

“(G) For each plan year beginning in a calendar year after 2006, there shall be substituted for the premium rate specified in clause (iv) of subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying the premium rate specified in clause (iv) of subparagraph (A) by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2004; and

“(ii) the premium rate in effect under clause (iv) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”

(b) **PREMIUM RATE FOR CERTAIN TERMINATED SINGLE-EMPLOYER PLANS.**—Subsection (a) of section 4006 of such Act (29 U.S.C. 1306) is amended by adding at the end the following:

“(7) **PREMIUM RATE FOR CERTAIN TERMINATED SINGLE-EMPLOYER PLANS.**—

“(A) **IN GENERAL.**—If there is a termination of a single-employer plan under clause (ii) or (iii) of section 4041(c)(2)(B) or section 4042, there shall be payable to the corporation, with respect to each applicable 12-month period, a premium at a rate equal to \$1,250 multiplied by the number of individuals who were participants in the plan immediately before the termination date. Such premium shall be in addition to any other premium under this section.

“(B) **SPECIAL RULE FOR PLANS TERMINATED IN BANKRUPTCY REORGANIZATION.**—In the case of a single-employer plan terminated under section 4041(c)(2)(B)(ii) or under section 4042 during pendency of any bankruptcy reorganization proceeding under chapter 11 of title 11, United States Code, or under any similar law of a State or a political subdivision of a State (or a case described in section 4041(c)(2)(B)(i) filed by or against such person has been converted, as of such date, to such a case in which reorganization is sought), subparagraph (A) shall not apply to such plan until the date of the discharge or dismissal of such person in such case.

“(C) **APPLICABLE 12-MONTH PERIOD.**—For purposes of subparagraph (A)—

“(i) **IN GENERAL.**—The term ‘applicable 12-month period’ means—

“(I) the 12-month period beginning with the first month following the month in which the termination date occurs, and

“(II) each of the first two 12-month periods immediately following the period described in subclause (I).

“(ii) **PLANS TERMINATED IN BANKRUPTCY REORGANIZATION.**—In any case in which the requirements of subparagraph (B)(i)(I) are met in connection with the termination of the plan with respect to 1 or more persons described in such subparagraph, the 12-month period described in clause (i)(I) shall be the 12-month period beginning with the first month following the month which includes the earliest date as of which each such person is discharged or dismissed in the case described in such clause in connection with such person.

“(D) **COORDINATION WITH SECTION 4007.**—

“(i) Notwithstanding section 4007—

“(I) premiums under this paragraph shall be due within 30 days after the beginning of any applicable 12-month period, and

“(II) the designated payor shall be the person who is the contributing sponsor as of immediately before the termination date.

“(ii) The fifth sentence of section 4007(a) shall not apply in connection with premiums determined under this paragraph.

“(E) **TERMINATION.**—Subparagraph (A) shall not apply with respect to any plan terminated after December 31, 2010.”

(c) **CONFORMING AMENDMENT.**—Section 4006(a)(3)(B) of such Act (29 U.S.C. 1306(a)(3)(B)) is amended by striking “subparagraph (A)(iii)” and inserting “clause (iii) or (iv) of subparagraph (A)”.

(d) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, the amendments made by this section shall apply to plan years beginning after December 31, 2005.

(2) **PREMIUM RATE FOR CERTAIN TERMINATED SINGLE-EMPLOYER PLANS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the amendment made by subsection (b) shall apply to plans terminated after December 31, 2005.

(B) **SPECIAL RULE FOR PLANS TERMINATED IN BANKRUPTCY.**—The amendment made by subsection (b) shall not apply to a termination of a single-employer plan that is terminated during the pendency of any bankruptcy reorganization proceeding under chapter 11 of title 11, United States Code (or under any similar law of a State or political subdivision of a State), if the proceeding is pursuant to a bankruptcy filing occurring before October 18, 2005.

TITLE IX—LIHEAP PROVISIONS

SEC. 9001. FUNDING AVAILABILITY.

(a) **IN GENERAL.**—In addition to amounts otherwise made available, there are appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of Health and Human Services for a 1-time only obligation and expenditure—

(1) \$250,000,000 for fiscal year 2007 for allocation under section 2604(a) through (d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(a) through (d)); and

(2) \$750,000,000 for fiscal year 2007 for allocation under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)).

(b) **SUNSET.**—The provisions of this section shall terminate, be null and void, and have no force and effect whatsoever after September 30, 2007. No monies provided for under this section shall be available after such date.

TITLE X—JUDICIARY RELATED PROVISIONS

Subtitle A—Civil Filing Adjustments

SEC. 10001. CIVIL CASE FILING FEE INCREASES.

(a) **CIVIL ACTIONS FILED IN DISTRICT COURTS.**—Section 1914(a) of title 28, United States Code, is amended by striking “\$250” and inserting “\$350”.

(b) **APPEALS FILED IN COURTS OF APPEALS.**—The \$250 fee for docketing a case on appeal or review, or docketing any other proceeding, in a court of appeals, as prescribed by the Judicial Conference, effective as of January 1, 2005, under section 1913 of title 28, United States Code, shall be increased to \$450.

(c) **EXPENDITURE LIMITATION.**—Incremental amounts collected by reason of the enactment of this section shall be deposited in a special fund in the Treasury to be established after the enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the enactment of this Act.

(d) **EFFECTIVE DATE.**—This section and the amendment made by this section shall take effect 60 days after the date of the enactment of this Act.

Subtitle B—Bankruptcy Fees

SEC. 11101. BANKRUPTCY FEES.

