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No. 40

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. KOLBE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

April 3, 2006.

I hereby appoint the Honorable JIM KOLBE 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: For ourselves personally and for the Nation, we pray Psalm 31:

"In You, O Lord, we take refuge.

Let us never be put to shame.

By Your justice, set us free.

Hear us, Lord, and speedily come to our rescue."

This Congress, too, seeks Your help, Lord.

"Be a rock of refuge for us
a mighty stronghold to fortify us.

For Your namesake lead us and guide us."

For all those suffering throughout the world, we pray:

"Release us, Lord, from the hidden snares that entrap us

for You are our refuge.

Into Your hands we commend our spirits.

It is You, You alone, who will redeem us, Lord."

Both 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.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on March 30, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 1259. To award a congressional gold medal on behalf of the Tuskegee Airmen, collectively, in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

H.R. 4911. To temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

ADJOURNMENT

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

There was no objection.

Accordingly (at 2 o'clock and 1 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 4, 2006, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

6819. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Thymol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2005-0483; FRL-7754-9] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6820. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Trifluralin; Pesticide Tolerance [EPA-HQ-OPP-2006-0103; FRL-7765-3] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6821. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Spinosad; Pesticide Tolerance [EPA-HQ-OPP-2005-0510; FRL-7758-2] received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6822. A letter from the Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting the Department's final rule — Emergency Mine Evacuation (RIN: 1219-AB46) received March 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6823. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Head Restraints [Docket No. NHTSA-2006-23848] (RIN: 2127-AJ84) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6824. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Control Volatile Organic Compound Emissions; Volatile Organic Compound Control for Facilities in the Dallas/Fort Worth Ozone Nonattainment Area [EPA-R06-OAR-2005-TX-0014; FRL-8022-2] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6825. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — OHIO: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R05-RCRA-2006-0032;

□ 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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FRL-8023-3] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6826. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Utah; Rule Recodification [EPA-R08-OAR-2005-UT-0001; FRL-8027-4] received February 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6827. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan; San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2006-0033; FRL-8029-4] received February 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6828. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Evansville Area to Attainment of the 8-Hour Ozone Standard [EPA-R05-2005-IN-0006; FRL-8015-7] received December 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6829. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Adjusting Allowances for Class I Substances for Export to Article 5 Countries [FRL-8017-2] (RIN: 2060-AK45) received December 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6830. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances [FRL-8016-7] (RIN: 2060-AM56) received December 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6831. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives; Renewable Fuel Standard Requirements for 2006 [EPA-OAR-2005-0161; FRL-8017-1] received December 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6832. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Reasonably Available Control Technology for Oxides of Nitrogen for a Specific Source in the State of New Jersey [Region 2 Docket No. EPA-R02-OAR-2004-NJ-0001; FRL-8040-4] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6833. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Control of Air Pollution by Permits for New Construction or Modification [EPA-R06-OAR-2004-TX-0006; FRL-8043-9] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6834. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2005-MO-006; FRL-8044-5] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6835. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Particulate Matter of 10 Microns or Less; Finding of Attainment for Yuma Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements [EPA-R09-OAR-2006-0041; FRL-8045-1] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6836. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — PM_{2.5} and PM₁₀ Hot-Spot Analysis in Project-level Transportation Conformity Determinations for the New PM_{2.5} and Existing PM₁₀ [EPA-HQ-OAR-2003-0049; FRL-8039-5] (RIN: 2060-AN02) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6837. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's "Major" final rule — Rulemaking on Section 126 Petition from North Carolina to Reduce Interstate Transport of Fine Particulate Matter and Ozone; Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone; Revisions to the Clean Air Interstate Rule; Revisions to the Acid Rain Program [EPA-HQ-OAR-2004-0076; FRL-8047-5] (RIN: 2060-AM99) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6838. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's "Major" final rule — Inclusion of Delaware and New Jersey in the Clean Air Interstate Rule [EPA-HQ-OAR-2003-0053; FRL-8048-1] (RIN: 2060-AM95) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6839. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan, Pinal County Air Quality Control District [EPA-R09-OAR-2005-AZ-0007; FRL-8046-1] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6840. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2005-0556a; FRL-8046-6] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6841. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Vermont Update to Materials Incorporated by Reference [VT-19-1222c; FRL-8037-2] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6842. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to Regulation No. 1; Direct Final Rule [EPA-R08-OAR-2006-0125; FRL-8047-1] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6843. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; 15% and 5% Emission Reduction Plans, Inventories, and Transportation Conformity Budgets for the Portland One and Eight Hour Ozone Nonattainment Areas [EPA-R01-OAR-2005-ME-0006; A-1-FRL-8048-7] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6844. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: Charlotte, Raleigh-Durham, and Winston-Salem Areas Second 10-Year Maintenance Plan for the Carbon Monoxide National Ambient Air Quality Standard [EPA-R04-OAR-2005-NC-0002-200538(a); FRL-8049-2] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6845. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution from New Motor Vehicles; Amendments to the Tier 2 Motor Vehicle Emission Regulations [OAR-2006-0160; FRL-8049-6] (RIN: 2060-AN67) received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6846. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [EPA-HQ-OPPT-2006-0118; FRL-7760-4] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6847. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Nevada State Implementation Plan [EPA-R09-OAR-2005-NV-0001; FRL-] received March 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6848. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Documents Incorporated by Reference [EPA-R03-OAR-2005-VA-0014; FRL-8039-8] received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6849. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to the Ambient Air Quality Standards [EPA-R03-OAR-2005-VA-0016; FRL-8040-1] received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6850. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; State of South Dakota; Approval of Redesignation Request [R08-OAR-2005-SD-0002; FRL-8039-1] received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6851. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Michigan: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R05-RCRA-2006-0043; FRL-8040-3] received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6852. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing [EPA-HQ-OAR-2003-0121; FRL-8039-2] (RIN: 2060-AM43) received March 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6853. A letter from the Legal Advisor to the Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Pearsall and Dilley, Texas) [MB Docket No. 03-87; RM-10686] received March 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6854. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Old Forge and Black River, New York) [MB Docket No. 05-279; RM-11276] received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6855. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Privacy Act Regulations [OEI-2002-0009; FRL-8017-7] (RIN: 2025-AA13) received January 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6856. A letter from the Acting General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Death Benefits — March 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6857. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Definitions of Federal Election Activity [Notice 2006-7] received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

