

# Daily Digest

## HIGHLIGHTS

Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009.

## Senate

### Chamber Action

*Routine Proceedings, pages S10529–S10630*

**Measures Introduced:** Ten bills and eight resolutions were introduced, as follows: S. 1779–1788, S.J. Res. 27, S. Res. 254–259, and S. Con. Res. 54.

Page S10594

#### Measures Reported:

H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

Page S10594

#### Measures Passed:

**NASA Authorization:** Senate passed S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010, after agreeing to the committee amendments, and the following amendment proposed thereto:

Pages S10610–20

Graham (for Hutchison/Nelson (FL)) Amendment No. 1875, of a perfecting nature.

Page S10614

**Veterans' Benefits Improvement Act:** Senate passed S. 1235, to amend title 38, United States Code, to extend the availability of \$400,000 in life insurance coverage to servicemembers and veterans, to make a stillborn child an insurable dependent for purposes of the Servicemembers' Group Life Insurance program, to make technical corrections to the Veterans Benefits Improvement Act of 2004, to make permanent a pilot program for direct housing loans for Native American veterans, and to require an annual plan on outreach activities of the Department of Veterans Affairs, after agreeing to the committee amendment in the nature of a substitute and an amendment to the title.

Pages S10620–22

**Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act:** Senate

passed H.R. 3864, to assist individuals with disabilities affected by Hurricanes Katrina or Rita through vocational rehabilitation services, clearing the measure for the President.

Page S10622

**Honoring Sandra Feldman:** Senate agreed to S. Res. 256, honoring the life of Sandra Feldman.

Pages S10622–23

**Recognizing Jacob Mock Doub:** Senate agreed to S. Res. 257, recognizing the spirit of Jacob Mock Doub and many young people who have contributed to encouraging youth to be physically active and fit, and expressing support for "National Take a Kid Mountain Biking Day".

Page S10623

**Commending Timothy S. Wineman:** Senate agreed to S. Res. 258, to commend Timothy Scott Wineman.

Page S10623

**Airport Improvement Project Grants:** Senate passed S. 1786, to authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita.

Page S10624

**Montana Indian Water Rights—Referral Agreement:** A unanimous-consent agreement was reached providing that the Committee on Energy and Natural Resources be discharged from further consideration of S. 1219, to authorize certain tribes in the State of Montana to enter into a lease or other temporary conveyance of water rights to meet the water needs of the Dry Prairie Rural Water Association, Inc., and the bill was then referred to the Committee on Indian Affairs.

Page S10624

**Roberts Nomination:** Senate continued consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

Pages S10529–78

A unanimous-consent-time agreement was reached providing for further consideration of the nomination

at 9:30 a.m., on Thursday, September 28, 2005, provided further, that the time until 10:30 a.m., be equally divided between the two leaders or their designees, and at 11:30 a.m., vote on confirmation of the nomination. **Page S10624**

**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaty:

Protocol Amending the Tax Convention with France (Treaty Doc. No. 109–4).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S10624**

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

Jendayi Elizabeth Frazer, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2009.

Horace A. Thompson, of Mississippi, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2011.

Kent D. Talbert, of Virginia, to be General Counsel, Department of Education.

Carol E. Dinkins, of Texas, to be Chairman of the Privacy and Civil Liberties Oversight Board.

Alan Charles Raul, of the District of Columbia, to be Vice Chairman of the Privacy and Civil Liberties Oversight Board.

Timothy C. Batten, Sr., of Georgia, to be United States District Judge for the Northern District of Georgia.

Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama.

Thomas E. Johnston, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois.

W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama.

Routine lists in the National Oceanic and Atmospheric Administration, and Public Health Service.

**Pages S10629–30**

**Messages From the House:** **Pages S10592–93**

**Measures Referred:** **Page S10593**

**Measures Placed on Calendar:** **Page S10593**

**Executive Communications:** **Pages S10593–94**

**Additional Cosponsors:** **Pages S10594–96**

**Statements on Introduced Bills/Resolutions:**

**Pages S10596–S10604**

**Additional Statements:** **Pages S10590–92**

**Amendments Submitted:** **Pages S10604–08**

**Notices of Hearings/Meetings:** **Pages S10608–09**

**Authority for Committees to Meet:** **Pages S10609–10**

**Privilege of the Floor:** **Page S10610**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 7:37 p.m., until 9:30 a.m., on Thursday, September 29, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10624.)

