

HR 3199

USA PATRIOT Improvement and Reauthorization Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

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Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Intelligence (Permanent Select) Committee	House	Reported By	Jul 19, 2005
Judiciary Committee	House	Reported By	Jul 19, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HRES 595	Procedurally related	Dec 14, 2005: Motion to reconsider laid on the table Agreed to without objection.
109 HR 3889	Related bill	Nov 17, 2005: Placed on the Union Calendar, Calendar No. 167.
109 S 103	Related bill	Sep 13, 2005: Sponsor introductory remarks on measure. (CR S9972)
109 S 1389	Related document	Jul 29, 2005: See also H.R. 3199.
109 HRES 369	Procedurally related	Jul 21, 2005: Motion to reconsider laid on the table Agreed to without objection.
109 S 1266	Related bill	Jun 16, 2005: Placed on Senate Legislative Calendar under General Orders. Calendar No. 132.
109 HR 314	Related bill	Mar 2, 2005: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

(This measure has not been amended since the Conference Report was filed in the House on December 8, 2005. The summary of that version is repeated here.)

USA PATRIOT Improvement and Reauthorization Act of 2005 - Title I: USA PATRIOT Improvement and Reauthorization Act - (Sec. 102) Repeals the sunset date for (thus making permanent) the surveillance provisions of the USA PATRIOT Act, with the following exceptions. Provides for a four-year extension (through December 31, 2009) of provisions: (1) granting roving surveillance authority under the Foreign Intelligence Surveillance Act of 1978 (FISA) where the Court finds that the actions of the target may thwart the identification of a specified person; and (2) authorizing the Director of the Federal Bureau of Investigation (FBI) to apply for a court order requiring production of tangible things (including books, records, papers, and documents) for foreign intelligence and international terrorism investigations.

(Sec. 103) Amends the Intelligence Reform and Terrorism Prevention Act of 2004 to: (1) extend for four years (through December 31, 2009) provisions revising the definition of an "agent of a foreign power" to include any non-U.S. person who engages in international terrorism or preparatory activities (thus permitting issuance of FISA orders targeting such persons without a showing that they are members or agents of a terrorist group or a foreign power ["lone wolf" provision]); and (2) repeal the sunset date for provisions setting forth additions to the offense of providing material support to terrorists.

(Sec. 105) Amends FISA to apply provisions governing the duration of an order for electronic surveillance or a physical search to surveillance targeted against a foreign power who is not a U.S. person. Limits to one year an order (or extension) for the use of pen registers and trap and trace devices where the applicant has certified that the information likely to be obtained is foreign intelligence information not concerning a U.S. person.

(Sec. 106) Amends the FISA provisions governing orders for the production of tangible things to authorize the Director of the FBI to delegate to the Deputy Director or the Executive Assistant Director for National Security the authority to make an application for such an order involving library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, or medical records containing information that would identify a person. Requires an application for such an order to: (1) include a statement of facts showing that there are reasonable grounds to believe that the tangible things sought are relevant to an authorized investigation; (2) include an enumeration of minimization procedures adopted by the Attorney General that are applicable to the retention and dissemination by the FBI of any tangible things produced; and (3) describe the tangible things to be produced with sufficient particularity to permit them to be fairly identified.

Sets forth provisions concerning review by a panel of three judges of petitions filed by recipients challenging an order's legality.

Requires the Attorney General to report to specified congressional committees annually on requests and order applications for the production of tangible things and semiannually on orders for the production of library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, and medical records that would identify a person.

(Sec. 106A) Directs the Inspector General of the Department of Justice (DOJ) to perform and report to Congress on a comprehensive audit of the effectiveness and use of the investigative authority provided to the FBI under FISA.

(Sec. 107) Requires the Attorney General to submit to the House and Senate Judiciary Committees an annual report

containing accounts from which DOJ has received voluntary disclosures of customer communications or records in emergencies involving immediate danger of death or serious physical injury.

(Sec. 108) Requires applications for roving wiretaps to include specific facts. Requires an order approving electronic surveillance where the nature and location are unknown to direct the applicant to provide notice to the court, within 10 days after the surveillance begins, of: (1) the nature and location of each new facility or place at which the electronic surveillance is directed; (2) the facts and circumstances relied upon to justify the belief that such facility is or was being used by the target of the surveillance; (3) any proposed minimization procedures that may be necessitated by a change in the facility; and (4) the total number of electronic surveillances conducted under the authority of the order. Directs the Attorney General to inform the House and Senate Judiciary Committees semiannually concerning electronic surveillance under FISA, including regarding: (1) electronic surveillance orders where the nature and location of each targeted facility are unknown; (2) criminal cases in which information acquired has been authorized for use at trial; and (3) emergency employments of electronic surveillance.

(Sec. 109) Requires the Attorney General to inform such Committees regarding: (1) emergency physical searches authorized; and (2) pen registers and trap and trace devices authorized on an emergency basis.

Requires the Secretary of Homeland Security to report to the Judiciary Committees semiannually on internal affairs operations at U.S. Citizenship and Immigration Services, including regarding investigations conducted.

(Sec. 110) Amends the federal criminal code to rewrite provisions prohibiting acts of destruction and violence against trains, railroad equipment and structures, and the mass transportation system to: (1) correspond with current prohibitions against acts of violence against the mass transportation system; (2) apply such provisions to acts committed knowingly (currently, willfully); (3) cover such acts against passenger vessels; and (4) add as an aggravated offense the commission of such prohibited act under circumstances in which the railroad on-track equipment, passenger vessel, or mass transportation vehicle was carrying high-level radioactive waste, spent nuclear fuel, or specified hazardous material. Prohibits surveilling, photographing, videotaping, diagramming, or otherwise collecting information with the intent to plan specified terrorist acts against mass transportation systems. Provides for the death penalty where the offense results in the death of any person.

(Sec. 111) Provides for the civil forfeiture of any property traceable to proceeds obtained from, or used to facilitate, trafficking in nuclear, chemical, biological, or radiological weapons technology or material.