6858. A letter from the Under Secretary and Director, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Patent Search Fee Refund Provi-

sions of the Consolidated Appropriations Act, 2005 [Docket No.: 2004-P-038] (RIN: 0651-AB79) received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6859. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Criminal Jurisdiction Over Civilians Employed by or Accompanying the Armed Forces Outside the United States, Service Members, and Former Service Members [0790-AH73] received March 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6860. A letter from the Acting Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Department's final rule — Seaway Regulations and Rules; Periodic Update, Various Categories [Docket No. SLSDC 2005-23248] (RIN: 2135-AA22) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6861. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, transmitting the Administration's final rule — Schedules of Controlled Substances; Exempt Anabolic Steroid Products [Docket No. DEA-2771] (RIN: 1117-AA98) received March 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6862. A letter from the Assistance Chief Counsel, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision of Requirements for Carriage by Aircraft [Docket No. RSPA-02-11654 (HM-228)] (RIN: 2137-AD18) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6863. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revised Compliance Dates for National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitation Guidelines for Concentrated Animal Feeding Operations [EPA-HQ-OW-2005-0036; FRL-8031-3] (RIN: 2040-AE80) received February 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6864. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Process for Requesting Waiver of Mandatory Separation Age for Certain Federal Aviation Administration (FAA) Air Traffic Control Specialists [Docket No. FAA-2004-17334; SFAR No. 103] (RIN: 2120-A118) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on

Government Reform and Transportation and Infrastructure.

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:

[Filed on March 31, 2006]

Mr. NUSSLE: Committee on the Budget. House Concurrent Resolution 376. Resolution establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011 (Rept. 109-402). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on March 31, 2006]

H.R. 921. Referral to the Committee on Education and the Workforce extended for a period ending not later than May 26, 2006.

H.R. 1071. Referral to the Committee on Energy and Commerce extended for a period ending not later than May 26, 2006.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. ANDREWS introduced a bill (H.R. 5073) to amend chapter 44 of title 18, United States Code, to require microstamping of all firearms manufactured in or imported into the United States, and ballistics testing of all firearms in the custody of the Federal Government; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 198: Mr. PAYNE.

H.R. 4950: Ms. DEGETTE.

H. Con. Res. 318: Mr. CAPUANO.

H. Res. 749: Mr. EMANUEL.