## Committee Meetings

*(Committees not listed did not meet)*

### APPROPRIATIONS: DEFENSE

*Committee on Appropriations:* Committee ordered favorably reported H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

### PROFESSIONAL SPORTS INTEGRITY

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine S. 1114, to establish minimum drug testing standards for major professional sports leagues, and S. 1334, to provide for integrity and accountability in professional sports, after receiving testimony from Senator Bunning; Allan H. Selig, Major League Baseball, Milwaukee, Wisconsin; Donald M. Fehr, Major League Baseball Players Association, Paul Tagliabue, National Football League, David J. Stern, National Basketball Association, Antonio Davis, National Basketball Players Association, and Gary Bettman, National Hockey League, all of New York, New York; Eugene Upshaw, National Football League Players Association, and Ted Saskin, National Hockey League Players' Association, both of Washington, D.C.; Ryne Sandberg, Phoenix, Arizona; Robin Roberts, Tampa, Florida; Lou Brock, St. Louis, Missouri; and Paul Niekro, and Hank Aaron, both of Atlanta, Georgia.

### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the following bills:

S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy;

S. 206, to designate the Ice Age Floods National Geologic Trail, with an amendment in the nature of a substitute;

S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, with an amendment in the nature of a substitute;

S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, with an amendment in the nature of a substitute;

S. 251, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon, with amendments;

S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming, with an amendment;

S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin;

S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area;

S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", with amendments;

S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes;

S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska;

S. 895, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents, with an amendment in the nature of a substitute;

S. 955, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, with an amendment;

S. 958, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, with an amendment;

S. 1154, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, with amendments;

S. 1170, to establish the Fort Stanton-Snowy River National Cave Conservation Area, with an amendment in the nature of a substitute;

S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, with amendments;

S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, with an amendment;

S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware;

H.R. 126, to amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore;

S. 584, to require the Secretary of the Interior to permit continued occupancy and use of certain lands and improvements within Rocky Mountain National Park, with an amendment in the nature of a substitute;

H.R. 539, to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System;

H.R. 584, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior;

H.R. 606, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California;

H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California; and

S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992.

## GRAZING PROGRAMS

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests concluded an oversight hearing to examine the grazing programs of the Bureau of Land Management and the Forest Service, including proposed changes to grazing regulations, and the status of grazing permit renewals, monitoring programs and allotment restocking plans, after receiving testimony from Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Fred Norbury, Associate

Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Michael Byrne, Public Lands Council, Tule Lake, California, on behalf of the National Cattlemen's Beef Association; William S. Whelan, The Nature Conservancy, Arlington, Virginia; and Richard L. Knight, Colorado State University, College of Natural Resources, Fort Collins.

#### ENVIRONMENTAL POLICY MAKING

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the role of science in environmental policy making, focusing on independent verification to science, after receiving testimony from Donald R. Roberts, Division of Tropical Public Health, Department of Preventive Medicine and Biometrics, Uniformed Services University of the Health Sciences, Department of Defense; Richard E. Benedick, National Council for Science and the Environment, and David B. Sandalow, The Brookings Institution, both of Washington, D.C.; William M. Gray, Colorado State University Department of Atmospheric Science, Fort Collins; and Michael Crichton, Los Angeles, California.

#### HURRICANE KATRINA: COMMUNITY ASSISTANCE

*Committee on Finance:* Committee held hearings to examine the economic recovery of certain Gulf Coast States, focusing on community rebuilding needs, including housing, transportation and educational assistance; and to examine the effectiveness of prior tax legislative proposals to address recent disasters affecting the United States, receiving testimony from George K. Yin, Chief of Staff, Joint Committee on Taxation; Louisiana Governor Kathleen Babineaux Blanco, Baton Rouge; Mississippi Governor Haley Barbour, Jackson; Alabama Governor Bob Riley, Montgomery; Diana Aviv, Independent Sector, and Jean-Mari Peltier, National Council of Farmer Cooperatives, both of Washington, D.C.; Deputy Mayor Daniel L. Doctoroff, New York, New York; and Gary P. LaGrange, New Orleans, Louisiana, on behalf of the Port of New Orleans and the American Association of Port Authorities.

Hearing recessed subject to the call.