(Sec. 112) Includes as a predicate offense to a "federal crime of terrorism" a crime related to: (1) military-type training from a foreign terrorist organization; or (2) narco-terrorism.

(Sec. 113) Expands the circumstances under which the interception of wire, oral, or electronic communications is authorized to cover offenses related to: (1) biological weapons; (2) violence at international airports; (3) animal enterprise terrorism; (4) nuclear and weapons of mass destruction threats; (5) explosive materials; (6) possession of weapons in federal facilities; (7) U.S. officers and employees; (8) protection of foreign officials; (9) terrorist attacks against mass transportation; (10) torture; (11) arson within special maritime and territorial jurisdiction; (12) conspiracy to harm persons or property overseas; (13) structuring financial transactions to evade reporting requirements; (14) aircraft piracy; (15) assault on a flight crew with a dangerous weapon; (16) explosive or incendiary devices, or endangerment of human life, by means of weapons on aircraft; (17) aggravated identity theft; and (18) certain antitrust criminal violations.

(Sec. 114) Authorizes the delay of notice of the execution of a search warrant for a reasonable period not to exceed 30 days after execution or until a later date if the facts justify a longer delay. Requires the issuing or denying judge to report

to the Administrative Office of the United States Courts regarding warrants authorizing delayed notice or denials of warrants and requires the Director of the Administrative Office to report annually to Congress.

(Sec. 115) Authorizes the recipient of a request for records in connection with an authorized investigation concerning terrorism or clandestine intelligence activities, the Fair Credit Reporting Act (FCRA), the Right to Financial Privacy Act (RFPA), or the National Security Act of 1947 (NSA) (a national security letter) to petition the U.S. district court for the district in which that person or entity does business or resides for an order modifying or setting aside the request. Permits the court to modify or set aside the request if compliance would be unreasonable or oppressive.

Sets forth procedures for petitions for an order modifying or setting aside a nondisclosure requirement imposed in connection with such a request. Authorizes the court to modify or set aside the requirement if it finds that there is no reason to believe that disclosure may endanger U.S. national security, interfere with a criminal, counterterrorism, or counterintelligence investigation, interfere with diplomatic relations, or endanger the life or physical safety of any person. Treats a certification made by the Attorney General, the Director of the FBI, or the head of a federal department that disclosure may endanger national security or interfere with diplomatic relations as conclusive unless the court finds it was made in bad faith. Authorizes the Attorney General to invoke the aid of a U.S. court to compel compliance with a request for information.

(Sec. 116) Prohibits disclosure of such a request if the Director of the FBI certifies that otherwise there may result a danger to U.S. national security, interference with a criminal, counterterrorism, or counterintelligence investigation, interference with diplomatic relations, or danger to the life or physical safety of any person. Requires a person, at the request of the Director of the FBI, to identify the person to whom a disclosure was or will be made.

(Sec. 117) Sets penalties for knowing violations of nondisclosure provisions under the federal criminal code, FCRA, RFPA, or NSA.

(Sec. 118) Directs that any report made to a congressional committee regarding national security letters also be made to the House and Senate Judiciary Committees. Requires the Attorney General to: (1) inform specified other committees semiannually regarding FCRA requests; and (2) submit to Congress annually an aggregate report on the total number of DOJ requests made concerning U.S. persons.

(Sec. 119) Directs the Inspector General of DOJ to audit and report to the Attorney General and the Director of National Intelligence (DNI) on the use of national security letters issued by DOJ. Directs the Attorney General and DNI to jointly submit to the Judiciary and Intelligence Committees a report on the feasibility of applying minimization procedures in the context of national security letters to ensure the protection of the constitutional rights of U.S. persons.

(Sec. 120) Subjects to forfeiture any domestic or foreign assets of a person engaged in any federal crime of terrorism (currently, in any act of international or domestic terrorism) against the United States, U.S. citizens or residents, or their property.

(Sec. 121) Amends the federal criminal code to modify the definition of "contraband cigarettes" to mean a quantity in excess of 10,000 (currently, 60,000) cigarettes. Defines "contraband smokeless tobacco" to mean a quantity in excess of 500 single-unit consumer-sized cans or packages. Prohibits: (1) the sale or purchase of, and other specified activities regarding, contraband smokeless tobacco; and (2) knowingly making false statements regarding information required to be kept in the records of persons who sell, distribute, or purchase any quantity of smokeless tobacco in excess of the contraband quantity in a single transaction. Prescribes reporting requirements for any person who engages in a delivery sale of and who ships, sells, or distributes any amount in excess of the contraband quantity of cigarettes or smokeless

tobacco within a single month.

Requires any contraband cigarettes or smokeless tobacco seized and forfeited to be either destroyed or used for undercover investigative operations for the detection and prosecution of crimes and then destroyed.

Authorizes a state attorney general, a local government, or a permit holder to bring an action in U.S. district court to prevent and restrain violations regarding contraband cigarettes and smokeless tobacco and to obtain other appropriate relief.

(Sec. 122) Amends the Controlled Substances Import and Export Act to prohibit specified drug trafficking-related activities to provide anything of pecuniary value to any person or organization that engages in terrorist activity.

(Sec. 123) Prohibits interfering with or disabling anyone engaged in the authorized operation of an aircraft or air navigation facility with intent to endanger or with reckless disregard for human safety.

(Sec. 124) Expresses the sense of Congress that government should not investigate an American citizen solely on the basis of the citizen being a member of a nonviolent political organization or engaging in other lawful political activity.

(Sec. 125) States that a person (including a governmental or other entity) who donates fire control or rescue equipment to a volunteer fire company shall not be liable for civil damages for injuries, property damage, or death caused by the equipment. Waives such liability protection if: (1) the person's act or omission constitutes gross negligence or intentional misconduct; (2) the person is the manufacturer of such equipment; or (3) the person or agency modified or altered the equipment. Preempts state law unless it provides additional protection from liability.

