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No. 124—Part II

## House of Representatives

□ 0749

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 7 o'clock and 49 minutes a.m.

### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5212, EMERGENCY SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 2005, FOR ADDITIONAL DISASTER ASSISTANCE RELATING TO STORM DAMAGE

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-735) on the resolution (H. Res. 819) providing for consideration of the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes, which was referred to the House Calendar and ordered to be printed.

### REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4850, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-736) on the resolution (H. Res. 822) waiving points of order against the conference report to accompany the bill (H.R. 4850) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5107, JUSTICE FOR ALL ACT OF 2004

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-737) on the resolution (H. Res. 823) providing for consideration of the bill (H.R. 5107) to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes, which was referred to the House Calendar and ordered to be printed.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Ms. PELOSI) for today before 2 p.m. on account of personal reasons.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for October 4 and today before 5 p.m. on account of official business.

Mr. KLECZKA (at the request of Ms. PELOSI) for today after 6:30 p.m. and October 6 on account of personal reasons.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POMEROY) to revise and ex-

tend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Ms. BALDWIN, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Mr. TURNER of Texas, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Mr. INSLLEE, for 5 minutes, today.

(The following Members (at the request of Mr. GOODLATTE) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today and October 6.

Mr. PEARCE, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today.

### ADJOURNMENT

Mr. PUTNAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes a.m.), the House adjourned until today, Wednesday, October 6, 2004, at 10 a.m.

□ 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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EXECUTIVE COMMUNICATIONS,  
ETC.

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

10011. A letter from the Deputy Secretary, Department of Defense, transmitting Certification that the total cost for the planning, design, construction, and installation of equipment for the renovation of Wedges 2 through 5 of the Pentagon, cumulatively, will not exceed four times the total cost for the planning, design, construction and installation of equipment for the renovation of Wedge 1, pursuant to 10 U.S.C. 2674 Public Law 108-87, section 8055(a); to the Committee on Armed Services.

10012. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Admiral Frank L. Bowman, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

10013. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James C. Dawson, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

10014. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Hal M. Hornburg, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

10015. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Admiral Thomas B. Fargo, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

10016. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the DoD Mentor-Protege Program Annual Report for 2004, pursuant to Public Law 101-510, section 831; to the Committee on Armed Services.

10017. A letter from the Deputy Chief of Naval Operations (Manpower and Personnel), Department of Defense, transmitting notification of a decision to convert to contractor performance by private sector Public Works Center Maintenance and Hazardous Materials of the Washington, DC metro area (initiative number NC20010699); to the Committee on Armed Services.

10018. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the first annual report to Congress on the Defense Acquisition Challenge Program for FY 2003, pursuant to 10 U.S.C. 2359b(i); to the Committee on Armed Services.

10019. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the State of Qatar pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

10020. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's Combined Annual Performance Report 2003/Initial Annual Performance Plan 2005 and Annual Performance Plan 2004, prepared in accordance with the Government Performance and Results Act and OMB Circular No. A-11; to the Committee on Government Reform.

10021. A letter from the Chairman, Securities and Exchange Commission, transmitting the annual report of the Securities Investor Protection Corporation for the year 2003, pursuant to 15 U.S.C. 78ggg(c)(2); to the Committee on Financial Services.

10022. A letter from the Secretary, Department of Education, transmitting a follow-up report on the recommendations of Presidential Advisory Committee, pursuant to section 6(b) of the Federal Advisory Committee Act, as amended; to the Committee on Education and the Workforce.

10023. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Listing of Substances in the Foam Sector [OAR-2003-0228, FRL-7821-6] (RIN: 2060-AG12) received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10024. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Minnesota; Sulfur Dioxide; United Defense [R05-OAR-2004-MN-0001; FRL-7794-5] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10025. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Carbon Monoxide Maintenance Plan Update; Limited Maintenance Plans. [R01-OAR-2004-CT-0003; A-1-FRL-7801-2] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10026. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to New Source Review Rules [RME Docket Number R08-OAR-UT-0002; FRL-7791-7] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10027. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Colorado Springs Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions [RME Docket Number R08-OAR-2004-CO-0002; FRL-7809-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10028. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference [VA160-5083; FRL-7808-8] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10029. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans for California-San Joaquin Valley PM-10 [CA-121-CORR; FRL-7807-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10030. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Source Review; State of Nevada, Clark County Department of Air Quality and Environmental Management [NV054-081; FRL-7808-7] received September

1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10031. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Standards for Hazardous Air Pollutants for Secondary Aluminum Production [OAR-2002-0084; FRL-7808-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10032. A letter from the Chairman, Federal Communications Commission, transmitting a report on Auction Expenditures for FY 2003, pursuant to the Balanced Budget Act of 1997, as codified in Section 309(j)(8)(B) of the Communications Act of 1934, as amended; to the Committee on Energy and Commerce.