#### SUDAN

*Committee on Foreign Relations:* Committee concluded a hearing to examine the international response to the Darfur region of Sudan, focusing on the goals of the United States toward the region, the Naivasha (North-South) Comprehensive Peace Agreement (CPA), and North Atlantic Treaty Organization (NATO) assistance to the African Union Mission for Sudan, after receiving testimony from Robert B. Zoellick, Deputy Secretary of State; and General James L. Jones, Jr., USMC, Commander, United States European Command, Department of Defense.

#### HURRICANE KATRINA RECOVERY

*Committee on Homeland Security and Governmental Affairs:* Committee continued a hearing to examine the emergency response and local efforts to meet the immediate needs of victims recovering from Hurricane Katrina, receiving testimony from County Judge Robert A. Eckels, Harris County, Texas; Mayor-President Melvin L. Holden, Baton Rouge, Louisiana; Mayor Robert V. Massengill, Brookhaven, Mississippi; and Mayor Dan Coody, Fayetteville, Arkansas.

Hearing recessed subject to the call.

#### COPYRIGHT PROTECTION AND INNOVATION

*Committee on the Judiciary:* Committee concluded a hearing to examine copyright and innovation issues relative to the Supreme Court's recent ruling in *Metro-Goldwyn-Mayer Studios v. Grokster*, focusing on protection of intellectual property and the prosecution of those who steal or illegally distribute intellectual resources, after receiving testimony from Mary Beth Peters, Register of Copyrights, Copyright Office, Library of Congress; Debra Wong Yang, U.S. Attorney, Central District of California, Department of Justice; Cary Sherman, Recording Industry Association of America, Washington, D.C.; Gary J. Shapiro, Consumer Electronics Association, Arlington, Virginia, on behalf of the Home Recording Rights Coalition; Mark A. Lemley, Stanford University Law School, Stanford, California; Ali Aydar, SNOCAP, Inc., San Francisco, California; Sam Yagan, MetaMachine, Inc., New York, New York; and Marty Roe, Nashville, Tennessee.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 10 public bills, H.R. 3928–3937; and 2 resolutions, H. Con. Res. 255; and H. Res. 471 were introduced.

**Pages H8512–13**

**Additional Cosponsors:**

**Pages H8513–14**

**Reports Filed:** Reports were filed today as follows:

H. Res. 468, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–238); H. Res. 469, providing for consideration of the joint resolution (H.J. Res. 68) making continuing appropriations for the fiscal year 2006, and for other purposes; for consideration of motions to suspend the rules; and addressing a motion to proceed under section 2908 of the Defense Base Closure and Realignment Act of 1990 (Rept. 109–239); and H. Res. 470, providing for consideration of the bill (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes (Rept. 109–240).

**Page H8512**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker pro tempore for today.

**Page H8391**

**Chaplain:** The prayer was offered today by Rev. Thomas Johns, Pastor, St. John Vianney Parish, Mentor, Ohio.

**Page H8391**

**Department of Homeland Security Appropriations Act, 2006—Motion to go to Conference:** The House disagreed to the Senate amendment and agreed to a conference on H.R. 2360, to make appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006.

**Pages H8395–H8405**

Rejected the Sabo motion to instruct conferees by a yea-and-nay vote of 196 yeas to 227 nays, Roll No. 497.

**Pages H8395–H8401, H8405**

Appointed as conferees: Representatives Messrs. Rogers of Kentucky, Wamp, Latham, Mrs. Emerson, Messrs. Sweeney, Kolbe, Istook, LaHood, Crenshaw, Carter, Lewis of California, Sabo, Price of North Carolina, Serrano, Ms. Roybal-Allard, Messrs. Bishop of Georgia, Berry, Edwards, and Obey.

**Page H8406**

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

*Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act of 2005:* H.R. 3864, amended, to provide vocational

rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita;

**Pages H8406–08**

Agreed to amend the title so as to read: “A bill to assist individuals with disabilities affected by Hurricane Katrina or Rita through vocational rehabilitation services.”

**Page H8408**

*Servicemembers’ Group Life Insurance Enhancement Act of 2005:* Agree to the Senate amendment to H.R. 3200, to amend title 38, United States Code, to enhance the Servicemembers’ Group Life Insurance program;

**Pages H8413–16**

*A bill to amend the United States Grain Standards Act to reauthorize that Act:* S. 1752, to amend the United States Grain Standards Act to reauthorize that Act;—clearing the measure for the President;

**Pages H8416–18**

**Recess:** The House recessed at 3:10 p.m. and reconvened at 4:01 p.m.

**Page H8432**

**Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009:** The House passed H.R. 3402, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, by a yea-and-nay vote of 415 yeas to 4 nays, Roll No. 501.