(a) **BANKRUPTCY FILING FEES.**—Section 1930(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking “\$220” and inserting “\$245”; and

(B) in subparagraph (B) by striking “\$150” and inserting “\$235”; and

(2) in paragraph (2) by striking “\$1,000” and inserting “\$2,750”.

(b) **EXPENDITURE LIMITATION.**—Incremental amounts collected by reason of the amendments made by subsection (a) shall be deposited in a special fund in the Treasury to be established after the enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the enactment of this Act.

(c) **EFFECTIVE DATE.**—This section and the amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

VACATING ORDERING OF YEAS AND NAYS ON H.R. 4659, USA PATRIOT ACT 5-WEEK EXTENSION

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays on H.R. 4659 be vacated to the end that the Chair put the question *de novo*.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4659.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RESIGNATION AS CHAIRMAN AND ELECTION AS CHAIRMAN OF COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER pro tempore laid before the House the following resignation as chairman of the Committee on House Administration:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COM-
MITTEE ON HOUSE ADMINIS-
TRATION,

Washington, DC, January 17, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, the
Capitol, Washington, DC.

DEAR MR. SPEAKER: It has been an honor and a privilege to serve you and the House as Chairman of the Committee on House Administration for the past five years. I am grateful to you for the opportunity you gave me to serve in this position, and am very proud of my record of service.

Over the course of the past year, there have been numerous reports questioning the propriety of certain actions I have taken. I assure you that I have done absolutely nothing wrong, and I am convinced this truth will ultimately be shown and the accusations made against me will be proven groundless.

However, it has become clear to me that the allegations surrounding me and ensuing investigations have become a distraction within the Committee and our Conference. Therefore to preserve the integrity of the Committee on House Administration, I regret to inform you that I have decided to step down from the Chair at this time. My love and respect for this institution and the

Committee is too great for me to allow this distraction to interfere with our ability to get our important work done.

Our Conference has important issues to address for the American people in the upcoming year. I will continue to support the ideals of this party and country and assist you in any way I can as we move forward on our agenda. Once the allegations that have been made against me have been shown to be false, I look forward to resuming the Chair for the rest of my appointed term and continuing the important work of the Committee.

Sincerely,

BOB NEY.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

Ms. PRYCE of Ohio. Mr. Speaker, I offer a resolution (H. Res. 664) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 664

Resolved, That the following named Member be, and that he hereby is, elected to the following standing committee of the House of Representatives:

Committee on House Administration: Mr. Ehlers, Chairman.

Resolved, That the following named Member be, and that he hereby is, ranked as follows on the following standing committee of the House of Representatives:

Committee on House Administration: Mr. Ney, after Mr. Ehlers.

The SPEAKER pro tempore (Mr. BOUSTANY). Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1715

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Ms. PRYCE of Ohio. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 332) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 332

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, February 1, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 7, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Wednesday, February 8, 2006, or Thursday, February 9, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 14, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker or his designee, after consultation with the Minority Leader, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO FRIDAY, FEBRUARY 3, 2006

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, February 3, 2006, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 332, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

APPOINTMENT OF HONORABLE MAC THORNBERRY AND HONORABLE TOM DAVIS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH FEBRUARY 7, 2006

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

HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 2006.

I hereby appoint the Honorable MAC THORNBERRY and the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through February 7, 2006.

J. DENNIS HASTERT

Speaker of the House of Representatives.

Without objection, the appointment is approved.

There was no objection.

HONORING THE LIFE AND ACCOMPLISHMENTS OF MRS. CORETTA SCOTT KING

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, January 31, 2006, proceedings will now resume on the resolution (H. Res. 655) honoring the life and accomplishments of Mrs. Coretta Scott King and her contributions as a leader in the struggle for civil rights, and expressing condolences to the King family on her passing.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. When proceedings were postponed on that

day, 3½ minutes of debate remained on the resolution. The gentleman from Wisconsin (Mr. SENSENBRENNER) had 3½ minutes remaining, and the gentleman from Michigan (Mr. CONYERS) had no time remaining.

The Chair recognizes the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the time for debate on the pending resolution be enlarged by 30 minutes, equally divided between myself and the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin will have 18½ minutes, and the gentleman from Michigan will have 15 minutes.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me this time. I want to rise to say that I served with Coretta Scott King on the Federal Holiday Commission. She was the chair and I was vice-chair at her request. She did a wonderful job of carrying on the message of Dr. King. She traveled widely and was highly respected in her efforts to take the message across America and the world.

The fact that 50 States now acknowledge the Federal King holiday is in part out of respect for her leadership on the Federal Holiday Commission. The Commission was designed to achieve that. In addition, many communities across the country have celebrations of the King holiday and the life of Martin Luther King and bring to college students, to high school, and grade school students the story of how he impacted our Nation's future and our society. This happened because of her leadership as chairman of the Federal Holiday Commission.

She truly was a remarkable woman. She deserves enormous credit for carrying on the legacy of Dr. King and taking this message to America. I just have to say that she did this with great humility, with great understanding, and great ability to persuade those that she came in contact with, with groups and leaders across the Nation, of the importance of the King message.

Her life is something that we should all respect and cherish as part of the American scene. I think she deserves enormous credit for what she accomplished as chairman of the Holiday Commission. She made happen what the intent of Congress was in passing the holiday language, that the message be taken to the States and to the people of the Nation. Many of these celebrations are as a result of her efforts. A truly great woman. A great individual.

She has been recognized by many groups and well deserved all of the accolades that she has received. Her death is a great loss to our Nation; but her life was a great strength for our