10033. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Canada for defense articles and services (Transmittal No. 04-39), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10034. 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, Transmittal No. 10-04 informing of an intent to sign a Memorandum of Understanding Concerning Cooperation in Post-Production Support of Harrier Aircraft with Italy, Spain, and the United Kingdom and a Project Agreement with Italy Concerning Post-Production In-Service Support of the T/AV-8B Aircraft, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10035. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed lease of defense articles or defense services to the Czech Republic (Transmittal No. DDTC 078-04), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10036. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Sections 101 and 102(b) of the Arms Export Control Act, the President has determined and certified that it is in the national interest to waive restrictions and allow the Export-Import Bank to support United States exports to Libya (PD 2004-44), with an accompanying justification by the Secretary, in accordance with Section 2(b)(4) of the Export-Import Bank Act of 1945, as amended; to the Committee on International Relations.

10037. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the heading "Loan Guarantees to Israel" in Chapter 5 of Title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Pub. L. 108-11); to the Committee on International Relations.

10038. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the waiver of loan default sanctions under Section 620(q) of the Foreign Assistance Act to support the Government of Ethiopia; to the Committee on International Relations.

10039. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Presidential Determination (No. 2004-52) and an explanation of relevant factors that support rescinding the designation of Iraq as a state sponsor of terrorism with respect to Section 6(j)(4)(A) of the Export Administration Act of 1979, Pub. L. 96-72, as amended, and as continued in effect by Executive Order 13222 of August 17, 2001; section 620A(c)(1) of the Foreign Assistance Act of 1962, Pub. L. 87-195, as

amended; and Section 40(f)(1)(A) of the Arms Export Control Act, Pub. L. 90-629, as amended; to the Committee on International Relations.

10040. A letter from the Assistant Secretary for Policy, Management, and Budget, Department of the Interior, transmitting the Department's Annual Report on grants streamlining and standardization, covering the period from May 2003 to May 2004, pursuant to Public Law 106-107, section 5 (113 Stat. 1488); to the Committee on Government Reform.

10041. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10042. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10043. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled "Annual Report to Congress on Implementation of Public Law 106-107"; to the Committee on Government Reform.

10044. A letter from the Associate Special Counsel for Legal Counsel and Policy, Office of Special Counsel, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10045. A letter from the Director, Officer of Personnel Management, transmitting the Chief Human Capital Officers (CHCO) Council's Report to Congress covering FY 2003, pursuant to 5 U.S.C. 1401 note Public Law 107-296 section 1303(d); to the Committee on Government Reform.

10046. A letter from the Chairman, Commission on Ocean Policy, transmitting the final report on the recommendations for a national ocean policy entitled, "An Ocean Blueprint for the 21st Century," pursuant to Public Law 106-553, section Title V (114 Stat. 2762A-98); to the Committee on Resources.

10047. A letter from the Assistant Secretary for Policy, Management, & Budget, Department of the Interior, transmitting the Department's report on the administration of the Marine Mammal Protection Act of 1972, covering calendar years 1999 and 2000, pursuant to 16 U.S.C. 1373(f); to the Committee on Resources.

10048. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by the "21st Century Department of Justice Appropriations Authorization Act," related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

10049. A letter from the Deputy Executive Director, Reserve Officers Association, transmitting the Association's report of audit for the year ending March 31, 2004, pursuant to Public Law 90-595, section 16; to the Committee on the Judiciary.

10050. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Patapsco River, Baltimore, MD [CGD05-04-157] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10051. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Special Local Regulations for Marine Events; Susquehanna River, Port Deposit, MD [CGD05-04-143] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10052. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2004 MTV Video Music Awards, American Airlines Arena, Port of Miami, Miami, FL [CGD07-04-103] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10053. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wiscasset, Maine, Demolition of Maine Yankee former containment building [CGD01-04-099] (RIN: 2115-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10054. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Metro North Railroad Bridge over the Norwalk River, Norwalk, Connecticut [CGD01-04-111] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10055. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Delaware River, [CGD05-04-170] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10056. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Anchorage Grounds and Safety Zone; Delaware Bay and River [CGD05-04-172] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10057. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security and Safety Zone: Protection of Large Passenger Vessels, Portland, OR [CGD13-04-031] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10058. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Bayou Lafourche, Clotilda, LA [CGD08-04-024] (RIN: 1625-AA09) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10059. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Massalina Bayou, Panama City, FL [CGD08-04-031] (RIN: 1625-AA09) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10060. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Connecticut River, CT, [CGD01-04-105] received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-

mittee on Transportation and Infrastructure.