**Pages H8401–06, H8422–81**

Rejected the Stupak motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 195 yeas to 226 nays, Roll No. 500.

**Pages H8478–80**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

**Page H8478**

Agreed to:

Sensenbrenner Manager’s amendment (No. 1 printed in H. Rept. 109–236) which makes various technical changes to the bill requested by various members and the Department of Justice, (by a recorded vote of 225 yeas to 199 noes, Roll No. 499);

**Pages H8466–70**

Cuellar amendment (No. 2 printed in H. Rept. 109–236) that authorizes appropriations for the newly-structured Border Violence Task Force in Laredo, Texas. The amendment allows the Attorney General to designate the lead on the Border Violence Task Force that is currently being led by the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

**Page H8470**

Cuellar amendment (No. 3 printed in H. Rept. 109–236) that authorizes the FBI National Gang Intelligence Center. It adds funding in authorization for the Center for each fiscal year of the bill;

**Pages H8470–71**

Capuano amendment (No. 5 printed in H. Rept. 109–236) that authorizes the Attorney General, acting through the Bureau of Justice Assistance, to make grants to State and local prosecutors and law enforcement agencies in support of juvenile (17 years of age or younger) and young adult (between 18 and 21 years of age) witness assistance programs. The amendment authorizes funding for each of fiscal years 2006 through 2009;

**Page H8472**

Kennedy of Minnesota amendment (No. 6 printed in H. Rept. 109–236) which provides a requirement that treatment under the Residential Substance Abuse Treatment (RSAT) program be available to those individuals who have passed a regularly administered drug-screening test for three months and that aftercare be provided to prisoners enrolled in the RSAT program as a component of comprehensive substance abuse treatment;

**Pages H8472–73**

Brown-Waite of Florida amendment (No. 7 printed in H. Rept. 109–236) that requires the Secretary of Health and Human Services to report to Congress on the correlation between a perpetrators drug and alcohol abuse and the reported incidence of violence at domestic violence shelters;

**Pages H8473–74**

Kolbe amendment (No. 9 printed in H. Rept. 109–236) which reauthorizes the State Criminal Alien Assistance Program (SCAAP) through FY2011 and would increase authorized funding also specifies that funds “may be used only for correctional purposes.” The amendment also requires the Department of Justice Inspector General submit a report on the State and local governments that receive SCAAP funding and whether they are cooperating with efforts to deport criminal aliens;

**Pages H8474–76**

King of Iowa amendment (No. 10 printed in H. Rept. 109–236) that prohibits a person convicted of domestic violence from sponsoring a visa applicant in the future;

**Pages H8476–77**

Ryan of Ohio amendment (No. 11 printed in H. Rept. 109–236) which provides additional Federal funding for programs that have received grants by the Department of Justice (Office of Violence Against Women) for providing counseling and shelter for women and children in crisis pregnancies; and

**Page H8477**

Slaughter amendment (No. 12 printed in H. Rept. 109–236) which expands the current Federal criminal ban on fake police badges and the misuse of authentic badges to include the uniforms, identification, and all other insignia of all public officials. The use of such badges, uniforms, and insignia

would be permitted for dramatic, decorative, display, and recreational purposes.

**Pages H8477–78**

Withdrawn:

Poe amendment (No. 4 printed in H. Rept. 109–236) that was offered and subsequently withdrawn that sought to establish a fixed annual allocation for State victim assistance grants and OVC discretionary grants equal to the average amount allocated over the previous three years plus 5 percent; and

**Pages H8471–72**

Slaughter amendment (No. 8 printed in H. Rept. 109–236) that was offered and subsequently withdrawn that sought to require the Office of Victims of Crime working with national, State, and local authorities and in collaboration with other Federal agencies to develop and implement a plan that allows law enforcement officials to gather evidence of a crime during times of emergency even if the crime occurred outside of their jurisdiction. Furthermore, it requires OVC to coordinate, inform, and educate victims, service providers, and law enforcement officials of the process and mechanisms available for reporting violent crimes and gathering evidence during emergencies.

**Page H8474**

The amendment in the nature of a substitute, as amended, was adopted.

**Page H8478**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House.

**Page H8481**

H. Res. 462, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 330 yeas to 89 nays, Roll No. 498, after agreeing to order the previous question by voice vote.

