

Byrd Amendment No. 2367, to replace title VIII of the bill with an amendment to section 214(c) of the Immigration and Nationality Act to impose a fee on employers who hire certain nonimmigrants.

Pages S12189–93

Lott/Lautenberg Amendment No. 2360, to reauthorize Amtrak.

Pages S12193–97

McCain Amendment No. 2370, to move forward the date on which the transition to digital television is to occur.

Pages S12197–S12202

Murray Amendment No. 2372, to provide a 6-month transition period for coverage of prescription drugs under Medicaid for individuals whose drug coverage is to be moved to the Medicare prescription drug program.

Pages S12202–07

Ensign Amendment No. 2368, to cut \$2,000,000,000 from the convertor box subsidy program.

Pages S12207–10

Landrieu Amendment No. 2366, to provide funds for payments to producing States and coastal political subdivisions under the coastal impact assistance program.

Pages S12211–12

A unanimous consent agreement was reached providing for further consideration of the bill on Thursday, November 3, 2005, with votes to occur on or in relation to the pending amendments (listed above).

Page S12281

Agriculture Appropriations Conference Report: Senate began consideration of the conference report to accompany H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006.

Pages S12219–28

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9 a.m., on Thursday, November 3, 2005, with a vote on adoption of the conference report to occur thereon.

Page S12281

Nominations Received: Senate received the following nomination:

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

Page S12284

Messages From the House:

Page S12235

Measures Referred:

Page S12235

Executive Communications:

Pages S12235–36

Executive Reports of Committees:

Pages S12236–37

Additional Cosponsors:

Pages S12238–39

Statements on Introduced Bills/Resolutions:

Pages S12239–53

Additional Statements:

Pages S12234–35

Amendments Submitted:

Pages S12235–79

Authorities for Committees to Meet: Page S12279

Privileges of the Floor: Page S12279

Adjournment: Senate convened at 8:30 a.m., and adjourned at 7:56 p.m., until 9 a.m., on Thursday, November 3, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12281.)

Committee Meetings

(Committees not listed did not meet)

PANDEMIC INFLUENZA PREPAREDNESS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine funding needs for pandemic influenza preparedness, focusing on vaccines, antivirals, and disease surveillance, public health infrastructure, and risk communication, after receiving testimony from Michael O. Leavitt, Secretary, Julie Gerberding, Director, Centers for Disease Control and Prevention, Anthony Fauci, Director, National Institute on Allergy and Infectious Diseases, National Institutes of Health, and Bruce Gellin, Director, National Vaccine Program Office, all of the Department of Health and Human Services; and John M. Barry, New Orleans, Louisiana.

BUSINESS MEETING

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

S. 1063, to promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services, with an amendment in the nature of a substitute; and

The nominations of Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Mark V. Rosenker, of Maryland, and Kathryn Higgins, of South Dakota, each to be a Member of the National Transportation Safety Board, and nomination lists in the National Oceanic and Atmospheric Administration and the Coast Guard.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1548, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, S. 1541, to protect, conserve, and restore public land administered by the Department of the Interior or the Forest Service and adjacent land through cooperative cost-shared grants to control and mitigate the spread of invasive species, S. 1552, to amend Public Law 97–435 to extend the

authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009, H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and S. 405, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport, after receiving testimony from Gloria Manning, Associate Deputy Chief for National Forest Systems, Forest Service, Department of Agriculture; and Scott J. Cameron, Deputy Assistant Secretary of the Interior for Performance, Accountability, and Human Resources.

HURRICANE KATRINA RESPONSE

Committee on Environment and Public Works: Committee concluded oversight hearings to examine the response to Hurricane Katrina, focusing on the actions of certain federal agencies, and efforts to provide economic revitalization on the Gulf Coast of the United States, after receiving testimony from Nils J. Diaz, Chairman, Nuclear Regulatory Commission; Sandy K. Baruah, Acting Assistant Secretary of Commerce for Economic Development; H. Dale Hall, Director, U.S. Fish and Wildlife Service, Department of the Interior; David L. Winstead, Commissioner, Public Buildings Service, General Services Administration; and Mayor C. Ray Nagin, Kim Dunn Chapital, Dillard University Deep South Center for Environmental Justice, and William H. Hines, Jones, Walker, Waechter, Poitevent, Carrere and Denegre, L.L.P., all of New Orleans, Louisiana.

BUSINESS MEETING

Committee on Foreign Relations: On Tuesday, November 1, Committee ordered favorably reported the following business items:

The Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica, with Annexes (Treaty Doc. 109–2);

S. 1315, to require a report on progress toward the Millennium Development Goals, with an amendment;

S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member; and

The nominations of Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency

for International Development, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State for Legislative Affairs, and James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.

