sub-regional organizations to advance freedom, peace, and prosperity in Africa, after receiving testimony from Jendayi E. Frazer, Assistant Secretary of State for African Affairs; Lloyd O. Pierson, Assistant Administrator for Africa, U.S. Agency for International Development; and Victoria K. Holt, The Henry L. Stimson Center, and Jennifer G. Cooke, Center for Strategic and International Studies, both of Washington, D.C.

#### NATIONAL SECURITY PERSONNEL SYSTEM

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine regulations for the National Security Personnel System, focusing on the Department of Defense in partnership with the Office of Personnel Management, the establishment of a new civilian human resources management system to support the U.S. critical national security mission, after receiving testimony from Gordon R. England, Acting Deputy Secretary of Defense; Brad Bunn, Deputy Program Executive Officer, National Security Personnel System; Linda M. Springer, Director, and George Nesterchuk, Senior Advisor on Department of Defense, both of the Office of Personnel Management; David M. Walker, Comptroller General of the United States, Government Accountability Office; John Gage, American Federation of Government Employees, AFL-CIO, on

behalf of the United Department of Defense Workers Coalition, and Ronald Ault, Metal Trades Department, AFL-CIO, both of Washington, D.C.; Dan Schember, Association of Civilian Technicians, Lake Ridge, Virginia; and Michael B. Styles, Alexandria, Virginia.

#### TRIBAL LOBBYING MATTERS

*Committee on Indian Affairs:* Committee continued oversight hearings to examine In Re Tribal Lobbying Matters, Et Al, focusing on lobbying fraud, receiving testimony from Italia Federici, Council of Republicans for Environmental Advocacy, Washington, D.C.

Hearing recessed subject to the call.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with an amendment in the nature of a substitute;

S. 1961, to extend and expand the Child Safety Pilot Program;

S. 1354, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; and

The nominations of Joseph Frank Bianco, to be United States District Judge for the Eastern District of New York, Timothy Mark Burgess, to be United States District Judge for the District of Alaska, Gregory F. Van Tatenhove, to be United States District Judge for the Eastern District of Kentucky, Eric Nicholas Vitaliano, to be United States District Judge for the Eastern District of New York, Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama, W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama, Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois, Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security, and Catherine Lucille Hanaway, to be United States Attorney for the Eastern District of Missouri, Department of Justice.

#### FUTURE ASBESTOS CLAIMS

*Committee on the Judiciary:* Committee concluded a hearing to examine recent developments in assessing

future asbestos claims under the FAIR Act, and S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; Charles E. Bates, Bates White, LLC, and Laura Welch, Center to Protect Workers Rights, both of Washington, D.C.; Mark A. Peterson, Legal Analysis Systems, Thousand Oaks, California; Mark Lederer, Manville Personal Injury Settlement Trust, Katonah, New York; and Denis Neumann Martin, National Economic Research Associates Consulting, New York, New York.

## NOMINATION

*Select Committee on Intelligence:* Committee ordered favorably reported the nomination of Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence.

Prior to this action, committee concluded a closed hearing to examine the nomination of Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence, after the nominee testified and answered questions in his own behalf.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 31 public bills, H.R. 4356–4386; and 12 resolutions, H.J. Res. 73; H. Con. Res. 303–306; and H. Res. 561–562, 566–570, were introduced.

**Pages H10908–09**

**Additional Cosponsors:**

**Pages H10909–10**

**Reports Filed:** Reports were filed today as follows: H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, with an amendment (H. Rept. 109–304);

H.R. 3889, to further regulate and punish illicit conduct relating to methamphetamine, with amendments (H. Rept. 109–299, Pt. 2);

Conference report on H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–305); and

H. Res. 563, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–306).

Conference report on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–307);

H. Res. 564, waiving points of order against the conference report to accompany the bill (H.R. 2528) making appropriations for military quality of life functions of the Department of Defense, military

construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–308); and

H. Res. 565, waiving points of order against the conference report to accompany the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–309).

**Pages H10790–H10893, H10908**

**Chaplain:** The prayer was offered today by Rev. Paul C. Granillo, Director of Communications, Diocese of San Bernardino, California.

**Page H10505**

**Suspensions:** The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, November 16th:

*Recognizing the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19:* H. Res. 500, amended, to Recognize the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19, by a yea-and-nay vote of 420 yeas to 2 nays, Roll No. 597. **Pages H10516–17**

**Further Continuing Appropriations for the Fiscal Year 2006:** The House agreed to H.J. Res. 72, making further continuing appropriations for the fiscal year 2006, by a yea and nay vote of 413 yeas to 16 nays, Roll No. 599.

**Pages H10508–12, H10517–18, H10530–31**

H. Res. 558, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 407 yeas to 21 nays, Roll No. 595.

**Pages H10508–09, H10514–15**

**Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006:** The House failed to agree to the 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, by a yea-and-nay vote of 209 yeas to 224 nays, Roll No. 598.