(Sec. 126) Directs the Attorney General to submit to Congress a report on any DOJ initiative that uses or is intended to develop pattern-based data-mining technology.

(Sec. 127) Expresses the sense of Congress that victims of terrorist attacks should have access to forfeited assets.

(Sec. 128) Requires: (1) an ex parte order for a pen register or trap or trace device for foreign intelligence purposes to direct that, upon the applicant's request, the service provider disclose specified information about the customer and the service provided; and (2) the Attorney General to fully inform the House and Senate Judiciary Committees regarding uses of such devices.

Title II: Terrorist Death Penalty Enhancement - Terrorist Death Penalty Enhancement Act of 2005 - Subtitle A:

Terrorist Penalties Enhancement Act - (Sec. 211) Amends the Violent Crime Control and Law Enforcement Act of 1994 to make the death penalty available in certain air piracy cases occurring before enactment of the Federal Death Penalty Act of 1994 but after enactment of the Antihijacking Act of 1974, depending on the existence of specified factors. Narrows the meaning of "especially heinous, cruel, or depraved" by requiring that the act involved torture or serious physical abuse to the victim.

(Sec. 212) Amends the federal criminal code to provide for post-release supervision of terrorists (current law provides for such supervision only where the commission of the offense resulted in or created a foreseeable risk of death or serious bodily injury to another person).

Subtitle B: Federal Death Penalty Procedures - (Sec. 221) Amends the Controlled Substances Act (CSA) to repeal specified death penalty provisions for persons who engage in a continuing criminal enterprise.

(Sec. 222) Entitles any death penalty eligible defendant who is or becomes financially unable to obtain adequate representation or investigative, expert, or other reasonably necessary services to the appointment of one or more attorneys and the furnishing of such other services.

Title III: Reducing Crime and Terrorism At America's Seaports - Reducing Crime and Terrorism at America's Seaports Act of 2005 - (Sec. 301) Amends the federal criminal code to prohibit: (1) entry by false pretenses to a secure area of a seaport; (2) knowingly failing to obey an order to heave to by an authorized federal law enforcement officer; and (3) forcibly interfering with an authorized law enforcement action or intentionally providing materially false information during a boarding.

(Sec. 304) Sets penalties for: (1) knowingly and intentionally placing in U.S. navigable waters a device or dangerous substance likely to destroy or damage a vessel or its cargo or likely to interfere with safe navigation or maritime commerce; (2) intentionally damaging or altering any aid to maritime navigation which endangers the safe navigation of a ship; and (3) transporting aboard any vessel explosive, biological, chemical, or radioactive or nuclear material to be used to commit terrorism.

Sets penalties for: (1) knowingly transporting a terrorist aboard any vessel, or transporting a person having reason to believe that he or she is a terrorist; (2) intentionally causing destruction of, disabling, or interfering with the operation of a vessel or maritime facility; and (3) imparting or conveying false information concerning an attempt made to commit criminal acts related to shipping.

(Sec. 307) Expands the scope of a prohibition against theft of interstate or foreign shipments to cover theft from any intermodal container, trailer, container freight station, warehouse, or freight consolidation facility and increases penalties for such theft. Includes vessels (defined to mean any watercraft or other contrivance used or designed for transportation or navigation on, under, or immediately above water) within the prohibition against transportation of stolen vehicles. Directs the U.S. Sentencing Commission to review the federal sentencing guidelines to determine whether sentencing enhancement is appropriate for such offenses. Requires the Attorney General to: (1) annually submit to Congress a report on law enforcement activities relating to the investigation and prosecution of such theft offenses; and (2) ensure that reports of cargo theft are reflected as a separate category in the Uniform Crime Reporting System.

(Sec. 308) Increases penalties for stowaways on vessels or aircraft.

(Sec. 309) Prohibits bribery affecting port security.

(Sec. 310) Increases penalties for smuggling goods into the United States.

(Sec. 311) Prohibits fraudulently or knowingly exporting goods from the United States contrary to U.S. law. Amends the Tariff Act to provide for the forfeiture to the United States of merchandise exported or sent from the United States contrary to law (or the proceeds or value thereof) and property used to facilitate the sale of such merchandise prior to exportation. Increases penalties for unlawfully removing goods from customs custody.

Title IV: Combating Terrorism Financing - Combating Terrorism Financing Act of 2005 - (Sec. 402) Amends the International Emergency Economic Powers Act to increase penalties for violating a license, order, or regulation under the Act.

(Sec. 403) Amends the Racketeer Influenced and Corrupt Organizations Act to expand its scope to include offenses relating to illegal money transmitters and felony violations of the Foreign Corrupt Practices Act. Authorizes the

Department of Homeland Security to investigate violations of money laundering and related offenses.

(Sec. 404) Amends the federal criminal code to provide for the forfeiture of the assets of any person planning or perpetrating an act of international terrorism against any international organization or foreign government. Provides that where the property sought for forfeiture is located beyond the territorial boundaries of the United States, an act in furtherance of such planning or perpetration must have occurred within U.S. jurisdiction.

(Sec. 405) Directs that a financial transaction be considered to involve the proceeds of specified unlawful activity if it is part of a set of parallel or dependent transactions involving such proceeds, all of which are part of a single plan or arrangement.

(Sec. 406) Permits an owner of property that is confiscated under any legal provision relating to the confiscation of assets of suspected international terrorists to contest that confiscation by filing a claim in the manner set forth in the Federal Rules of Civil Procedure (Supplemental Rules for Certain Admiralty and Maritime Claims), asserting as an affirmative defense that: (1) the property is not subject to confiscation under that provision; or (2) innocent owner provisions of the federal criminal code apply. Allows a court considering such a claim to admit evidence that is otherwise inadmissible under the Federal Rules of Evidence (FRE) upon determining that the evidence is reliable and that compliance with FRE may jeopardize U.S. national security interests.

(Sec. 409) Makes receipt of military-type training from a foreign terrorist organization a predicate to a money laundering offense.