**Page H8406**

**SUSPENSIONS—Proceedings Postponed:** The House completed debate on the following measure under suspension of the rules. Further consideration will continue at a later date:

*Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government:* H. Res. 388, to express the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government against members of Cuba’s pro-democracy movement, calling for the immediate release of all political prisoners, the legalization of political parties and free elections in Cuba, urging the European Union to reexamine its policy toward Cuba, and calling on the representative of the United States to the 62d session of the United Nations Commission on Human Rights to ensure a resolution calling upon the Cuban regime to end its human rights violations;

**Pages H8408–13**

*Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States:* H. Con. Res. 245, to express the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States; and

Pages H8418–22

*Recognizing the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week:* H. Con. Res. 178, as amended, to recognize the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week.

Pages H8481–85

**Congressional-Executive Commission on the People's Republic of China:** The Chair announced the Speaker's appointment of the following members to the Congressional-Executive Commission on the People's Republic of China: Representatives Levin, Kaptur, Brown of Ohio, and Honda.

Page H8485

**Selection of Majority Leader:** The Chairman of the Republican Conference, Representative Pryce of Ohio, announced the selection of Representative Blunt as the Majority Leader.

Page H8481

**Senate Message:** Message received from the Senate today appears on pages H8401 and H8485.

**Senate Referrals:** S. 37 was referred to the Committees on Government Reform, Energy and Commerce and Armed Services and S. 1281 was held at the desk.

Page H8510

**Quorum Calls—Votes:** 4 yea-and-nay votes and 1 recorded votes developed during the proceedings of today and appear on pages H8405, H8406, H8479–80, and H8480–81. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:53 p.m.

## Committee Meetings

### REVIEW NATIONAL ANIMAL IDENTIFICATION SYSTEM

*Committee on Agriculture:* Subcommittee on Livestock and Horticulture held a hearing to review the development of a private sector-based National Animal Identification System (NAIS). Testimony was heard from public witnesses.

### HURRICANE KATRINA

*Committee on Appropriations:* Subcommittee on Defense held a hearing on Department of Defense (Hurricane Katrina). Testimony was heard from the following officials of the Department of Defense: LTG H. Steven Blum, USAF, Chief, National Guard Bureau; and Paul McHale, Assistant Secretary, Homeland Defense.

### CORPS OF ENGINEERS—HURRICANE KATRINA

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Corps of Engineers (Hurricane Katrina). Testimony was heard from the following officials of the Department of the Army: LTG. Carl Strock, USA. Chief Engineers, U.S. Corps of Engineers; and John Paul Woodley, Jr., Office of the Assistant Secretary, Civil Works; and Anu Mittal, Director, Natural Resources and Environment, GAO.

### THREATS IN MIDDLE EAST AND AFRICA

*Committee on Armed Services:* Committee Defense Review Threat Panel held a hearing on threats in Middle East and Africa. Testimony was heard from public witnesses.

### GASOLINE FOR AMERICA'S SECURITY ACT

*Committee on Energy and Commerce:* Ordered reported, as amended, H.R. 3893, Gasoline for America's Security Act of 2005.

### POST-KATRINA RELIEF AND RECOVERY—GUARD AGAINST WASTE, FRAUD, AND ABUSE

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled "Guarding Against Waste, Fraud, and Abuse in Post-Katrina Relief and Recovery: The Plans of Inspectors General." Testimony was heard from Norman J. Rabkin, Managing Director, Homeland Security and Justice Issues, GAO; Gregory H. Friedman, Inspector General, Department of Energy; Richard L. Skinner, Inspector General, Department of Homeland Security; Thomas F. Gimble, Acting Inspector General, Department of Defense; the following officials of the Department of Health and Human Services: Joseph Vengren, Deputy Inspector General, Audits; and Michael Little, Deputy Inspector General, Investigations; Nikki L. Tinsley, Inspector General, EPA; Johnnie E. Frazier, Inspector General, Department of Commerce; and H. Walker Feaster, III, Inspector General, FCC.

### PRIVATE SECTOR/BASEL

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a

hearing entitled “Private Sector Priorities for Basel Reform.” Testimony was heard from public witnesses.

#### **IMPACT OF REGULATION ON U.S. MANUFACTURING SPOTLIGHT ON EPA**

*Committee on Government Reform:* Subcommittee on Regulatory Affairs held a hearing entitled “The Impact of Regulation on U.S. Manufacturing: Spotlight on the Environmental Protection Agency.” Testimony was heard from Brian Mannix, Associate Administrator, Policy, Economics, and Innovation, EPA; Tom Sullivan, Chief Counsel, Office of Advocacy, SBA; and public witnesses.