**Pages H10512–16, H10518–30**

H. Res. 559, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 244 yeas to 185 nays, Roll No. 596, after agreeing to order the previous question by voice vote.

**Page H10512, H10515–16**

The House agreed to the motion to insist on its disagreement to the Senate amendment on H.R. 3010, by voice vote.

**Page H10531**

**Recess:** The House recessed at 2:31 p.m. and reconvened at 8:18 p.m.

**Page H10531**

A point of order was raised against the consideration of the resolution (H. Res. 560) and it was agreed to proceed with consideration by a yea-and-nay vote of 224 yeas to 198 nays, Roll No. 600.

**Pages H10531–34**

**Deficit Reduction Act of 2005:** The House passed H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006, by a recorded vote of 217 yeas to 215 noes, Roll No. 601.

**Pages H10531–34, H10537–H10645**

Agreed by unanimous consent that staff be authorized to make technical and conforming corrections to the text of H.R. 4241, as passed by the House.

**Page H10646**

Agreed by unanimous consent to Mr. Nussle's motion to strike all after the enacting clause of S. 1932, and insert in lieu thereof the provisions of H.R. 4241 as passed by the House.

**Page H10646**

H. Res. 560, the rule providing for consideration of the bill was agreed to, after agreeing to order the previous question and the Putnam amendment by voice vote.

**Page H10544**

**Suspensions:** The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, November 16th:

**Condemning in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman, Jordan:** H. Res. 546, amended, to condemn in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman,

Jordan, by a yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 602.

**Pages H10645–46**

**To direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall:** The House agreed by unanimous consent to H.R. 4145, amended, to direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall.

**Pages H10786–89**

**Agreed to amend the title so as to read:** "A bill to direct the Joint Committee on the Library to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall, and for other purposes."

**Page H10789**

**Senate Message:** Messages received from the Senate today appear on page H10505.

**Senate Referrals:** S. 206, S. 213, S. 251, S. 652, S. 761, S. 777, S. 819, S. 891, S. 895, S. 958, S. 1154, S. 1338, and S. 1627 were referred to the Committee on Resources; S. 485, S. 584, S. 695, S. 1238 were held at the desk and S. 705 was referred to the Committees on Financial Services and Education and the Workforce.

**Page H10505**

**Quorum Calls—Votes:** Seven yea-and-nay votes and one recorded vote developed during the proceedings today and appear on pages H10514–15, H10515–16, H10516–17, H10529–30, H10530–31, H10533–34, H10645 and H10645–46. There were no quorum calls.

**Recess:** The House recessed at 2:25 a.m. and reconvened at 8:31 a.m.

**Page H10789**

**Adjournment:** The House met at 10 a.m. and adjourned at 8:33 a.m. on Friday, November 18.

## Committee Meetings

### COMBATING METHAMPHETAMINES

*Committee on Education and the Workforce:* Subcommittee on Education Reform held a hearing on Combating Methamphetamines through Prevention and Education. Testimony was heard from Representatives Souder and Hooley; Robert Denniston, Director, National Youth Anti-Drug Media Campaign, Office of National Drug Control Policy; and public witnesses.

### MEDICATE PHYSICIAN PAYMENT

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled "Medicare Physician Payment: How to Build a More Efficient Payment System." Testimony was heard from Mark B. McClellan, M.D. Administrator, Centers for Medicare and Medicaid Services, Department of Health



and Human Services; Glen Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

### THOROUGHBRED HORSE RACING JOCKEYS AND WORKERS

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues.” Testimony was heard from public witnesses.

### LOUISIANA RECOVERY CORPORATION ACT

*Committee on Financial Services:* Held a hearing on H.R. 4100, Louisiana Recovery Corporation Act. Testimony was heard from the following officials of the State of Louisiana: John T. Schedler, member, State Senate; Juan A. LaFonta, member, State House; C. Ray Nagin, Mayor and John Batt, member, City Council, both with the City of New Orleans; and a public witness.

### SELF-REGULATORY ORGANIZATIONS

*Committee on Financial Institutions:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “Self-Regulatory Organizations: Exploring the Need for Reform.” Testimony was heard from public witnesses.

### FEDERAL FINANCIAL MANAGEMENT

*Committee on Government Reform:* Subcommittee on Government Management, Finance and Accountability held a hearing entitled “15 Years of the CFO Act—What is the Current State of Federal Financial Management?” Testimony was heard from Linda Combs, Controller, Office of Federal Financial Management, OMB; and Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance, GAO.

### BORDER SECURITY AND TERRORISM PREVENTION ACT OF 2005

*Committee on Homeland Security:* Ordered reported, as amended, H.R. 4312, Border Security and Terrorism Prevention Act of 2005.

