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WASHINGTON, MONDAY, OCTOBER 24, 2005

No. 136

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. PETRI).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
October 24, 2005.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord our God, in nature as well as the scriptures, You reveal Your creative goodness and Your saving power. Give us grateful hearts for all we have received and make us good stewards of all we possess. Help us to find balance in our lives. May all who labor find satisfaction in their work and enjoyment in their leisure.

May those who are retired, ill, or incapacitated discover involvements that engage their gifts and reveal Your peaceful presence. You are the Lord and source of life and love now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM STAFF MEMBER OF HON. JEFF MILLER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Bob Black, Military Field Representative of the Honorable JEFF MILLER, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 7, 2005.

Hon. J. DENNIS HASTERT,  
*Speaker, U.S. House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I was served with a subpoena, issued by the U.S. District Court, Northern District of Florida, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

BOB BLACK,  
*Military Field Representative.*

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. tomorrow for morning hour debates.

There was no objection.

Accordingly (at 12 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 25, 2005, at 12:30 p.m., for morning hour debates.

### EXECUTIVE COMMUNICATIONS, ETC.

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

4664. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Gerald L. Hoewing, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4665. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John W. Rosa, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4666. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule—Parts and Accessories Necessary for Safe Operation; General Amendments [Docket No. FMCSA-1997-2364] (RIN: 2126-AA61) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4667. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Certification; Importation of Vehicles and Equipment Subject to Federal Safety, Bumper and Theft Prevention Standards; Registered Importers of Vehicles Not Originally Manufactured to Conform to the Federal Motor Vehicle Safety Standards; Schedule of Fees Authorized by 49 U.S.C. 30141 [Docket No. NHTSA-2000-8159; Notice 3] (RIN: 2127-AJ63) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4668. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Controls, Telltales and Indicators [Docket No. NHTSA-2005-22113] (RIN: 2127-AI09) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4669. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards;

□ 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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Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect [DOT Docket No. NHTSA-05-21401] (RIN: 2127-AI43) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4670. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—MAKE INOPERATIVE PROVISIONS; Vehicle Modifications To Accommodate People With Disabilities [Docket No. NHTSA-2004-19092] (RIN: 2127-AJ07) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4671. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Motorcycle Controls and Displays [Docket No. NHTSA-03-15073] (RIN: 2127-AI67) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4672. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Hydraulic and Electric Brake Systems [Docket No. NHTSA-05-21400] (RIN: 2127-AI47) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4673. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Glazing Materials [Docket No. NHTSA-2003-15712] (RIN: 2127-AJ43) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4674. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Tire Pressure Monitoring Systems [Docket No. NHTSA 2005-22251] (RIN: 2127-AJ70) received September 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4675. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Protection in Interior Impact [Docket No. NHTSA-2005-22240] (RIN: 2127-AJ60) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4676. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Bus Emergency Exits and Window Retention and Release [Docket No. NHTSA-99-5157] (RIN: 2127-AJ47) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4677. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Low Speed Vehicles [Docket No. NHTSA-05-22116] (RIN: 2127-AJ12) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4678. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 10-05 which informs of an intent to sign an Memorandum of Agreement (MOA) concerning the upgrade of the AGM-88E Advanced Anti-Radiation Guided Missile (AARGM) between the United States and Italy, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4679. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4680. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-08, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Colombia for defense articles and services; to the Committee on International Relations.

4681. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the heading "Loan Guarantees to Israel" in Chapter 5 of Title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Pub. L. 108-11); to the Committee on International Relations.

4682. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's intent to obligate FY 2005 Economic Support Funds (ESF) for Morocco to provide assistance to HIV/AIDS-infected children in Libya; to the Committee on International Relations.

4683. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting a report on the President's Emergency Plan for AIDS Relief: Community and Faith-Based Organizations, as requested in House Report 108-599; to the Committee on International Relations.