(Sec. 410) Amends the federal judicial code to provide that if a person is charged in a criminal case with a statutory violation for which the civil or criminal forfeiture of property is authorized, the government may include notice of the forfeiture in the indictment or information pursuant to the Federal Rules of Criminal Procedure. Directs the court to order the forfeiture of the property as part of the sentence in the criminal case. Makes specified CSA procedures applicable to all stages of a criminal forfeiture proceeding, with an exception.

Title V: Miscellaneous Provisions - (Sec. 501) Amends the federal judicial code to authorize a U.S. attorney or an assistant U.S. attorney, pursuant to an order from the Attorney General, to be assigned dual or additional responsibilities that exempt such officer from the residency requirement for a specific period.

(Sec. 502) Modifies provisions regarding U.S. attorney vacancies to provide that a person appointed shall serve until the qualification of a U.S. attorney for the district (currently, until the earlier of that time or the expiration of 120 days after appointment by the Attorney General).

(Sec. 503) Places the Secretary of Homeland Security after the Secretary of Veterans Affairs in the presidential line of succession.

(Sec. 504) Amends the Homeland Security Act of 2002 to provide that the President (currently, the Attorney General) shall appoint the Director of the Bureau of Alcohol, Tobacco, and Firearms.

(Sec. 505) Requires U.S. marshals to have a minimum of four years of command-level law enforcement management duties, experience in coordinating with other law enforcement agencies, college-level academic experience, and experience in or with county, state, and federal court systems or experience with protection of court personnel, jurors, and witnesses.

(Sec. 506) Establishes a National Security Division within DOJ, headed by an Assistant Attorney General for National

Security (AAGNS). Directs the AAGNS to serve as primary liaison to the DNI for DOJ. Grants the AAGNS authority to act for the Attorney General under FISA in matters involving witness relocation and in other specified circumstances.

(Sec. 507) Modifies the process by which states can opt in to the expedited habeas corpus procedures for capital cases under the federal judicial code by shifting responsibility to the Attorney General for certifying when a state has qualified. Makes the Attorney General's determination regarding whether to certify a state subject to de novo review in the U.S. Court of Appeals for the District of Columbia Circuit.

Provides that no counsel appointed to represent a state prisoner under capital sentence shall have previously represented the prisoner at trial (currently, at trial or on direct appeal) in the case for which the appointment is made unless the prisoner and counsel expressly request continued representation.

Directs the Attorney General, if requested by a state official, to determine whether the state: (1) has established a mechanism for the appointment, compensation, and payment of reasonable litigation expenses of competent counsel in state post-conviction proceedings brought by indigent prisoners who have been sentenced to death; and (2) provides standards of competency for the appointment of counsel in such proceedings.

Requires a district court to issue decisions on habeas corpus petitions in death penalty cases within 450 days (currently, 180 days) after the petition is filed or within 60 days after the case is submitted for decision.

Allows a federal court to stay for 90 days the execution of a state prisoner who applies for appointment of counsel for a habeas corpus review.

Title VI: Secret Service - Secret Service Authorization and Technical Modification Act of 2005 - (Sec. 602) Amends the federal criminal code to revise prohibitions on entering or remaining in areas the President or other person protected by the Secret Service is visiting. Prohibits willfully and knowingly entering or remaining in such an area that is restricted in conjunction with a special event of national significance, with intent to impede or disrupt business or access or to engage in violence. (Repeals provisions: (1) prohibiting willfully and knowingly entering or remaining, with such intent, in facilities designated by the Secretary of the Treasury as temporary residences and offices of the President, his staff, and other persons protected by the Secret Service; and (2) authorizing the Secretary to make such designations.) Specifies penalties for violations.

(Sec. 603) Revises prohibitions involving false or fraudulent identification documents to cover false documents that appear to represent a sponsoring entity of a special event of national significance.

(Sec. 605) Modifies the duties of the United States Secret Service Uniformed Division to include protection of: (1) any officer next in the order of succession to the Office of President after the Vice President, the President-elect, the Vice President-elect, and their immediate families; (2) former Presidents and their spouses; (3) a special event of national significance; (4) major presidential and vice presidential candidates and, within 120 days of the general presidential election, their spouses; and (5) visiting heads of foreign states or foreign governments. Specifies the authority of members of the Division to carry firearms and to make arrests without warrants for certain offenses. Authorizes the Secretary of Homeland Security to carry out functions related to the protection of foreign diplomatic missions located in metropolitan areas (other than the District of Columbia) where 20 or more such missions are located, and visits of foreign government officials to such areas, by contract or by using the services, personnel, equipment, and facilities of state and local governments on a reimbursable basis.

(Sec. 607) Requires the Secret Service to be maintained as a distinct entity within the Department of Homeland Security

with its members reporting only to its Director.

Title VII: Combat Methamphetamine Epidemic Act of 2005 - Combat Methamphetamine Epidemic Act of 2005 -
Subtitle A: Domestic Regulation of Precursor Chemicals - (Sec. 711) Amends the CSA to define "scheduled listed chemical product" as a product that: (1) contains ephedrine, pseudoephedrine, or phenylpropanolamine and the salts, optical isomers, and salts of optical isomers of such chemical; and (2) may lawfully be marketed or distributed in the United States as a nonprescription drug.

Prohibits the retail sale of more than 3.6 grams per day of any ephedrine base, pseudoephedrine base, or phenylpropanolamine base in a scheduled listed chemical product to any purchaser without regard to the number of transactions.

Prohibits a seller or distributor from selling at retail such a product in a nonliquid form (including gel caps) unless the product is packaged in blister packs if technically feasible or otherwise packaged in unit dose packets or pouches. Defines "at retail" as the sale or purchase for personal use of a scheduled listed chemical product.