#### **SOLVING THE OTM UNDOCUMENTED ALIEN PROBLEM**

*Committee on Homeland Security:* Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled “Solving the OTM Undocumented Alien Problem: Expedited Removal for Apprehensions along the U.S. Border.” Testimony was heard from the following officials of the Department of Homeland Security: Chief David V. Aguilar, Border Patrol, U.S. Customs and Border Protection; and John Torres, Acting Director, Office of Detention and Removal Operations, Immigration and Customs Enforcement; and Daniel W. Fisk, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State.

#### **HOMELAND SECURITY—USE OF DOGS**

*Committee on Homeland Security:* Subcommittee on Management, Integration, and Oversight held a hearing entitled “Sniffing Out Terrorism: The Use of Dogs in Homeland Security.” Testimony was heard from the following officials of the Department of Homeland Security: Lee Titus, Director, Canine Programs, U.S. Customs and Border Protection; and David Kontny, Director, National Explosives Detection Canine Team Program, Transportation Security Administration; Special Agent Terry Bohan, Chief, National Canine Training and Operations Support Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice; and public witnesses.

#### **U.N. RHETORIC OR REFORM**

*Committee on International Relations:* Held a hearing on United Nations Rhetoric or Reform: Outcome of the High-Level Event. Testimony was heard from John R. Bolton, U.S. Permanent Representative to the United Nations, Department of State.

The Committee also held a briefing on this subject. The Committee was briefed by Mark Malloch Brown, Chief of Staff to the Secretary-General, United Nations.

#### **RESOLUTION—SUPPORTING DEMOCRATIC POLITICAL AND SOCIAL FORCES IN NICARAGUA; HOT SPOTS IN LATIN AMERICA**

*Committee on International Relations:* Subcommittee on Western Hemisphere approved for full Committee action 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.

The Subcommittee also held a hearing on Keeping Democracy on Track: Hotspots in Latin America. Testimony was heard from Senator Coleman; the following officials of the Department of State: Charles A. Shapiro, Principal Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; and public witnesses.

#### **NATIONAL ENERGY SUPPLY DIVERSIFICATION AND DISRUPTION PREVENTION ACT**

*Committee on Resources:* Ordered reported, as amended, the National Energy Supply Diversification and Disruption Prevention Act.

#### **MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2006, AND FOR OTHER PURPOSES**

*Committee on Rules:* Granted, by voice vote, a closed rule providing one hour of debate in the House on H.J. Res. 68, joint resolution making continuing appropriations for the fiscal year 2006, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. The rule provides one motion to recommit the joint resolution. The rule provides that suspensions will be in order at any time on the legislative day of Thursday, October 6, 2005. The rule provides that the Speaker or his designee shall consult with the Minority leader or her designee on any suspension considered under the rule. The rule provides that a motion to proceed pursuant to section 2908 of the Defense Base Closure and Realignment Act of 1990 shall be in order only if offered by the Majority Leader or his designee. Testimony was heard from Chairman Lewis of California.

#### **THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005**

*Committee on Rules:* Granted, by voice vote, a structured rule providing 90 minutes of general debate



on H.R. 3824, to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendment recommended by the Committee on Resources now printed in the bill, the amendment in the nature of a substitute consisting of the text of the Resources Committee Print dated September 26, 2005 shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against that committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Pombo and Representatives Saxton, Gilchrest, Calvert, Flake, Boehlert, Kirk and George Miller of California.

#### **WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE 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 resolution reported on the legislative day of September 29, 2005, providing for consideration or disposition of a conference report to accompany the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

#### **OVERSIGHT—COMMERCIAL AIRLINE INDUSTRY**

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held an oversight hearing on

Current Situation and Future Outlook of the U.S. Commercial Airline Industry. Testimony was heard from public witnesses.

#### **OVERSIGHT—STATUS OF TRANSITION BETWEEN DEFENSE AND VETERANS AFFAIRS DEPARTMENTS**

*Committee on Veterans' Affairs:* Held an oversight hearing regarding the status of seamless transition between the Department of Defense and the Department of Veterans Affairs. Testimony was heard from the following officials of the GAO: Cynthia Bascetta, Director, Veterans Health and Benefits Issues; and Linda Koontz, Director, Information Management Issues; Gordon H. Mansfield, Deputy Secretary, Department of Veterans Affairs; the following officials of the Department of Defense: Stephen L. Jones, Principal Deputy Assistant, Office of Health Affairs, Office of Personnel and Readiness; MG Ronald G. Young, Director, National Guard Bureau Joint Staff, National Guard Bureau; and COL Sheila Hobbs, USA, Senior Patient Administrator, Office of the Surgeon General, U.S. Army; Susan McAndrew, Senior Health Information Privacy Policy Specialist, Office of Civil Rights, Department of Health and Human Services; and public witnesses.