4684. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4685. A letter from the Chairman, Federal Communication Commission, transmitting the Commission's strategic plan for fiscal years 2006 to 2011; to the Committee on Government Reform.

4686. A letter from the Chairman, Federal Housing Finance Board, transmitting pursuant to the requirements of Sections 3 and 4 of the Government Performance and Results Act of 1993 and Part 6 of Circular A-11 of the United States Office of Management and Budget, the annual performance budget for FY 2006; to the Committee on Government Reform.

4687. A letter from the Director of Finance and Administration, James Madison Memorial Fellowship Foundation, transmitting the Foundation's financial statements in compliance with the Accountability of Tax Dollars Act of 2002; to the Committee on Government Reform.

4688. A letter from the Inspector General, Nuclear Regulatory Commission, transmitting a copy of the FY 2005 Commercial and Inherently Governmental Activities Inventories for the Commission as required by the Federal Activities Inventory Reform Act of 1998 and guidance issued by the Office of Management and Budget; to the Committee on Government Reform.

4689. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of Advisory Neighborhood Commission 3E for Fiscal Years 2003 and 2004"; to the Committee on Government Reform.

4690. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of Advisory Neighborhood Commission 2C for Fiscal Years 2003 Through 2005, as of March 31, 2005"; to the Committee on Government Reform.

4691. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of Advisory Neighborhood Commission 2F for Fiscal Years 2003 Through 2005, as of March 31, 2005"; to the Committee on Government Reform.

4692. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4693. A letter from the Secretary, Department of the Interior, transmitting a copy of a draft bill, "To clarify the authorities for the use of certain National Park Service properties within Golden Gate National Recreation Area and San Francisco Maritime National Historical Park, and for other purposes"; to the Committee on Resources.

4694. A letter from the Acting Under Secretary for Emergency Preparedness and Response, 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 of Hurricane Rita on September 20, 2005 in the State of Texas, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

4695. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Advanced Qualification Program [Docket No. FAA-2005-20750; Amendment Nos. 61-112, 63-33, 65-46, 121-313, 135-99] (RIN: 2120-AI59) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4696. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30456; Amdt. No. 3133] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4697. A letter from the Secretary, Department of Transportation, transmitting the Department's report on State practices regarding specific service food signs, in accordance with Section 1213(g) of the Transportation Equity Act for the 21st Century; to the Committee on Transportation and Infrastructure.

4698. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Domestic VOR Federal Airway V-19; OH [Docket No. FAA 2003-16091; Airspace Docket No. 03-AGL-12] (RIN: 2120-AA66) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4699. A letter from the Secretary, Department of Transportation, transmitting a report on any actions that should be taken with respect to recommendations made by the National Commission to Ensure Consumer Information and Choice in the Airline Industry, pursuant to Public Law 108-176, section 816; to the Committee on Transportation and Infrastructure.

4700. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Using Agency for Restricted Areas R-2510 A & B; El Centro, CA. [Docket No. FAA-2005-22400; Airspace Docket No. 05-AWP-10] (RIN: 2120-AA66) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4701. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30458;

Amdt. No. 3135] (received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4702. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, Weather Takeoff [Docket No. 30457; Amdt. No. 3134] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4703. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30459; Amdt. No. 457] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4704. A letter from the Attorney-Advisor, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Maritime Security Program [Docket No. MARAD-2004-18489] (RIN: 2133-AB62) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4705. A letter from the Attorney, Pipeline & Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule—Applicability of the Hazardous Materials Regulations to a "Person who Offers" a Hazardous Material for Transportation in Commerce [Docket No. PHMSA-04-19173 (HM-223A)] (RIN: 2137-AE04) received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4706. A letter from the Attorney-Advisor, Pipeline & Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications [Docket No. PHMSA-2005-22071 (HM-189Y)] (RIN: 2137-AE08) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4707. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule—Commercial Driver's License Standards; School Bus Endorsement [Docket No. FMCSA-2005-21603] (RIN: 2126-AA94) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4708. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule—