10061. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Fore River, Me. [CGD01-04-114] received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10062. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lexington, NE. [Docket No. FAA-2004-18011; Airspace Docket No. 04-ACE-40] received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10063. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE); CT7-2D1 Turboshift Engines [Docket No. FAA-2004-18758; Directorate Identifier 2004-NE-24-AD; Amendment 39-13763; AD 2004-16-07] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10064. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2003-NM-107-AD; Amendment 39-13765; AD 2004-16-09] received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10065. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 and 767 Airplanes [Docket No. 2003-NM-83-AD; Amendment 39-13767; AD 2004-16-11] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10066. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes Equipped with Off-wing Escape Slides [Docket No. 2002-NM-151-AD; Amendment 39-13766; AD 2004-16-10] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10067. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400, -401, and -402 Airplanes [Docket No. 2002-NM-132-AD; Amendment 39-13769; AD 2004-16-13] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10068. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thales Avionics Traffic Advisory/Resolution Advisory (TA/RA) Vertical Speed Indicator-Traffic Alert and Collision Avoidance System (VSI-TCAS) Indicators, Installed on But Not Limited to Certain Transport Category Airplanes Equipped with TCAS II Change 7 Computers (ACAS II) [Docket No. 2002-NM-284-AD; Amendment 39-13770; AD 2004-16-14] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10069. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146-RJ Series Airplanes [Docket No. 2003-NM-92-AD; Amendment 39-13762; AD 2004-16-06] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10070. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000-NM-419-AD; Amendment 39-13761; AD 2004-16-05] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10071. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Model Gulfstream 200 Airplanes [Docket No. 2002-NM-325-AD; Amendment 39-13759; AD 2004-16-03] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10072. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Short Brothers Model SD3 Series Airplanes [Docket No. 2002-NM-209-AD; Amendment 39-13758; AD 2004-16-02] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10073. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters Inc. Model MD900 Helicopters [Docket No. 2004-SW-10AD; Amendment 39-13764; AD 2004-16-08] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10074. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A109K2 Helicopters [Docket No. 2004-SW-14-AD; Amendment 39-13755; AD 2004-15-21] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10075. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Shungnak, AK [Docket No. FAA-2004-17661; Airspace Docket No. 04-AAL-08] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10076. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; King Salmon, AK [Docket No. FAA-2004-17660; Airspace Docket No. 03-AAL-09] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10077. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace Area; Mount Clemens, MI [Docket No. FAA-2003-16705; Airspace Docket No. 03-AGL-20] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10078. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Modification of Class E Airspace; Columbus, NE [Docket No. FAA-2004-18013; Airspace Docket No. 04-ACE-42] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Urbana, OH [Docket No. FAA-2004-16963; Airspace Docket No. 04-AGL-01] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Georgetown, OH [Docket No. FAA-2004-17093; Airspace Docket No. 04-AGL-02] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Janesville, WI [Docket No. FAA-2004-17092; Airspace Docket No. 04-AGL-07] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Camp Douglas, WI [Docket No. FAA-2004-17136; Airspace Docket No. 04-AGL-08] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Rochester, MN; Modification of Class E Airspace; Rochester, MN. [Docket No. FAA-2004-17163; Airspace Docket No. 04-AGL-10] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; South Haven, MI [Docket No. FAA-2004-17096; Airspace Docket No. 04-AGL-05] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Kalamazoo, MI [Docket No. FAA-2004-17095; Airspace Docket No. 04-AGL-04] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10086. A letter from the Chairman, Interagency Coordinating Committee on Oil Pollution Research, Department of Homeland Security, transmitting the Department's report on the Interagency Coordinating Committee on Oil Pollution Research for FY 2003 and 2004, pursuant to 33 U.S.C. 2761(e); to the Committee on Science.

10087. A letter from the Assistant Secretary of Defense for Health Affairs and the Acting Under Secretary for Health, Department of Defense and Veterans Affairs, transmitting as required by Section 8147 of the Department of Defense Appropriations Act for FY 2002, the Findings and Recommendations from the Department of Defense (DoD)/Department of Veterans Affairs

(VA) Joint Assessment Study; jointly to the Committees on Armed Services and Veterans' Affairs.

#### 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:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes; with an amendment (Rept. 108-724 Pt. 4). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, with an amendment (Rept. 108-724 Pt. 5). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 5011. A bill to prevent the sale of abusive insurance and investment products to military personnel; with an amendment (Rept. 108-725). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON: Committee on Energy and Commerce. H.R. 3858. A bill to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation (Rept. 108-726). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON: Committee on Energy and Commerce. H.R. 918. A bill to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services, with amendments (Rept. 108-727 Pt. 1). Ordered to be printed.