Requires a seller to: (1) place scheduled listed chemical products where customers do not have direct access to them before sale (behind-the-counter placement); (2) deliver such products directly into the custody of the purchaser; (3) maintain a logbook of sales that identifies the products by name, quantity, purchaser name and address, and dates and times of sale, except for any purchase by an individual of a single sales package of not more than 60 milligrams of pseudoephedrine; (4) maintain such logbook entries for not fewer than two years; and (5) submit to the Attorney General a self-certification that all individuals responsible for delivering or selling such products have undergone training on the requirements. Prohibits a seller from selling such a product unless: (1) the prospective purchaser presents an identification card and signs the logbook; and (2) the seller verifies that the name in the logbooks corresponds to the identification and enters the name of the product and quantity sold.

Requires mobile retail vendors to: (1) place scheduled listed chemical products in a locked cabinet; and (2) not sell more than 7.5 grams of ephedrine base, pseudoephedrine base, or phenylpropanolamine base in such products per customer during a 30-day period. Defines "mobile retail vendor" as a person or entity that makes sales at retail from a stand that is intended to be temporary or is capable of being moved from one location to another.

Prohibits a regulated seller from selling any scheduled listed chemical product at retail without first submitting to the Attorney General the required training self-certification. Requires the Attorney General to establish: (1) criteria for certifications, including that certifications are required for each place of business at which a regulated seller sells such products at retail; and (2) restrictions on the disclosure of information in logbooks to protect the privacy of individuals who purchase such products. Defines "regulated seller" as a retail distributor (including a pharmacy or a mobile retail vendor), except not an employee or agent of such distributor.

Includes information in the logbook as a matter within the jurisdiction of the U.S. government in order to prohibit and provide penalties for knowingly and willfully: (1) making any materially false, fictitious, or fraudulent statement or representation; or (2) making or using any false writing or document knowing that it contains any materially false, fictitious, or fraudulent statement or entry.

Provides immunity from civil liability to any regulated seller who in good faith releases information in a logbook to a law enforcement authority unless such release constitutes gross negligence or intentional, wanton, or willful misconduct.

Allows a regulated seller to take reasonable measures to guard against employing individuals who may present a risk of

theft and diversion of scheduled listed chemical products, including by asking employment applicants whether they have been convicted of any crime involving or related to such products or controlled substances.

Requires a regulated person who makes a sale at retail of a scheduled listed chemical product, and who uses or attempts to use the Postal Service or any private or commercial carrier, to confirm the identity of the purchaser prior to shipping the product. Prohibits such a sale of more than 7.5 grams of ephedrine base, pseudoephedrine base, or phenylpropanolamine base in such products per customer during a 30-day period.

Allows the Attorney General to exempt certain scheduled listed chemical products from sales transaction requirements if the Attorney General determines that the product cannot be used in the illicit manufacture of methamphetamine.

Prohibits any person from knowingly or intentionally purchasing at retail during a 30-day period more than 9 grams of ephedrine base, pseudoephedrine base, or phenylpropanolamine base in a scheduled listed chemical product, except that not more than 7.5 of such 9 grams may be imported by means of shipping through any private or commercial carrier or the Postal Service.

Prohibits: (1) selling at retail a scheduled listed chemical product knowing at the time of the transaction (independent of consulting the logbook) that the transaction is a violation of the CSA; (2) knowingly or recklessly selling at retail such product in violation of the blister pack, behind-the-counter, or logbook requirements; and (3) disclosing information in logbooks in violation of privacy requirements or refusing to provide a logbook to federal, state, or local law enforcement authorities.

Authorizes the Attorney General to prohibit a seller or distributor that fails to meet reporting requirements from selling any scheduled listed chemical product.

(Sec. 712) Amends the definition of "regulated transaction" to include any transaction in a scheduled listed chemical product. Makes conforming amendments to the CSA and the Comprehensive Methamphetamine Control Act of 1996.

(Sec. 713) Includes ephedrine, pseudoephedrine, and phenylpropanolamine among the substances for which the Attorney General must establish production quotas.

(Sec. 714) Prohibits a person from manufacturing ephedrine, pseudoephedrine, or phenylpropanolamine that is: (1) not expressly authorized by such person's registration with the Attorney General and by a quota assigned to that person; or (2) in excess of the assigned quota.

(Sec. 715) Amends the Controlled Substances Import and Export Act to prohibit the importation into the United States of ephedrine, pseudoephedrine, or phenylpropanolamine, except in amounts the Attorney General allows as necessary to provide for medical, scientific, or other legitimate purposes. Allows a registrant who is authorized to import such a chemical to apply for an increase in the amount authorized.

(Sec. 716) Prohibits a regular importer from transferring a listed chemical to a transferee that is not a regular customer until 15 days after notice is submitted to the Attorney General. Prohibits any change in the prospective transferee until 15 days after an update of such notice is submitted to the Attorney General, unless that transferee is a regular customer. Provides that the transferee involved shall then be considered to qualify as a regular customer, unless the Attorney General otherwise notifies the importer or exporter. Allows the Attorney General to suspend such a transfer on the ground that the chemical may be diverted to the illegal or clandestine manufacture of a controlled substance.

Requires the importer or exporter to send to the Attorney General within 30 days of such a transaction a return

declaration containing particulars of the transaction. Requires an importer that has not distributed all chemicals within 30 days to file supplemental return declarations for other distributions or dispositions.

(Sec. 717) Sets forth penalties for: (1) importing a listed chemical in violation of established quota requirements; or (2) transferring such a chemical in violation of notice requirements.

(Sec. 718) Requires the Attorney General to consult with the U.S. Trade Representative to ensure that implementation of relevant sections of this Act complies with all applicable international treaties and obligations.

Subtitle B: International Regulation of Precursor Chemicals - (Sec. 721) Requires a regulated person importing ephedrine, pseudoephedrine, or phenylpropanolamine to include in the notice of importation all information known to the importer on the chain of distribution of such chemical from the manufacturer to the importer. Allows the Attorney General to: (1) request that a distributor of such chemical provide information on its distribution, including sales; and (2) prohibit the importation of such chemical in any case in which a foreign-chain distributor that is refusing to cooperate with the Attorney General in obtaining chain-of-custody information is part of the chain of distribution.

