

December 22, 1974, relating to Navajo-Hopi land settlement, after receiving testimony from William P. Ragsdale, Director, Bureau of Indian Affairs, Christopher J. Bavasi and Paul Tessler, both of the Office of Navajo and Hopi Indian Relocation, all of the Department of the Interior; Wayne Taylor, Jr., The Hopi Tribe, Kykotsmovi, Arizona; and Joe Shirley, Jr., Louis Denetsosie, and Roman Bitsuie, all of The Navajo Nation, Window Rock, Arizona.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported S. 1389, to reauthorize and improve

the USA PATRIOT Act, with an amendment in the nature of a substitute.

#### NOMINATION

*Select Committee on Intelligence:* Committee concluded a hearing to examine the nomination of John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Chambliss and former Senator Robb, testified and answered questions in his own behalf.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 31 public bills, H.R. 5; and 6 resolutions, H. Con. Res. 212–215; and H. Res. 374–375 were introduced.

**Pages H6326–28**

**Additional Cosponsors:**

**Pages H6328–29**

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

H.R. 2130, to amend the Marine Mammal Protection Act of 1972 to authorize research programs to better understand and protect marine mammals (H. Rept. 109–180).

**Page H6326**

**USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005:** The House passed H.R. 3199, to extend and modify authorities needed to combat terrorism, by a recorded vote of 257 ayes to 171 noes, Roll No. 414.

**Pages H6210–20, H6221–69, H6273–H6309**

Rejected the Boucher motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 209 yeas to 218 nays, Roll No. 413.

**Pages H6306–08**

Pursuant to the rule the amendment in the nature of a substitute printed in part A of H. Rept. 109–178 is considered as the original bill for the purpose of amendment, in lieu of the amendments reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence now printed in the bill.

**Page H6210**

Agreed to:

Flake amendment (no. 2 printed in H. Rept. 109–178) that states that the Director of the FBI must personally approve any library or bookstore request for records by the FBI under section 215 (by

a recorded vote of 402 ayes to 26 noes, Roll No. 403);

**Pages H6249–52, H6265–66**

Issa amendment (no. 3 in H. Rept. 109–178) that increases the oversight over the use of roving wiretaps by requiring timely notification to the issuing judge of any changes of location (by a recorded vote of 406 ayes to 21 noes, Roll No. 404);

**Pages H6252–54, H6266–67**

Capito amendment (no. 4 printed in H. Rept. 109–178) that standardizes the penalties for terrorist attacks and other violence against railroad carriers and mass transportation systems on land, water, or in the air (by a recorded vote of 362 ayes to 66 noes, Roll No. 405);

**Pages H6254–56, H6267**

Flake amendment (no. 5 printed in H. Rept. 109–178) that specifies that the recipient of a national security letter may consult an attorney, and may also challenge national security letters in court (by a recorded vote of 394 ayes to 32 noes, Roll No. 406);

**Pages H6556–60, H6267–68**

Delahunt amendment (no. 7 printed in H. Rept. 109–178) that changes the reference in the forfeiture statute from 2331 (domestic terrorism) to 2332(b) and 2332 (g)(5)(B) (the Federal crime of terrorism definition) (by a recorded vote of 418 ayes to 7 noes, Roll No. 407);

**Pages H6262–63, H6268–69**

Flake amendment (no. 8 printed in H. Rept. 109–178) that requires reporting by the Administrative Office of the Courts on search warrants and also eliminates the provision “unduly delaying trial” in the delayed notification section of the Patriot Act for “sneak and peak” searches (by a recorded vote of 407 ayes to 21 noes, Roll No. 408);

**Pages H6263–65, H6269**

Lungren amendment (no. 10 printed in H. Rept. 109–178) that adds to the list of offenses that are

predicates for obtaining electronic surveillance to include offenses which are related to terrorism;

**Pages H6276–77**

Coble amendment (no. 12 printed in H. Rept. 109–178), as modified by unanimous consent agreement, that amends the Contraband Cigarette Trafficking Act, which makes it unlawful to knowingly ship, possess, sell, distribute or purchase contraband cigarettes;