Mr. BARTON: Committee on Energy and Commerce. H.R. 3015. A bill to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance, and for other purposes; with amendments (Rept. 108-728). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 4302. A bill to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect (Rept. 108-729). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4453. A bill to improve access to physicians in medically underserved areas; with an amendment (Rept. 108-730). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4306. A bill to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment; with an

amendment (Rept. 108-731). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. S. 1194. An act to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems; with an amendment (Rept. 108-732). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. S. 129. An act to provide for reform relating to Federal employment, and for other purposes; with an amendment (Rept. 108-733). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRELINGHUYSEN: Committee of Conference. Conference report on H.R. 4850. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes (Rept. 108-734). Ordered to be printed.

October 6, (Legislative Day October 5), 2004

Mr. PUTNAM: Committee on Rules. House Resolution 819. Resolution relating to early organization of the House of Representatives for the One Hundred Ninth Congress (Rept. 108-735). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 822. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4850) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes (Rept. 108-736). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 823. Resolution providing for consideration of the bill (H.R. 5107) to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes (Rept. 108-737). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Education and the Workforce, Energy and Commerce, International Relations, Rules, Science, Transportation and Infrastructure, Ways and Means and the Select Committee on Homeland Security discharged from further consideration. H.R. 10 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Resources discharged from further consideration. H.R. 918 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:

H.R. 918. Referral to the Committee on Resources extended for a period ending not later than October 5, 2004.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FILNER:

H.R. 5210. A bill to provide a monthly allotment of free telephone calling time to members of the United States Armed Forces deployed outside of the United States who are directly supporting Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. PICKERING (for himself, Mr. BERRY, Mr. MCCREERY, Mrs. EMERSON, and Mr. MORAN of Kansas):

H.R. 5211. A bill to suspend temporarily new shipper bonding privileges; to the Committee on Ways and Means.

By Mr. YOUNG of Florida (by request):

H.R. 5212. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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.

By Mr. BILIRAKIS (for himself and Mrs. KELLY):

H.R. 5213. A bill to expand research information regarding multidisciplinary research projects and epidemiological studies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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.

By Mr. BACA:

H.R. 5214. A bill to require combination 3-point safety belts on all school buses; to the Committee on Transportation and Infrastructure.

By Mr. BURNS:

H.R. 5215. A bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable tax credit for elder care expenses; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5216. A bill to suspend temporarily the duty on chloroneb; to the Committee on Ways and Means.

By Mr. CASTLE (for himself and Mr. KIRK):

H.R. 5217. A bill to provide for the security and safety of rail transportation systems in the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GEPHARDT:

H.R. 5218. A bill to increase health insurance coverage in America by requiring employers to offer health insurance coverage with greater government assistance and by expanding current safety net programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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.

By Mrs. KELLY:

H.R. 5219. A bill to require the Attorney General to establish a Federal register of cases of child abuse or neglect; to the Committee on the Judiciary.

By Mr. KING of New York (for himself and Mrs. MALONEY):

H.R. 5220. A bill to require the the Secretary of the Treasury to mint coins in commemoration of the Washington National Opera, and for other purposes; to the Committee on Financial Services.

By Mr. RENZI (for himself and Mr. MATHESON):

H.R. 5221. A bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians; to the Committee on Financial Services.

By Ms. LORETTA SANCHEZ of California:

H.R. 5222. A bill to amend chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to provide standards for the use of military commissions for the trial of offenses under the law of war or in furtherance of international terrorism; to the Committee on Armed Services.

By Mr. SHAYS (for himself and Mrs. MALONEY):

H.R. 5223. A bill to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, International Relations, Government Reform, the Judiciary, Rules, Transportation and Infrastructure, Energy and Commerce, Ways and Means, and Homeland Security (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.

By Mr. ROHRBACHER (for himself, Mr. BOEHLERT, Mr. SMITH of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GUTKNECHT, Mr. SMITH of Texas, Mr. EHLERS, Mr. HALL, Mr. FEENEY, Mr. CALVERT, and Mr. WELDON of Florida):

H. Res. 820. A resolution to congratulate Mojave Aerospace Ventures for winning the privately funded \$10,000,000 Ansari X Prize and commend the X Prize Foundation for spurring this achievement; to the Committee on Science.

