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No. 49

## House of Representatives

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

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
May 1, 2006.

I hereby appoint the Honorable JOHN CAMPBELL 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 God, who alone creates from nothingness, You gave to Adam and all his descendants a mandate to cultivate the garden of this Earth and care for it. At the same time, by labor and human ability, we are commanded by You to strive to improve the quality of life. Today, particularly by means of science and technology, this mastery over nature is extended to such a degree that the human family is coming to see itself as a single worldwide community of labor and collaboration.

Help Congress and the people of this industrious and prosperous Nation to face this vast enterprise by integrating the principles of a religious and moral order with the skilled knowledge of today's social order.

Be with Your people, Lord, as they both individually and collectively struggle to improve the condition of human living. Created in Your own image, Lord God, we have been commissioned to master the Earth and all it contains, and so rule the world in justice and holiness all the days of God-given life. You alone are the source of all good and peace 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.

### 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 12 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 2, 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:

7092. A letter from the Legislative Affairs Branch Chief, Department of Agriculture, transmitting the Department's "Major" final rule—Healthy Forest Reserve Program—received April 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7093. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Importation of Peppers From Certain Central American Countries [Docket No. 05-003-3] received March 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

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7094. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Addition and Removal of Regulated Areas in Arizona [Docket No. 05-078-2] received March 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7095. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Tuberculosis; Reduction in Time-frame for Movement of Cattle and Bison From Modified Accredited and Accreditation Preparatory States or Zones Without an Individual Tuberculin Test [Docket No. 04-065-2] received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7096. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Interstate Movement of Pine Bark Products From Quarantined Areas [Docket No. 04-031-2] received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7097. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Additions to Quarantined Areas [Docket No. 05-027-2] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7098. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Criteria for Releasing Fields From Regulation [Docket No. 04-134-2] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7099. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado; Relaxation of Handling Regulation for Area No. 2 [Docket No. FV05-948-1 FRA] received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7100. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Milk in the Pacific Northwest and Arizona-Las Vegas

□ 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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Marketing Areas; Order Amending the Orders [Docket No. AO-368-A32, AO-271-A37; DA-03-04B] received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7101. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Raisins Produced from Grapes Grown in California; Decreased Assessment Rate [Docket No. FV06-989-1 IFR] received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7102. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Pears Grown in Oregon and Washington; Establishment of Continuing Assessment Rates and Modification of the Rules and Regulations [Docket No. FV05-927-01 FR] received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7103. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Consolidation of Contract Requirements [DFARS Case 2003-D109] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7104. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Approval of Service Contracts and Task and Delivery Orders [DFARS Case 2002-D024] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7105. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contractor Performance of Acquisition Functions Closely Associated with Inherently Governmental Functions [DFARS Case 2004-D021] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7106. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Component Breakout [DFARS Case 2003-D071] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7107. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Acquisition of Ball and Roller Bearings [DFARS Case 2003-D021] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7108. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Incentive Program for Purchase of Capital Assets Manufactured in the United States [DFARS Case 2005-D003] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7109. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups (RIN: 1870-AA12) received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7110. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7111. A letter from the General Counsel, Consumer Product Safety Commission, transmitting the Commission's "Major" final rule—Final Rule: Standard for the Flammability (Open Flame) of Mattress Sets—received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7112. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule—Acquisition Regulation: Make-or-Buy Plans (RIN: 1991-AB64) received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7113. 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. 10-06 which informs of an intent to sign the Ballistic Defense Technology (BMD) Memorandum of Agreement (MOA) between the United States and Italy, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

7114. A letter from the Secretary, Department of State, transmitting the Department's report covering current military, diplomatic, political, and economic measures that are being or have been undertaken to complete out mission in Iraq successfully, pursuant to Public Law 109-163, section 1227; to the Committee on International Relations.

7115. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report describing conditions in Hong Kong that are of interest to the United States, covering the period from April 1, 2005 to March 31, 2006, pursuant to Public Law 104-107 section 576; to the Committee on International Relations.

7116. A letter from the Associate Director, OFAC, Department of the Treasury, transmitting the Department's final rule—Foreign Assets Control Regulations—received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7117. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—Privacy Act of 1974; Implementation [AAG/A Order No. 003-2006] received April 5, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7118. A letter from the Director, National Science Foundation, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Foundation's report on competitive sourcing efforts for FY 2005; to the Committee on Government Reform.

7119. A letter from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting the Office's final rule—Excepted Service—Student Program (RIN: 3206-AK59) received April 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7120. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2005 annual report on statistical data relating to Federal sector equal employment opportunity complaints filed with the Office, pursuant to Public Law 107-

174 section 203; to the Committee on Government Reform.

7121. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to Remove the Arizona Distinct Population Segment of the Cactus Ferruginous Pygmy-owl (*Glaucidium brasilianum cactorum*) From the Federal List of Endangered and Threatened Wildlife; Withdrawal of the Proposed Rule to Designate Critical Habitat; Removal of Federally Designated Critical Habitat (RIN: 1018-AU22; RIN: 1018-A148) received April 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7122. A letter from the Regional Forester, USDA Forest Service, Department of the Interior, transmitting the Department's final rule—Subsistence Management Regulations for Public Lands in Alaska, Subpart A (RIN: 1018-AT81) received April 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7123. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Adjustment of Pacific Cod Total Allowable Catch Amounts in the Bering Sea and Aleutian Islands [Docket No. 060216045-6045-01; I.D. 031406B] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7124. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processor Vessels Using Hook-and-line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 021706A] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7125. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action—#1—Adjustment of the Commercial and Recreational Fisheries from Cape Falcon, Oregon, to Point Sur, California [Docket No. 050426117-5117-01; I.D. 031406F] received April 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7126. A letter from the Deputy Director, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation of Offshore Oil and Gas Facilities in the Beaufort Sea [Docket No. 050630175-6039-02; I.D. 010305B] (RIN: 0648-AS98) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7127. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Carquinez Strait, Benicia and Martinez, CA [CGD11-06-003] (RIN: 1625-AA09) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7128. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Chincoteague Channel, Chincoteague, VA [CGD05-06-002] (RIN: 1625-