U.S.-INDIAN NUCLEAR ENERGY COOPERATION

Committee on Foreign Relations: Committee concluded a hearing to examine security and nonproliferation implications relating to U.S.-Indian nuclear energy cooperation, after receiving testimony from R. Nicholas Burns, Under Secretary for Political Affairs, and Robert G. Joseph, Under Secretary for Arms Control and International Security, both of the Department of State; Ronald F. Lehman, II, Lawrence Livermore National Laboratory Center for Global Security Research, Livermore, California; Ashton B. Carter, Harvard University Belfer Center for Science and International Affairs, Cambridge, Massachusetts; and Henry D. Sokolski, Nonproliferation Policy Education Center, and Michael Krepon, Henry L. Stimson Center, both of Washington, D.C.

HURRICANE KATRINA: NEW ORLEANS LEVEE SYSTEM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the effect of Hurricane Katrina on the infrastructure of coastal Louisiana, focusing on the performance of the levee system that surrounds New Orleans, after receiving testimony from Paul F. Mlakar, Senior Research Scientist, U.S. Army Research and Development Center, U.S. Army Corps of Engineers; Ivor L. van Heerden, Louisiana Forensic Data Gathering Team, Baton Rouge; Raymond B. Seed, University of California, Berkeley, on behalf of the National Science Foundation-sponsored Levee Investigation Team; and Peter G. Nicholson, University of Hawaii, Manoa, on behalf of the American Society of Civil Engineers.

TRIBAL LOBBYING MATTERS

Committee on Indian Affairs: Committee held an oversight hearing to examine In Re Tribal Lobbying Matters, Et Al, focusing on lobbying fraud, after receiving testimony from J. Steven Griles, former Deputy Secretary, and Michael Rossetti, former Counsel to the Secretary, both of the Department of the Interior; Kevin Sickey and David Sickey, both of the Coushatta Tribe of Louisiana, Elton; Fred Baggett, Greenberg Traurig, Tallahassee, Florida; B.R. McConnon, Democracy Data and Communications,

Alexandria, Virginia; William Worfel, Kinder, Louisiana; Kathryn Van Hoof, Lecompte, Louisiana; Christopher Cathcart, Washington, D.C.; and Gail Halpern, Silver Spring, Maryland.

Hearings recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 4196–4216; and 5 resolutions, H. Con. Res. 288–289; and H. Res. 528–530 were introduced. **Pages H9554–55**

Additional Cosponsors: **Pages H9555–56**

Reports Filed: Reports were filed today as follows:

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2006 (H. Rept. 109–264);

Conference report on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, (H. Rept. 109–265); and

H. Res. 527, providing for consideration of the bill (H.R. 4128) to protect private property rights (H. Rept. 109–266). **Pages H9499–H9533, H9554**

Chaplain: The prayer was offered today by Rev. Bruce Bigelow, Pastor, Lake Hills Baptist Church, Schererville, Indiana. **Page H9475**

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

Department of Veterans Affairs Information Technology Management Improvement Act of 2005: H.R. 4061, to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, by a $\frac{2}{3}$ yea-and-nay vote of 408 yeas with none voting “nay”, Roll No. 560; **Pages H9484–87, H9497–98**

Designating the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the “John H. Bradley Department of Veterans Affairs Outpatient Clinic”: H.R. 1691, to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the “John H. Bradley Department of Veterans Affairs Outpatient Clinic”, by

a $\frac{2}{3}$ yea-and-nay vote of 407 yeas with none voting “nay”, Roll No. 561; and **Pages H9487–89, H9498–99**

Designating the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the “Rosa Parks Federal Building”: S. 1285, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the “Rosa Parks Federal Building”—clearing the measure for the President. **Pages H9490–92**

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measure:

Online Freedom of Speech Act: H.R. 1606, to amend the Federal Election Campaign Act of 1971 to exclude communications over the Internet from the definition of public communication, by a $\frac{2}{3}$ yea-and-nay vote of 225 yeas to 182 nays, Roll No. 559. **Pages H9478–84, H9497**

Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2862, an act making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006. **Page H9492**

The House agreed to the Schwartz motion to instruct conferees by voice vote after agreeing to order the previous question. **Pages H9492–96**

Later, the Chair appointed conferees: Representatives Messrs. Wolf, Taylor of North Carolina, Kirk, Weldon of Florida, Goode, LaHood, Culberson, Alexander, Lewis of California, Mollohan, Serrano, Cramer, Kennedy of Rhode Island, Fattah, and Obey. **Page H9497**

Recess: The House recessed at 4:35 p.m. and reconvened at 7:41 p.m. **Pages H9496–97**

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker’s reappointment of Ms. Judith Flink of Morton Grove, Illinois, to the Advisory Committee on Student Financial Assistance for a three-year term. **Page H9533**