By Mr. CRANE (for himself, Mr. HASTERT, Mr. DELAY, Mr. HYDE, Mr. LAMPSON, Mr. MANZULLO, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. LIPINSKI, Mr. FOLEY, Mrs. BLACKBURN, Mrs. TAUSCHER, Mr. SMITH of Michigan, Mr. DUNCAN, Mr. YOUNG of Alaska, Mr. WELLER, Mr. KIRK, Mrs. BIGGERT, Mr. DREIER, Ms. ESHOO, and Mr. SHIMKUS):

H. Res. 821. A resolution condemning the abduction of Dylan Benwell from the United States and calling for his return; to the Committee on International Relations.

#### MEMORIALS

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

430. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 185 memorializing the President and Congress of the United States to maintain federal Section 8 program funding at 2004 levels; to the Committee on Financial Services.

431. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 156 memorializing the President and Congress of the United States to allow states to have certain regulatory power to create competition in the cable television industry; to the Committee on Energy and Commerce.

432. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 167 memorializing the Congress of the United States to enact legislation redesignating the United States Postal Service facility located at 14-24 Abbott Road in Fair Lawn, New Jersey, as the Mary Ann Collura Post Office Building; to the Committee on Government Reform.

433. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 96 memorializing the Supreme Court and Congress of the United States to take all necessary measures to preserve the phrase "one nation under God" in the Pledge of Allegiance; to the Committee on the Judiciary.

434. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 29 memorializing the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana; to the Committee on the Judiciary.

435. Also, a memorial of the House of Representatives of the State of Mississippi, relative to House Resolution No. 51 memorializing the Congress of the United States to propose an amendment to the Constitution of the United States addressing the subject of judicial taxation; to the Committee on the Judiciary.

436. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 158 memorializing the Congress of the United States to enact and fully fund the National Aeronautics and Space Administration's Vision for Space Exploration Program; to the Committee on Science.

437. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 175 memorializing the Congress of the United States to restore funding for certain Small Business Administration loans eliminated by President Bush's proposed budget for FY 2005; to the Committee on Small Business.

438. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 137 memorializing the Congress of the United States to refrain from reducing benefits or increasing age requirements for Social Security programs; to the Committee on Ways and Means.

439. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 73 memorializing the Congress of the United States to modify limits on the sum of Social Security disability and workers' compensation benefits; to the Committee on Ways and Means.

440. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 195 memorializing the Congress of the United States to oppose the Australian Free Trade Agreement (AUSFTA) and other free trade agreements which are harmful to American dairy producers; to the Committee on Ways and Means.

441. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 113 memorializing the Congress of the United States to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers; to the Committee on Ways and Means.

442. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 115 memorializing the Congress of the United States to defeat legislation creating the Central American Free Trade Agreement; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CRANE introduced A bill (H.R. 5224) for the relief of Dylan Brian Benwell; 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. 10: Mr. GINGREY and Mrs. MILLER of Michigan.

H.R. 97: Mr. BUTTERFIELD.

H.R. 111: Mr. DOGGETT.

H.R. 296: Mr. KING of New York, Mrs. LOWEY, and Mr. SWEENEY.

H.R. 443: Mr. MCCOTTER.

H.R. 623: Mr. MANZULLO and Mrs. SCHAKOWSKY.

H.R. 648: Mrs. CUBIN.

H.R. 738: Mr. WEINER, Ms. WOOLSEY, and Mr. CASE.

H.R. 785: Mr. GARY G. MILLER of California.

H.R. 1066: Mr. BARTLETT of Maryland.

H.R. 1111: Mr. ABERCROMBIE.

H.R. 1160: Mr. BUTTERFIELD.

H.R. 1267: Mr. OLVER.

H.R. 1336: Mr. PICKERING.

H.R. 1477: Ms. ESHOO and Mr. ISRAEL.

H.R. 1700: Mrs. JONES of Ohio.

H.R. 1741: Mr. LEWIS of Kentucky.

H.R. 1859: Mr. PICKERING, Mrs. MCCARTHY of New York, and Mr. ETHERIDGE.

H.R. 1924: Ms. HERSETH.

H.R. 1958: Ms. PELOSI and Mr. GONZALEZ.

H.R. 2037: Mr. HONDA.

H.R. 2490: Mr. CUMMINGS.

H.R. 2601: Mr. VAN HOLLEN.

H.R. 2680: Mrs. EMERSON, Mrs. CUBIN, Mr. BARTLETT of Maryland, Mr. CANTOR, Mr. SIMMONS, Mr. FOSSELLA, and Mr. HASTERT.

H.R. 2727: Mr. MOORE.

H.R. 3069: Mr. BURR.

H.R. 3203: Mr. CUMMINGS.

H.R. 3325: Mr. BLUMENAUER.

H.R. 3352: Mr. BISHOP of Utah.