**Pages H6282–85**

Carter amendment (no. 13 printed in H. Rept. 109–178) that amends the Federal criminal code to apply the death penalty or life imprisonment for a terrorist offense that results in death;

**Pages H6285–87**

Hyde amendment (no. 16 printed in H. Rept. 109–178) that establishes a new criminal offense of narco-terrorism;

**Pages H6292–94**

Sessions amendment (no. 18 printed in H. Rept. 109–178) that provides additional protection to all aircraft in the special aircraft jurisdiction of the U.S. the same protection currently provided to passenger aircraft;

**Pages H6294–95**

Paul amendment (no. 19 printed in H. Rept. 109–178) that expresses the sense of Congress that no American citizen should be the target of a Federal investigation solely as a result of that person's political activities;

**Pages H6295–97**

Lowey amendment (no. 20 printed in H. Rept. 109–178) that strikes section 1014(c) of PL 107–56 as it applies to Homeland Security Grant Funding; and adds H.R. 1544, The Faster and Smarter Funding for First Responders Act of 2005, as passed by the House as a new section of the bill;

**Pages H6297–H6303**

Berman amendment (no. 9 printed in H. Rept. 109–178), that requires a report to Congress on the development and use of data-mining technology by departments and agencies of the Federal government (by a recorded vote of 261 ayes to 165 noes, Roll No. 409);

**Pages H6274–76, H6303–04**

Schiff amendment (no. 11 printed in H. Rept. 109–178) that adds a new title to the bill regarding Reducing Crime and Terrorism at America's Seaports (by a recorded vote of 381 ayes to 45 noes, Roll No. 410);

**Pages H6277–82, H6304–05**

Hart amendment (no. 14 printed in H. Rept. 109–178) that increases the penalties and criminal sentences for activities constituting terrorism financing (by a recorded vote of 387 ayes to 38 noes, Roll No. 411); and

**Pages H6287–90, H6305**

Jackson-Lee amendment (no. 15 printed in H. Rept. 109–178), as modified by unanimous consent agreement, that allows the attachment of property and the enforcement of judgment against a judgment debtor that has engaged in planning or perpe-

trating any act of terrorism (by a recorded vote of 233 ayes to 192 noes, Roll No. 412).

**Pages H6290–92, H6305–06**

Rejected:

Waters amendment (no. 6 printed in H. Rept. 109–178) that sought to establish under section 505 of the USA PATRIOT Act, a recipient of a national security letter may not be penalized for violating the non disclosure requirement if the recipient is mentally incompetent, under undue stress, under threat of bodily harm, or a threat of being discharged from employment.

**Pages H6260–62**

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 H6309**

H. Res. 369, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 196 noes and 3 voting "present", Roll No. 402, after agreeing to order the previous question by a yea-and-nay vote 224 yea to 197 nay, Roll No. 401.

**Pages H6210–20**

**Surface Transportation Extension Act:** The House passed H.R. 3377, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

**Pages H6269–73**

Later agreed to H. Con. Res. 212, to correct technical errors in the enrollment of the bill.

**Page H6309**

**Senate Message:** Messages received from the Senate today appears on pages H6293, H6314.

**Senate Referrals:** S. 45 was held at the desk, S. 544 was referred to Energy and Commerce and S. Con. Res. 212 was held at the desk.

**Pages H6293, H6314**

**Quorum Calls—Votes:** Two yea-and-nay votes and 12 recorded votes developed during the proceedings of today and appear on pages H6219–20, H6220, H6265–66, H6266–67, H6267, H6268, H6268–69, H6269, H6303–04, H6304, H6305, H6305–06, H6307–08, H6308–09. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:35 p.m.

## *Committee Meetings*

### RENEWABLE FUELS STANDARD REVIEW USDA'S ROLE

*Committee on Agriculture:* Held a hearing to Review Agriculture's Role in a Renewable Fuels Standard. Testimony was heard from Keith Collins, Chief Economist, USDA; Tim Pawlenty, Governor, State of Minnesota; and public witnesses.