Title VI Regulations for Federal Motor Carrier Safety Administration Financial Assistance Recipients [Docket No. FMCSA-2002-13248] (RIN: 2126-AA79) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4709. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Civil Penalties [Docket No. NHTSA-05-21161; Notice 2] (RIN: 2127-AJ62) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4710. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Procedures for Participating in and Receiving Data From the National Driver Register Problem Driver Pointer System [Docket No. NHTSA-04-17326] (RIN: 2127-AI45) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4711. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of a draft bill, "To amend title 38, United States Code, to improve veterans' health care benefits and for other purposes"; to the Committee on Veterans' Affairs.

4712. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of a draft bill, "Veterans Programs Improvement Act of 2005"; to the Committee on Veterans' Affairs.

4713. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the biennial report entitled, "Report on the Montgomery G.I. Bill for Members of the Selected Reserve" for Fiscal Year 2004, pursuant to 10 U.S.C. 16137 Public Law 106-65, section 546; jointly to the Committees on Armed Services and Veterans' Affairs.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MARKEY:

H.R. 4124. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the Centers for Disease Control and Prevention to study the role and impact of electronic media in the development of children; to the Committee on Energy and Commerce.

By Ms. MILLENDER-MCDONALD (for herself and Mr. GARY G. MILLER of California):

H. Res. 506. A resolution commending the Southern California Association of Governments for Forty Years of Planning and Advocacy in Transportation, Air Quality, and Growth Management; to the Committee on Transportation and Infrastructure.

By Mr. BARTLETT of Maryland (for himself, Mr. UDALL of New Mexico, Mr. GOODE, Mr. GRIJALVA, Mr. JONES of North Carolina, Mr. TANCREDO, Mr. GINGREY, Mr. KUHLMAN of New York, Mr. ISRAEL, Mr. BUTTERFIELD, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Mr. GILCHREST, and Mr. WYNN):

H. Res. 507. A resolution expressing the sense of the House of Representatives that the United States, in collaboration with other international allies, should establish an energy project with the magnitude, creativity, and sense of urgency that was incorporated in the "Man on the Moon" project to address the inevitable challenges of "Peak Oil"; to the Committee on Energy and Commerce.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 170: Ms. ZOE LOFGREN of California.

H.R. 219: Mr. NEY.

H.R. 1159: Mrs. MUSGRAVE.

H.R. 1426: Mr. PALLONE.

H.R. 2048: Mr. PETRI and Ms. SCHWARTZ of Pennsylvania.

H.R. 2182: Mr. PITTS, Mr. BURTON of Indiana, Mr. CHOCOLA, Mr. BARRETT of South Carolina, Mr. GUTKNECHT, Mr. FEENEY, Mr. BISHOP of Utah, Mr. BARTLETT of Maryland, Mr. WELDON of Florida, Mr. BRADY of Texas, and Mr. TIAHRT.

H.R. 3417: Mr. JACKSON of Illinois.

H.R. 3561: Mr. McNULTY.

H.R. 3630: Mr. RYUN of Kansas and Mr. CAMP.

H.R. 3661: Mr. MILLER of Florida.

H.R. 3889: Mr. COOPER.

H. Con. Res. 190: Mr. FITZPATRICK of Pennsylvania and Mr. WEXLER.

H. Con. Res. 231: Mr. OWENS and Mr. SWEENEY.

H. Con. Res. 269: Mr. BARRETT of South Carolina, Ms. ESHOO, Ms. FOX, Mr. GOHMERT, Mr. SHIMKUS, Mr. ROSS, Mr. LIPINSKI, Mr. PAUL, Mr. FOSSELLA, and Mrs. CHRISTENSEN.

H. Res. 477: Ms. VELÁZQUEZ.

H. Res. 483: Mrs. JOHNSON of Connecticut.