H.R. 3438: Mr. MILLER of North Carolina, Mr. ORTIZ, Mr. ISSA, Mr. JOHN, Mr. CROWLEY, Mr. RODRIGUEZ, Ms. MAJETTE, Mr. UDALL of New Mexico, Mr. KING of New York, Mr. KUCINICH, and Mr. HINCHEY.

H.R. 3579: Ms. HERSETH.

H.R. 3729: Mr. TURNER of Texas, Mr. LAHOOD, Mr. CAPUANO, Mr. WOLF, Mr. COSTELLO, and Mr. TANNER.

H.R. 3950: Mr. RANGEL.

H.R. 3965: Mr. FILNER and Mr. OLVER.

H.R. 4026: Mr. YOUNG of Alaska and Mr. DAVIS of Tennessee.

H.R. 4057: Mr. KLINE.

H.R. 4154: Mr. ISRAEL.

H.R. 4180: Mrs. LOWEY.

H.R. 4187: Mr. RYAN of Wisconsin.

H.R. 4232: Mr. SANDLIN, Mr. GONZALEZ, Mr. REYES, Mr. BELL, Mr. SMITH of Texas, Mr. BONILLA, Mr. FROST, Mr. PAUL, Mr. EDWARDS, and Mr. DOGGETT.

H.R. 4249: Mr. BISHOP of New York, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Ms. HERSETH, Mr. KANJORSKI, Mr. BUTTERFIELD, Mr. BASS, Mr. LYNCH, Mr. WALSH, and Mr. MILLER of North Carolina.

H.R. 4264: Mr. ALLEN and Mr. LEVIN.

H.R. 4354: Mr. WEXLER.

H.R. 4374: Mr. KENNEDY of Rhode Island.

H.R. 4433: Mr. CLYBURN, Mr. SWEENEY, Mr. FILNER, Mr. WELLER, Mr. OWENS, Mr. SPRATT, Mrs. MALONE, Ms. GINNY BROWN-WAITE of Florida, Mr. MICHAUD, Mr. MCNULTY, Ms. SOLIS, Mr. RODRIGUEZ, and Mr. HINCHEY.

H.R. 4463: Mr. ACEVEDO-VILÁ and Mr. PALLONE.

H.R. 4576: Mr. BOOZMAN.

H.R. 4595: Mr. ALLEN.

H.R. 4610: Mr. SKELTON and Mr. ROGERS of Alabama.

H.R. 4626: Mr. LEWIS of Kentucky.

H.R. 4628: Mr. GONZALEZ.

H.R. 4636: Mr. CRAMER, Mr. VAN HOLLEN, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HALL.

H.R. 4640: Mr. GILCHREST.

H.R. 4685: Mrs. BLACKBURN, Mr. RODRIGUEZ, Mr. MICHAUD, Mr. FROST, Mr. PUTNAM, Mr. BISHOP of Georgia, Mr. CARDOZA, and Mr. MCHUGH.

H.R. 4702: Mr. THORNBERRY and Mr. NUNES.

H.R. 4747: Mr. HINCHEY.

H.R. 4824: Mr. RODRIGUEZ.

H.R. 4888: Mr. ABERCROMBIE, Mr. WYNN, and Ms. LEE.

H.R. 4902: Mr. CHANDLER, Mr. CARSON of Oklahoma, Mr. PETERSON of Minnesota, Mr. HINCHEY, and Mr. BRADLEY of New Hampshire.

H.R. 4904: Mr. LAHOOD.

H.R. 4910: Mr. BELL, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Mr. ACKERMAN, Mr. KUCINICH, and Mr. FRANK of Massachusetts.

H.R. 4927: Mr. PICKERING, Mrs. BONO, and Mrs. JO ANN DAVIS of Virginia.

H.R. 4928: Mr. EVANS.

H.R. 4936: Mr. PAUL, Mr. MCDERMOTT, Mr. WALSH, Mr. BUTTERFIELD, Mr. STUPAK, Mr. BASS, Mr. FILNER, and Mr. VAN HOLLEN.

H.R. 4965: Mr. CHANDLER.

H.R. 4970: Mr. FILNER.

H.R. 4976: Ms. BERKLEY.

H.R. 4978: Mr. HINCHEY and Mr. FATTAH.

H.R. 4985: Mr. MCDERMOTT.

H.R. 5024: Mr. GORDON.

H.R. 5043: Mr. EVANS.

H.R. 5045: Mr. BARTLETT of Maryland, Mr. SAM JOHNSON of Texas, and Mr. KINGSTON.

H.R. 5048: Mr. ISRAEL.

H.R. 5061: Mr. FRANK of Massachusetts, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 5063: Mr. FROST, Mr. WAXMAN, Mr. OWENS, and Mr. HINCHEY.

H.R. 5076: Mr. PRICE of North Carolina.

