United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRSTSESSION

Vol. 151 WASHINGTON, WEDNESDAY, DECEMBER 14, 2005 No. 160—Part II

House of Representatives

□ 0815

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 8 o'clock and 15 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4437, BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109–347) on the resolution (H. Res. 610) providing for consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JO ANN DAVIS of Virginia (at the request of Mr. BLUNT) for December 16 and 17 on account of a medical treatment.

Mr. MARIO DIAZ-BALART of Florida (at the request of Mr. BLUNT) for today on account of family reasons.

Mr. HYDE (at the request of Mr. BLUNT) for today on account of illness in the family.

Mr. POE (at the request of Mr. BLUNT) for today on account of business in his district.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 449. An act to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971, and for other purposes; to the Committee on Resources.

S. 1231. An act to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education; to the Committee on Education and the Workforce; in addition to the Committee on Resources for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1047. An act to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively, to improve circulation of the $1 coin, to create a new bullion coin, and for other purposes.

ADJOURNMENT

Mr. GINGREY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 16 minutes a.m.), the House adjourned until today, Thursday, December 15, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5661. A letter from the Secretary, Department of Health and Human Services, transmitting the twenty-fifth annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and the Workforce.

5662. A letter from the Chairperson, National Council on Disability, transmitting a copy of the NCD's ''National Disability Policy: A Progress Report,'' as required by Section 401(b)(1) of the Rehabilitation Act of 1973, as amended, covering the period from December 2003 through December 2004, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and the Workforce.

5663. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 to September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5664. A letter from the Secretary, Department of Homeland Security, transmitting the semiannual report of the Inspector General for the period April 1, 2005 through September 30, 2005; to the Committee on Government Reform.

5665. A letter from the Acting Director, Division of Policy, Planning and Program Development, OFCCP, Department of Labor, transmitting the Department's final rule — Obligation to Solicit Race and Gender Data for Agency Enforcement Purposes (RIN: 1215-AB45) received October 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5666. A letter from the Director, Holocaust Memorial Museum, transmitting the Museum's 2004 through 2005 Annual Report and 2006 calendar; to the Committee on Government Reform.

5667. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the audited Sixty-Fourth Financial Statement for the period October 1, 2003 to September 30, 2004, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5668. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's Performance and Accountability Report for FY 2005, required by the Government Performance and Results Act, the Accountability of Tax Dollars Act, and the Federal Managers Financial Integrity Act; to the Committee on Government Reform.

5669. A letter from the Chairman, National Endowment for the Arts, transmitting pursuant to the ''Accountability of Tax Dollars Act of 2002'' and related guidance from the Office of Management and Budget, the Endowment's Performance and Accountability Report for FY 2005; to the Committee on Government Reform.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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5670. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

5671. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period of April 1, 2005 through September 30, 2005 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5672. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5673. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Determination Concerning Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox (RIN: 1018-AT78) received November 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5674. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims [WO 630-1610-EI-25-2Z] (RIN: 1004-AD77) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5675. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Illinois Regulatory Program [Docket No. IL-103-FOR] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5676. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alaska Regulatory Program [SATS No. AK-006-FOR] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5677. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — North Dakota Regulatory Program [ND-048-FOR, Amendment No. XXXV] received November 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5678. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 111705A] received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5679. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 102605A] received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5680. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the ''21st Century Department of Justice Appropriations Authorization Act,'' related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107—273, section202; to the Committee on the Judiciary.

5681. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Civil Penalty Adjustments (RIN: 1029-AC48) received November 17, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5682. A letter from the Acting Director, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the response to the emergency declared as a result the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005 in the State of Georgia, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

5683. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of an editorial entitled, ''US Veterans Health Care Healed Itself — So Can Our (Canadian) Medicare System''; to the Committee on Veterans' Affairs.

5684. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Health Savings Account Eligibility During A Cafeteria Plan Grace Period [Notice 2005-86] received December 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5685. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Withholding on Payments to Partnerships, Trusts and Estates (Rev. Proc. 2005-77) received December 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Gains Derived from Dealings in Property (Rev. Rul. 2005-74) received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5687. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Credit for Certain Foreign Withholding Taxes [Notice 2005-90] received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 602. Resolution providing for consideration of the bill (H.R. 2830) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes (Rept. 109–346). Referred to the House Calendar.

[Filed on December 15 (legislative day of December), 14, 2005]

Mr. GINGREY: Committee on Rules. House Resolution 610. Resolution providing for consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes (Rept. 109–347). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce and Ways and Means discharged from further consideration. H.R. 4437 referred to the Committees of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. JONES of North Carolina (for himself and Mr. SHIMKUS):

H.R. 4524. A bill to amend title 5, United States Code, to provide that if a Member of Congress is convicted of a felony, such Member shall not be eligible for retirement benefits, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHNER (for himself, Mr. MCKEON, Mr. TIBERI, Mr. GEORGE MILLER of California, Mr. KILDEE, and Mr. HINOJOSA):

H.R. 4525. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BARRETT of South Carolina (for himself, Mr. FRANKS of Arizona, and Mr. BISHOP of Utah):

H.R. 4526. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2011, to extend paygo for direct spending, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL (for himself and Mr. OSBORNE):

H.R. 4527. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage small business health plans; to the Committee on Ways and Means.

By Mr. BOYD:

H.R. 4528. A bill to designate the Federal building and United States courthouse located at 111 North Adams Street in Tallahassee, Florida, as the 'William Stafford United States Courthouse'; to the Committee on Transportation and Infrastructure.

By Mr. CASE (for himself and Mr. ABERCROMBIE):

H.R. 4529. A bill to provide for the establishment of a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, and for other purposes; to the Committee on Resources.

By Mr. CHANDLER (for himself and Mr. ROGERS of Kentucky):

H.R. 4530. A bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the ''Scott Reed Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CRAMER:

H.R. 4531. A bill to authorize the Administrator of the Small Business Administration to deem certain small business concerns qualified HUBZone small business concerns; to the Committee on Small Business.

By Mr. CRAMER:

H.R. 4532. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax to encourage them to