AA09) April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7129. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Raritan River, Arthur Kill and their tributaries, NJ [CGD01-06-026] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7130. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Hackensack River, Secaucus, NJ [CGD01-06-021] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7131. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Chelsea River, Chelsea, MA [CGD01-06-024] (RIN: 1625-AA09) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7132. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (Alternative Route), Dismal Swamp Canal, NC [CGD05-06-017] (RIN: 1625-AA09) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7133. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Stickney Point (SR 72), Gulf Intracoastal Waterway, mile 68.6, Sarasota County, FL [CGD07-06-048] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7134. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Venetian Causeway (West) drawbridge, Atlantic Intracoastal Waterway, mile 1088.6, and Venetian Causeway (East) drawbridge, Biscayne Bay, Miami, Miami-Dade County, FL [CGD07-06-050] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7135. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Hutchinson River (Eastchester Creek), New York City, NY [CGD01-06-025] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7136. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Elizabeth River—Eastern Branch, Norfolk, Virginia [CGD05-06-028] (RIN: 1625-AA09) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7137. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance

And Disability Insurance Trust Funds, transmitting the 2006 Annual Report of the Board of Trustees of the Federal Old-Age And Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 109-103); to the Committee on Ways and Means and ordered to be printed.

7138. A letter from the Board Members, Federal Hospital Insurance Trust Fund, transmitting the 2006 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund And Federal Supplementary Medical Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 109-102); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

### DISCHARGE OF COMMITTEE

Under clause 2 of rule XII, the following action was taken by the Speaker:

Committee on Transportation and Infrastructure discharged from further consideration. H.R. 4954 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

### REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

*[Filed on April 28, 2006]*

Mr. KING of New York: Committee on Homeland Security. H.R. 4954. A bill to improve maritime and cargo security through enhanced layered defenses, and for other purposes, with an amendment; referred to the Committee on Transportation and Infrastructure for a period ending not later than May 1, 2006, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(r), rule X. (Rept. 109-447, Pt. 1). Ordered to be printed.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. BARTON of Texas (for, Mr. RUSH, Mr. UPTON, Mr. PICKERING, Mr. STEARNS, Mr. BUYER, Mrs. BLACKBURN, Mr. GILLMOR, Mr. SHADEGG, Mr. RADANOVICH, Mr. ROGERS of Michigan, Mr. FERGUSON, Mr. NORWOOD, Mr. WHITFIELD, Mr. SHIMKUS, Mrs. MYRICK, and Mr. BURGESS): introduced a bill (H.R. 5252) to promote the deployment of broadband networks and services; which was referred to the Committee on Energy and Commerce.

### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

294. The SPEAKER presented a memorial of the Legislature of the State of West Virginia, relative to Senate Concurrent Resolution No. 60 expressing support of the United States armed forces in Iraq; to the Committee on Armed Services.

295. Also, a memorial of the House of Representatives of the State of Michigan, rel-

ative to House Resolution No. 67 memorializing the Congress of the United States to encourage expansion of existing, or the construction of new petroleum refineries in the United States and to urge the leaders of the Petroleum industry to construct new refineries to meet our increasing energy needs; to the Committee on Energy and Commerce.

296. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 232 memorializing the Congress of the United States to provide funding to the National Park Service to expedite repairs of damage caused by vandalism at Gettysburg National Park and urging the National Park Service to work with Federal, State and local law enforcement officials to apprehend and prosecute to the fullest extent available under statute the perpetrators of the vandalism; to the Committee on Resources.

297. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 14 memorializing the Congress of the United States to amend the Stafford Act to permit funds to be used for permanent housing in the hurricane impacted areas of Louisiana; to the Committee on Transportation and Infrastructure.

298. Also, a memorial of the Legislature of the State of Washington, relative to Senate Joint Memorial 8019 memorializing the United States Trade Representative create a Federal-State International Trade Policy Commission with membership to be drawn from federal and state trade policy officials; to the Committee on Ways and Means.

299. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 628 memorializing the Congress of the United States to increase the penalties imposed upon a person who vandalizes a national war memorial; jointly to the Committees on the Judiciary and Resources.

300. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 382 memorializing the Congress of the United States to reauthorize the Abandoned Mine Reclamation Fund; jointly to the Committees on the Judiciary and Resources.

301. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 7 urging the Congress of the United States to consider using funds from the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development for modular homes as alternative housing for those affected by the hurricanes Katrina and Rita; jointly to the Committees on Transportation and Infrastructure and Financial Services.

### ADDITIONAL SPONSORS

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

H.R. 1955: Mr. ROSS.  
H.R. 2134: Mr. MEEHAN.  
H.R. 4282: Mrs. MUSGRAVE and Mr. GARRETT of New Jersey.  
H.R. 4797: Mr. SWEENEY.  
H.R. 4892: Mr. DUNCAN and Mr. GOODE.  
H.R. 4974: Mr. FALCOMA VEGA.  
H.R. 5005: Mr. MOLLOHAN and Mr. REHBERG.  
H.R. 5216: Mr. DAVIS of Alabama and Mr. WAXMAN.  
H. Con. Res. 395: Mr. CUMMINGS.