H.R. 5081: Mr. ROGERS of Alabama and Mr. WEXLER.

H.R. 5113: Ms. MCCOLLUM.

H.R. 5119: Mr. BRADY of Texas, Mr. LAMPSON, Mr. RYAN of Ohio, and Mr. RODRIGUEZ.

H.R. 5123: Mr. ENGLISH.

H.R. 5144: Mr. CARSON of Oklahoma, Mr. BOOZMAN, Mr. SCOTT of Georgia, and Mr. SOUDER.

H.R. 5145: Mr. MCHUGH and Mr. MICHAUD.

H.R. 5150: Ms. SLAUGHTER, Mr. SHERMAN, Ms. WATSON, Ms. MCCARTHY of Missouri, Mr. VAN HOLLEN, Mr. ETHERIDGE, and Mr. ROTHMAN.

H.R. 5167: Mr. OSBORNE and Mr. LATOURETTE.

H.R. 5182: Ms. LORETTA SANCHEZ of California.

H.R. 5186: Mr. BACHUS, Mr. CASTLE, and Mrs. NORTHUP.

H.R. 5189: Mrs. MALONEY.

H.R. 5193: Mr. CANTOR, Mr. TANCREDO, Mr. FALEOMAVAEGA, Mr. PENCE, and Mr. CROWLEY.

H.R. 5198: Mrs. WILSON of New Mexico.

H.R. 5199: Mr. PALLONE.

H.R. 5203: Mr. MORAN of Kansas, Mr. ROGERS of Alabama, Mr. LUCAS of Oklahoma, Mr. ACEVEDO-VILÁ, Mr. CHANDLER, Ms. MCCOLLUM, Mr. SKELTON, Mrs. EMERSON, Ms. KAPTUR, Mrs. MUSGRAVE, Mr. TERRY, Mr. MOORE, Mr. MARSHALL, Ms. HERSETH, Ms. ROYBAL-ALLARD, Mr. MCINTYRE, Mr. LUCAS of Kentucky, Mrs. CUBIN, Mr. SIMPSON, Mr. CARDOZA, Mr. HOLDEN, Mr. ALEXANDER, Mr. KILDEE, and Ms. HOOLEY of Oregon.

H.J. Res. 57: Ms. BORDALLO.

H.J. Res. 103: Ms. MCCOLLUM.

H. Con. Res. 178: Mrs. DAVIS of California.  
 H. Con. Res. 306: Mr. HAYWORTH.  
 H. Con. Res. 430: Mr. JACKSON of Illinois.  
 H. Con. Res. 457: Mr. KIRK.  
 H. Res. 28: Mr. McCOTTER and Mr. FALEOMAVAEGA.  
 H. Res. 45: Mr. BISHOP of Georgia.  
 H. Res. 341: Mr. McCOTTER.  
 H. Res. 750: Mr. GREEN of Wisconsin, Mr. LEVIN, Mr. LATOURETTE, Mrs. MILLER of Michigan, Mr. McHUGH, Mr. DINGELL, Mr. EHLERS, and Mr. KILDEE.  
 H. Res. 796: Mr. GILLMOR.  
 H. Res. 805: Mr. DAVIS of Illinois, Mr. WILSON of South Carolina, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. VAN HOLLEN, and Mr. GEORGE MILLER of California.  
 H. Res. 813: Mr. FRANK of Massachusetts and Mr. BERMAN.

**AMENDMENTS**

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5212

OFFERED BY: MR. STENHOLM

AMENDMENT NO. 1: Add at the appropriate place the following new title:

**TITLE**

**SEC. . CROP DISASTER ASSISTANCE.**

(a) DEFINITIONS.—In this section:  
 (1) ADDITIONAL COVERAGE.—The term “additional coverage” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).  
 (2) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).  
 (3) NONINSURABLE COMMODITY.—The term “noninsurable commodity” means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).  
 (b) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture (referred to in this title as the “Secretary”) shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying crop or quality losses for the 2003 or 2004 crop (as elected by a producer), but not both, due to damaging weather or related condition, as determined by the Secretary.  
 (c) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.  
 (d) REDUCTION IN PAYMENTS.—The amount of assistance that a producer would otherwise receive for a qualifying crop or quality loss under this section shall be reduced by the amount of assistance that the producer receives under the crop loss assistance program announced by the Secretary on August 27, 2004.  
 (e) INELIGIBILITY FOR ASSISTANCE.—Except as provided in subsection (f), the producers on a farm shall not be eligible for assistance under this section with respect to losses to

an insurable commodity or noninsurable commodity if the producers on the farm—  
 (1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses; and  
 (2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses.  
 (f) CONTRACT WAIVER.—The Secretary may waive subsection (e) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—  
 (1) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops; and  
 (2) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).  
 (g) EFFECT OF VIOLATION.—In the event of the violation of a contract under subsection (f) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.  
**SEC. . LIVESTOCK ASSISTANCE PROGRAM.**  
 (a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).  
 (b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).  
 (c) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock assistance program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.  
**SEC. . TREE ASSISTANCE PROGRAM.**  
 The Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 to producers who suffered tree losses during the winter of 2003 through 2004.  
**SEC. . COMMODITY CREDIT CORPORATION.**  
 The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