(Sec. 722) Amends the Foreign Assistance Act of 1961 to require an additional section in the President's international narcotics control strategy report that: (1) identifies the five countries that exported the largest amount of pseudoephedrine, ephedrine, and phenylpropanolamine; (2) identifies the five countries that imported the largest amount of such chemicals and have the highest rate of diversion of such chemicals for the use in the illicit production of methamphetamine; and (3) includes an economic analysis of the total worldwide production of such chemicals compared to the legitimate demand for such chemicals. Withholds 50% of the U.S. assistance allocated each fiscal year for countries so identified unless the country has either cooperated fully with the United States or has taken adequate steps on its own to achieve full compliance with established United Nations goals and objectives, unless the vital national interests of the United States prevent withholding such funds.

Requires the Secretary of State to submit to Congress a comprehensive plan to address the diversion of chemicals to the illicit production of methamphetamine for each identified country for which the President has not submitted a certification of full cooperation.

Authorizes appropriations for FY2006-FY2007.

(Sec. 723) Requires the Secretary of State, acting through the Assistant Secretary of the Bureau for International Narcotics and Law Enforcement Affairs, to take necessary actions to prevent the smuggling of methamphetamine into the United States from Mexico. Requires the Secretary of State to: (1) improve bilateral effort at the border; (2) seek to work with Mexican law enforcement authorities to improve the ability of such authorities to combat the production and trafficking of methamphetamine; and (3) encourage Mexico to take immediate action to reduce the diversion of pseudoephedrine. Sets forth reporting requirements. Authorizes appropriations.

Subtitle C: Enhanced Criminal Penalties for Methamphetamine Production and Trafficking - (Sec. 731) Revises penalty provisions for violations of the CSA or the Controlled Substances Import and Export Act involving methamphetamine to increase the term of imprisonment by not more than 15 years if the person was enrolled in, and used in committing the offense, any dedicated commuter lane, alternative or accelerated inspection system, or other facilitated entry program administered or approved by the federal government for use in entering the United States. Bars such a person from using any such lane, system, or program permanently.

(Sec. 732) Sets forth additional penalties for violations of the CSA that involve the manufacture of a controlled substance

on federal property.

(Sec. 733) Sets forth the quantities and gross receipts for which the leader of a continuing criminal enterprise involving methamphetamine can receive life imprisonment.

(Sec. 734) Increases penalties for violating the CSA by manufacturing or distributing, or possessing with intent to manufacture or distribute, methamphetamine on premises in which an individual who is under the age of 18 years is present or resides.

(Sec. 735) Amends the federal judicial code to require that information submitted by the Chief Judge of the District Court regarding the imposition of sentences in criminal cases be in a format approved and required by the United States Sentencing Commission.

(Sec. 736) Requires the Attorney General to report to relevant congressional committees and organizations semiannually on: (1) the allocation of resources of the Drug Enforcement Administration (DEA) and the Federal Bureau of Investigation (FBI) for the investigation and prosecution of alleged violations of the CSA involving methamphetamine; and (2) the measures being taken to give priority in resource allocation to violations involving the importation of substantial quantities of methamphetamine, or ephedrine, pseudoephedrine, or phenylpropanolamine, the manufacture of methamphetamine, and circumstances that have endangered children.

Subtitle D: Enhanced Environmental Regulation of Methamphetamine By-Products - (Sec. 741) Requires the Secretary of Transportation to report biennially to the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation on whether the Secretary has designated as hazardous materials for transportation purposes all byproducts of the methamphetamine-production process that are known to pose an unreasonable risk to health and safety or property when transported in commerce.

(Sec. 742) Amends the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency (EPA) to report biennially to the House Committee on Energy and Commerce and the Senate Committee on Environment and Public Works on information collected from law enforcement agencies, states, and other relevant stakeholders that identifies the byproducts of the methamphetamine production process and on whether the Administrator considers the byproducts to be a hazardous waste for purposes of such Act.

(Sec. 743) Amends the CSA to require the court to assess restitution or reimbursement penalties: (1) on defendants convicted of offenses involving the possession, or the possession with the intent to distribute, of amphetamine or methamphetamine; and (2) that include the cost of cleanup on premises or in property that the defendant owns, resides, or does business.

Subtitle E: Additional Programs and Activities - (Sec. 751) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to allow drug court grants to only be given to courts with mandatory periodic testing for the use of controlled substances or other addictive substances during supervised release or probation. Requires the Attorney General to specify standards for such testing to ensure that: (1) each participant is tested for every controlled substance that the participant has been known to abuse and for any other controlled substance the Attorney General or the court may require; and (2) the testing is accurate and practicable. Allows such standards to require approval of the drug testing regime to ensure that adequate testing occurs.

Requires the Attorney General to specify that grant amounts may be used only for drug courts that impose graduated sanctions that increase punitive measures, therapeutic measures, or both whenever a participant fails a drug test.

(Sec. 752) Amends the Safe Streets Act to authorize funding for drug courts for FY2006.

(Sec. 753) Directs the Attorney General to: (1) conduct a feasibility study on the desirability of a drug court program for federal offenders who are addicted to controlled substances; and (2) submit the results to Congress by June 30, 2006.

(Sec. 754) Authorizes the Attorney General, through the Bureau of Justice Assistance in the Office of Justice Programs, to make grants to states to address the manufacture, sale, and use of methamphetamine to enhance public safety. Allows such grants to be used to: (1) investigate, arrest, and prosecute individuals violating laws related to the use, manufacture, or sale of methamphetamine; (2) reimburse DEA for expenses related to the cleanup of methamphetamine clandestine labs; (3) support state and local health departments and environmental agency services deployed to address methamphetamine; and (4) procure equipment, technology, or support systems, or pay for resources, if those expenditures will result in the reduction of the use, sale, and manufacture of methamphetamine. Authorizes appropriations.