#### **U.S.-JAPAN ECONOMIC AND TRADE RELATIONS**

*Committee on Ways and Means:* Held a hearing on United States-Japan Economic and Trade Relations. Testimony was heard from Representative Moran of Kansas; Wendy Cutler, Assistant U.S. Trade Representative, Japan, Korea and Asia-Pacific Economic Cooperation Affairs; David Loevinger, Deputy Assistant Secretary, Africa, Middle East, and Asia, Department of the Treasury; A. Ellen Terpstra, Administrator, Foreign Agricultural Service, USDA; A. G. Kawamura, Secretary of Agriculture, Department of Food and Agriculture, State of California; and public witnesses.

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#### **COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 29, 2005**

*(Committee meetings are open unless otherwise indicated)*

##### **Senate**

*Committee on Armed Services:* to hold hearings to examine U.S. military strategy and operations in Iraq, 9:30 a.m., SD-106.

*Committee on Banking, Housing, and Urban Affairs:* business meeting to consider the nominations of Emil W. Henry, Jr., of New York, to be Assistant Secretary for Financial Institutions, and Patrick M. O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, both of the Department of the Treasury, Keith E.

Gottfried, of California, to be General Counsel, and Kim Kendrick, of the District of Columbia, to be Assistant Secretary, Keith A. Nelson, of Texas, to be Assistant Secretary, and Darlene F. Williams, of Texas, to be Assistant Secretary, all of the Department of Housing and Urban Development, and Israel Hernandez, of Texas, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, Darryl W. Jackson, of the District of Columbia, to be Assistant Secretary, Franklin L. Lavin, of Ohio, to be Under Secretary for International Trade, and David H. McCormick, of Pennsylvania, to be Under Secretary for Export Administration, all of the Department of Commerce, Time to be announced, S-216, Capitol.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine communications for first responders in disaster, 10 a.m., SD-562.

Full Committee, to hold hearings to examine communications for first responders in disaster, 2:30 p.m., SD-562.

*Committee on Foreign Relations:* to hold hearings to examine the Protocol of 1997 Amending MARPOL Convention (Treaty Doc. 108-7), Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108-24), Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109-1), Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109-2), and the Convention on Supplementary Compensation on Nuclear Damage (Treaty Doc. 107-21), 9:30 a.m., SD-419.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine U.S.-Japan relations, 2:30 p.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations, to hold hearings to examine the effectiveness and cost of the Defense Travel System (DTS) of the Department of Defense, focusing on whether DTS can deliver on the increased efficiency and cost savings that were anticipated when the program was established, 10 a.m., SD-342.

Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine certain activities of the General Services Administration, 3 p.m., SD-342.

*Committee on the Judiciary:* business meeting to consider pending calendar business, 9:30 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Margaret Mary Sweeney, of Virginia, and Thomas Craig Wheeler, of Maryland, each to be a Judge of the United States Court of Federal Claims, John Richard Smoak, to be United States District Judge for the Northern District of Florida, Brian Edward Sandoval, to be United States District Judge for the District of Nevada, and Harry Sandlin Mattice, Jr., to be United States District Judge for the Eastern District of Tennessee, 1:30 p.m., SD-226.

*Committee on Veterans' Affairs:* to hold hearings to examine the nominations of William F. Tuerk, of Virginia, to be Under Secretary for Memorial Affairs, Robert Joseph Henke, of Virginia, to be Assistant Secretary for Management, John M. Molino, of Virginia, to be Assistant Secretary for Policy and Planning, Lisette M. Mondello, of

Texas, to be Assistant Secretary for Public and Intergovernmental Affairs, and George J. Opfer, of Virginia, to be Inspector General, all of Department of Veterans Affairs, 10 a.m., SR-418.

*Select Committee on Intelligence:* to receive a closed briefing regarding certain intelligence matters, 2:30 p.m., SH-219.

*Special Committee on Aging:* to hold hearings to examine the impact of direct-to-consumer drug advertising on seniors' health and health care costs, 10 a.m., SH-216.