### TERRORISM RISK ASSESSMENT

*Committee on Homeland Security:* Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled “Terrorism Risk Assessment at the Department of Homeland Security.” Testimony was heard from Melissa Smislova, Acting Director, Homeland Infrastructure Threat and Risk Analysis Center and Assistant Secretary, Intelligence and Analysis—Chief Intelligence Officer,

Department of Homeland Security; and public witnesses.

### WESTERN SAHARA STATUS

*Committee on International Relations:* Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Getting to Yes: Resolving the 30-Year Conflict over the Status of Western Sahara. Testimony was heard from Senator Inhofe, Representative Lincoln Diaz-Balart of Florida; Gordon Gray, Deputy Assistant Secretary, Bureau for Near Eastern Affairs, Department of State; and public witnesses.

### DEMOCRACY IN VENEZUELA

*Committee on International Relations:* Subcommittee on the Western Hemisphere held a hearing on Democracy in Venezuela. Testimony was heard from Thomas A. Shannon, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

### OVERSIGHT—U.S.-MEXICO BORDER

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security and the Subcommittee on Immigration, Border Security, and Claims held a joint oversight hearing on Weak Bilateral Law Enforcement Presence at the U.S.-Mexico Border: Territorial Integrity and Safety Issues for American Citizens. Testimony was heard from Chris Swecker, Assistant Director, Criminal Investigative Division, FBI, Department of Justice; the following officials of the Department of Homeland Security: William Reid, Acting Assistant Director, Office of Investigations, U.S. Immigration and Customs Enforcement; and Rey Garza, Deputy Chief Patrol Agent, U.S. Customs and Border Protection; and a public witness.

### HOW ILLEGAL IMMIGRATION IMPACTS CONSTITUENCIES

*Committee on the Judiciary:* Subcommittee on Immigration, Border Security, and Claims continued oversight hearings entitled “How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress, (Part II).” Testimony was heard from Representatives Kingston, Blackburn, Carter and Lewis of Georgia

### NEPA

*Committee on Resources:* NEPA Task Force held a hearing on NEPA: Lessons Learned and Next Steps. Testimony was heard from James L. Connaughton, Chairman, Council on Environmental Quality; and public witnesses.

### OUTER CONTINENTAL SHELF NATURAL GAS RELIEF ACT

*Committee on Resources:* Subcommittee on Energy and Mineral Resources held a hearing on the Outer Continental Shelf Natural Gas Relief Act. Testimony was heard from public witnesses.

### OVERSIGHT—COMBAT ILLEGAL DRUG FARMS IN NATIONAL PARKS

*Committee on Resources:* Subcommittee on National Parks held an oversight hearing on the National Parks Service's Efforts to Combat the Growth of Illegal Drug Farms in National Parks. Testimony was heard from Karen Taylor-Goodrich, Associate Director, Visitor and Resource Protection, National Park Service, Department of the Interior; and public witnesses.

### SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

*Committee on Rules:* Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of November 18, 2005, providing for consideration or disposition of any of the following measures: (1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 2006, any amendment thereto, or any conference report thereon. (2) A conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes. (3) A bill or joint resolution relating to flood insurance. (4) A bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2006.

### CONFERENCE REPORT—MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS 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. 2528, Military Quality of Life and Veterans Affairs 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 Representative Walsh.

### CONFERENCE REPORT—TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT 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. 3058, Departments of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read.

### NANOTECHNOLOGY

*Committee on Science:* Held a hearing on Environmental and Safety Impacts of Nanotechnology: What Research is Needed? Testimony was heard from David Rejeski, Director, Project on Emerging Nanotechnologies, Woodrow Wilson International Center for Scholars, The Smithsonian Institution; and public witnesses.

### PASSPORTS TO AND FROM CANADA

*Committee on Small Business:* Held a hearing on Building a Wall Between Friends: Passports to and from Canada? Testimony was heard from Representative Slaughter; and public witnesses.

### BRIEFING—GLOBAL UPDATES/HOTSPOTS

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

## Joint Meetings

### APPROPRIATIONS: MILITARY CONSTRUCTION AND VETERANS AFFAIRS

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006.

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### COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 18, 2005

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the future of science, 10 a.m., SD-562.

#### House

*Committee on Ways and Means,* to mark up H.R. 4340, United States-Bahrain Free Trade Agreement Implementation Act, 10 a.m., 1100 Longworth.

*Next Meeting of the SENATE*

9 a.m., Friday, November 18

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, November 18

Senate Chamber

**Program for Friday:** Senate will begin consideration of H.J. Res. 72, Continuing Resolution, with votes to occur on a Harkin amendment to be proposed thereto and final passage of the measure. Also, Senate expects to consider any other legislative and executive business, including any appropriation conference reports, when available.

House Chamber

**Program for Friday:** To be announced.



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