(Sec. 755) Directs the Attorney General to make grants to states to provide comprehensive services to aid children who are living in a home in which methamphetamine or other controlled substances are unlawfully manufactured, dispensed, or used. Requires the Attorney General to ensure that such services include: (1) coordination among law enforcement agencies, prosecutors, child protective services, social services, health care services, and any other appropriate services; and (2) transition of children from toxic or drug-endangering environments to appropriate residential environments. Authorizes appropriations.

(Sec. 756) Authorizes the Attorney General to award competitive grants to states, territories, and Indian tribes to facilitate or enhance collaboration between the criminal justice, child welfare, and state substance abuse systems in order to carry out programs to address the use of methamphetamine among pregnant and parenting women offenders to promote public safety, public health, family permanence, and well-being. Authorizes appropriations.

Actions Timeline

- **Mar 9, 2006:** Signed by President.
- **Mar 9, 2006:** Signed by President.
- **Mar 9, 2006:** Became Public Law No: 109-177.
- **Mar 9, 2006:** Became Public Law No: 109-177.
- **Mar 8, 2006:** Presented to President.
- **Mar 8, 2006:** Presented to President.
- **Mar 7, 2006:** Message on Senate action sent to the House.
- **Mar 2, 2006:** Conference report considered in Senate. (consideration: CR S1598-1632)
- **Mar 2, 2006:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 89 - 10. Record Vote Number: 29.
- **Mar 2, 2006:** Senate agreed to conference report by Yea-Nay Vote. 89 - 10. Record Vote Number: 29.
- **Mar 2, 2006:** Cleared for White House.
- **Mar 1, 2006:** Motion to proceed to consideration of the motion to reconsider agreed to in Senate by Yea-Nay Vote. 86 - 13. Record Vote Number: 26. (consideration: CR S1561-1575)
- **Mar 1, 2006:** Motion by Senator Frist to reconsider the vote by which cloture was not invoked [Record Vote Number 358] agreed to in Senate by Yea-Nay Vote. 84 - 15. Record Vote Number: 27. (consideration: CR S1561; text: CR S1561)
- **Mar 1, 2006:** Upon reconsideration, cloture invoked in Senate by Yea-Nay Vote. 84 - 15. Record Vote Number: 28.
- **Dec 16, 2005:** Conference report considered in Senate. (consideration: CR S13699-13701, S13708-13749)
- **Dec 16, 2005:** Cloture not invoked in Senate by Yea-Nay Vote. 52 - 47. Record Vote Number: 358. (consideration: CR S13719-13720)
- **Dec 16, 2005:** Motion by Senator Frist to reconsider the vote by which cloture was not invoked (Record Vote Number 358) entered in Senate.
- **Dec 15, 2005:** Conference report considered in Senate. (consideration: CR S13608-13627)
- **Dec 14, 2005:** Rule H. Res. 595 passed House.
- **Dec 14, 2005:** Mr. Sensenbrenner brought up conference report H. Rept. 109-333 for consideration under the provisions of H. Res. 596. (consideration: CR H11523-11544)
- **Dec 14, 2005:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 3199.
- **Dec 14, 2005:** The previous question was ordered without objection. (consideration: CR H11542)
- **Dec 14, 2005:** Mr. Conyers moved to recommit with instructions to the conference committee. (consideration: CR H11542; text: CR H11542)
- **Dec 14, 2005:** The previous question on the motion to recommit with instructions to conference committee was ordered without objection. (consideration: CR H11542)
- **Dec 14, 2005:** On motion to recommit with instructions to conference committee Failed by recorded vote: 202 - 224 (Roll no. 626).
- **Dec 14, 2005:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 251 - 174 (Roll no. 627).
- **Dec 14, 2005:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 14, 2005:** On agreeing to the conference report Agreed to by the Yeas and Nays: 251 - 174 (Roll no. 627).
- **Dec 14, 2005:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Dec 14, 2005:** Conference report considered in Senate. (consideration: CR S13546-13561)
- **Dec 14, 2005:** Cloture motion on the conference report presented in Senate. (consideration: CR S13546)
- **Dec 13, 2005:** Rules Committee Resolution H. Res. 595 Reported to House. Rule provides for consideration of the conference report to H.R. 3199 with 1 hour of general debate.
- **Dec 8, 2005:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 8, 2005:** Conferees agreed to file conference report.
- **Dec 8, 2005:** Conference report filed: Conference report H. Rept. 109-333 filed.(text of conference report: CR H11279-11310)
- **Dec 8, 2005:** Conference report H. Rept. 109-333 filed. (text of conference report: CR H11279-11310)