## House

*Committee on Agriculture,* Subcommittee on General Farm Commodities and Risk Management, hearing to review the current state of the farm economy and the economic impact of Federal policy on agriculture, 10 a.m., 1300 Longworth.

*Committee on Armed Services,* hearing on operations in Iraq, 2 p.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on understanding the Iran threat, 9 a.m., 2118 Rayburn.

*Committee on Education and the Workforce,* hearing entitled "Closing the Achievement Gap in America's Schools: the No Child Left Behind Act," 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Environment and Hazardous Materials, hearing entitled "Hurricane Katrina: Assessing the Present Environmental Status, 1:30 p.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled "Public Safety Communications from 9/11 to Katrina: Critical Public Policy Lessons," 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Housing and Community Opportunity, hearing entitled "Licensing and Registration in the Mortgage Industry," 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* hearing entitled "The Last Frontier: Bringing the IT Revolution in Healthcare," 10 a.m., and to consider the following measures: H.R. 1317, Federal Employee Protection of Disclosures Act; H.R. 3134, Federal Real Property Disposal Pilot Program and Management Improvement Act of 2005; H.R. 3699, Federal and District of Columbia Government Real Property Act of 2005; H. Res. 15, Supporting the goals and ideals of National Campus Safety Awareness Month; H. Res. 276, Supporting the goals and ideals of Pancreatic Cancer Awareness Month; H.R. 3549, To designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building;" H.R. 3830, To designate the facility of the United States Postal Service located at 130 Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building;" H.R. 3853, To designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the "Willie Vaughn Post Office;" H.R. 923, Mailing Support to Troops Act of 2005; and H. Res. 389, Supporting the goals of The Year of the Museum, 1 p.m., 2154 Rayburn.

*Committee on Homeland Security*, Subcommittee on Emergency Preparedness, Science, and Technology, hearing entitled "Incident Command, Control, and Communications during Catastrophic Events," 1 p.m., 311 Cannon.

*Committee on International Relations*, Subcommittee on International Terrorism and Nonproliferation, hearing on Evolving Counterterrorism Strategy, 1 p.m., 2200 Rayburn.

*Committee on the Judiciary*, to mark up the following bills: H.R. 3648, To impose additional fees with respect to immigration services for intracompany transferees; H.R. 1751, Secure Access to Justice and Court Protection Act of 2005; H.R. 1065, United States Boxing Commission Act; H.R. 3647, To render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors; and H.R. 1400, Securing Aircraft Cockpits Against Lasers Act of 2005, 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution, to mark up H. Res. 97, Expressing the sense of the House of Representatives that judicial determinations regarding the meaning of the Constitution of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws or pronouncements inform an understanding of the original meaning of the Constitution of the United States, following full Committee mark up, 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled "Dual Citizenship, Birthright Citizenship, and the Meaning of Sovereignty," 2 p.m., 2141 Rayburn.

*Committee on Resources*, Subcommittee on Fisheries and Oceans and the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation

and Infrastructure, joint hearing on S. 362, Marine Debris Research, Prevention, and Reduction Act, 10 a.m., 1334 Longworth.

Subcommittee on National Parks, hearing on the following bills: H.R. 326, To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; H.R. 1436, To remove certain use restrictions on property located in Navajo County, Arizona; and H.R. 1972, Franklin National Battlefield Study Act, 10 a.m., 1324 Longworth.

*Committee on Small Business*, Subcommittee on Regulatory Reform and Oversight, hearing to discuss the Entrepreneur Soldiers Empowerment Act (ESEA), 10:30 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, hearing on H.R. 1749, Pest Management and Fire Suppression Flexibility Act, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, hearing on the Implementation of the United States-Bahrain Free Trade Agreement, 10:30 a.m., 1100 Longworth.

Subcommittee on Health, hearing on H.R. 3617, Medicare Value-Based Purchasing for Physicians' Services Act of 2005, 3 p.m., 1100 Longworth.

### Joint Meetings

*Conference*: meeting of conferees on H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, 10 a.m., S-128, Capitol.

## Next Meeting of the SENATE

9:30 a.m., Thursday, September 29

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 29

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States, with a vote on confirmation of the nomination to occur at 11:30 a.m.; following which, Senate expects to begin consideration of H.R. 2863, Defense Appropriations.

## House Chamber

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

## Extensions of Remarks, as inserted in this issue

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