- Nov 14, 2005:** APPOINTMENT OF ADDITIONAL CONFEREES - From the Committee on the Judiciary, for consideration of the House bill (except sec. 132) and the Senate amendment, and modifications committed to conference: Mr. Daniel E. Lungren (CA).
- **Nov 14, 2005:** MODIFICATION OF CONFEREES APPOINTMENTS - In lieu of their appointments on November 9, 2005: From the Committee on the Judiciary, for consideration of the House bill (except sec. 132) and the Senate amendment, and modifications committed to conference: Messrs. Nadler and Scott (VA).
 - **Nov 9, 2005:** Mr. Sensenbrenner asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H10084)
 - **Nov 9, 2005:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
 - **Nov 9, 2005:** Motion to reconsider laid on the table Agreed to without objection.
 - **Nov 9, 2005:** Mr. Boucher asked unanimous consent that the House instruct conferees. (consideration: CR H10084-10090; text: CR H10084)
 - **Nov 9, 2005:** DEBATE - The House proceeded with one hour of debate on the Boucher motion to instruct conferees. Instructions contained within the motion seek to require that the managers on the part of the House recede from disagreement with the provisions contained in subsections (a) and (b) of section 9 of the Senate amendment (relating to the modification of the PATRIOT Act sunset provision and the extension of the sunset of the "Lone Wolf" provision).
 - **Nov 9, 2005:** The previous question was ordered without objection. (consideration: CR H10090)
 - **Nov 9, 2005:** On motion that the House instruct conferees Agreed to by voice vote.
 - **Nov 9, 2005:** Motion to reconsider laid on the table Agreed to without objection.
 - **Nov 9, 2005:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Sensenbrenner, Coble, Smith (TX), Gallegly, Chabot, Jenkins, Lungren, Daniel E., Conyers, Berman, Boucher, Nadler, and Scott (VA).
 - **Nov 9, 2005:** The Speaker appointed conferees: Provided that Mr. Scott of Virginia is appointed in lieu of Mr. Nadler for consideration of secs. 105, 109, 111-114, 120, 121, 124, 131, and title II of the House bill, and modifications committed to conference.
 - **Nov 9, 2005:** The Speaker appointed conferees - from the Permanent Select Committee on Intelligence for consideration of secs. 102, 103, 106, 107, 109, and 132 of the House bill, and secs. 2, 3, 6, 7, 9, and 10 of the Senate amendment, and modifications committed to conference: Hoekstra, Wilson (NM), and Harman.
 - **Nov 9, 2005:** The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of secs. 124 and 231 of the House bill, and modifications committed to conference: Norwood, Shadegg, and Dingell.
 - **Nov 9, 2005:** The Speaker appointed conferees - from the Committee on Financial Services for consideration of sec. 117 of the House bill, and modifications committed to conference: Oxley, Bachus, and Frank (MA).
 - **Nov 9, 2005:** The Speaker appointed conferees - from the Committee on Homeland Security for consideration of secs. 127-129 of the House bill, and modifications committed to conference: King (NY), Weldon (PA), and Lofgren, Zoe.
 - **Sep 6, 2005:** Message on Senate action sent to the House.
 - **Jul 29, 2005:** Measure laid before Senate by unanimous consent. (consideration: CR S9418, S9558-9579)
 - **Jul 29, 2005:** Senate struck all after the Enacting Clause and substituted the language of the text of the committee reported substitute to S. 1389.
 - **Jul 29, 2005:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S9562-9579)
 - **Jul 29, 2005:** Passed Senate with an amendment by Unanimous Consent. (text: CR S9562-9579)
 - **Jul 29, 2005:** Senate insists on its amendment, asks for a conference, appoints conferees Specter; Hatch; Kyl; DeWine; Sessions; Roberts; Leahy; Kennedy; Rockefeller; Levin.
 - **Jul 25, 2005:** Received in the Senate, read twice.
 - **Jul 21, 2005:** Rule H. Res. 369 passed House.
 - **Jul 21, 2005:** Considered under the provisions of rule H. Res. 369. (consideration: CR H6221-6269)
 - **Jul 21, 2005:** Rule provides for consideration of H.R. 3199 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
 - **Jul 21, 2005:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 369 and Rule XVIII.
 - **Jul 21, 2005:** The Speaker designated the Honorable Adam H. Putnam to act as Chairman of the Committee.

Jul 21, 2005: GENERAL DEBATE - The Committee of the Whole proceeded with two hours of general debate on H.R. 3199.

- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Flake amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Flake amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Flake demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Issa amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Issa amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Issa demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Capito amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Capito amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Capito demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Flake amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Flake amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Flake demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Waters amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Delahunt amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Delahunt amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Delahunt demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Flake amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Flake amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Flake demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was adoption of specified amendments which had been debated earlier in the legislative day and on which further proceedings had been postponed.
- **Jul 21, 2005:** Committee of the Whole House on the state of the Union rises leaving H.R. 3199 as unfinished business.
- **Jul 21, 2005:** Considered as unfinished business. (consideration: CR H6273-6309)
- **Jul 21, 2005:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Berman amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Berman amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Berman demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on

the Lungren amendment.

- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Schiff amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Schiff amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Coble demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Coble amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Carter amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Hart amendment.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hart amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Hart demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson-Lee amendment, as modified.
- **Jul 21, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jackson-Lee amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Jackson-Lee demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 20 minutes of debate on the Hyde amendment.
- **Jul 21, 2005:** DEBATE - The Committee of the Whole resumed debate on the Hyde amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Sessions amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Paul amendment.
- **Jul 21, 2005:** DEBATE - Pursuant to the provisions of H. Res. 369, the Committee of the Whole proceeded with 10 minutes of debate on the Lowey amendment.
- **Jul 21, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 21, 2005:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3199.
- **Jul 21, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H6306)
- **Jul 21, 2005:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (consideration: CR H6247-6249; text: CR H6247-6249)
- **Jul 21, 2005:** Mr. Boucher moved to recommit with instructions to Judiciary.
- **Jul 21, 2005:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Boucher motion to recommit with instructions.
- **Jul 21, 2005:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H6306-6308; text: CR H6306)
- **Jul 21, 2005:** On motion to recommit with instructions Failed by the Yeas and Nays: 209 - 218 (Roll no. 413).
- **Jul 21, 2005:** Passed/agreed to in House: On passage Passed by recorded vote: 257 - 171 (Roll no. 414).
- **Jul 21, 2005:** On passage Passed by recorded vote: 257 - 171 (Roll no. 414).
- **Jul 21, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 21, 2005:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3199.
- **Jul 20, 2005:** Rules Committee Resolution H. Res. 369 Reported to House. Rule provides for consideration of H.R. 3199 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jul 18, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-174, Part I.

- Jul 18, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-174, Part I.
- **Jul 18, 2005:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 109-174, Part II.
 - **Jul 18, 2005:** Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 109-174, Part II.
 - **Jul 18, 2005:** Placed on the Union Calendar, Calendar No. 109.
 - **Jul 13, 2005:** Committee Consideration and Mark-up Session Held.
 - **Jul 13, 2005:** Committee Consideration and Mark-up Session Held.
 - **Jul 13, 2005:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 14.
 - **Jul 13, 2005:** Ordered to be Reported (Amended) by Voice Vote.
 - **Jul 11, 2005:** Introduced in House
 - **Jul 11, 2005:** Introduced in House
 - **Jul 11, 2005:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
 - **Jul 11, 2005:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
 - **Jul 11, 2005:** Referred to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.