**SEC. . REGULATIONS.**

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.  
 (b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—  
 (1) the notice and comment provisions of section 553 of title 5, United States Code;  
 (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and  
 (3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).  
 (c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

**SEC. . EMERGENCY DESIGNATION.**

Amounts appropriated or otherwise made available in this title are each designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 1014). However, such amounts shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress.

H.R. 10

OFFERED BY: MR. OSE OF CALIFORNIA

AMENDMENT NO. 2: At the end of title III of the bill, insert the following:

**Subtitle F—Security Barriers**

**SEC. 3121. EXPEDITED COMPLETION OF SECURITY BARRIERS.**

(a) IN GENERAL.—In order to construct the physical barriers and roads described in section 102 of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208, div. C), the tracts of land described in subsection (b) shall be exempt from the requirements of the provisions listed in subsection (c).  
 (b) LEGAL DESCRIPTION.—The tracts of land referred to in subsection (a) are as follows:  
 (1) ZONE WEST.—A tract of land situated within Section 2, 3, 4, 5, 7, 8, 9, 10, and 11, Township 19 South, Range 2 West of the San Bernadino Meridian, within the County of San Diego, State of California, more particularly described as follows: Beginning at the Southwest corner of Fractional Section 7, T19S, R2W; said Point-of-Beginning being on the United States/Mexico International Boundary Line and also being a point of mean sea level of the Pacific Ocean (at Borderfield State Park); thence, N 02°31'00" W, a distance of approximately 800.00 feet to a point. Thence, N 84°44'08" E, a distance of approximately 1,845.12 feet to a point. Said point being on the Section line common to Section 7 and 8, T19S, R2W. Thence, S 01°05'10" W, along said Section line, a distance of approximately 270.62 feet to a point. Thence, S 89°49'43" E, a distance of approximately 1,356.50 feet to a point. Thence, N 45°34'58" E, a distance of approximately 1,901.75 feet to a point. Said point being on the Section line common to Sections 5 and 8, T19S, R2W. Thence, N 00°00'00" E, a distance of approximately 300.00 feet to a point. Thence, S 89°54'53" E, a distance of approximately 1,322.05 feet to a point. Thence, S 00°25'27" W, a distance of approximately 300.00 feet to a point. Said point being on the Section line common to Sections 5 and 8, T19S, R2W. Thence, S 89°37'09" E, along the

Section line common to Section 4, 5, 8, and 9, T19S, R2W, a distance of approximately 5,361.32 feet to a point. Thence, N 00°12'59" E, a distance of approximately 400.00 feet to a point. Thence, N 90°00'00" E, a distance of approximately 1,349.81 feet to a point. Said point being on the Section line common to Sections 3 and 4, T19S, R2W. Thence, S 00°30'02" W, a distance of approximately 410.37 feet to a point. Said point being the Section corner common to Sections 3, 4, 9, and 10, T19S, R2W. Thence, S 89°36'11" E, along the Section line common to Sections 2, 3, 10, and 11, T19S, R2W, a distance of approximately 6,129.36 feet to a point. Thence, along the arc of a curve to the left, having a radius of 518.88 feet, and a distance of 204.96 feet to a point. Thence, S 89°59'41" E, a distance of approximately 258.66 feet to a point. Thence, S 00°00'00" E, a distance of approximately 111.74 feet to a point. Said point being within the NW ¼ of fractional section 11, T19S, R2W, on the United States/Mexico International Boundary. Thence, S 84°41'20" W, along said United States/Mexico International Boundary, a distance of approximately 19,210.48 feet to the Point-of-Beginning. Said tract of land containing an area of 396.61 acre, more or less.

(2) ZONE EAST.—A tract of land situated within Section 32 and 33, Township 18 South, Range 1 East of the San Bernadino Meridian, County of San Diego, State of California, and being described as follows: Beginning at the ¼ Section line of Section 32, T18S, R1E. Said

Point-of-Beginning being on the United States/Mexico International Boundary Line and having a coordinate value of X = 6360877.25 Y = 1781730.88. Thence, N 00°32'02" W, a distance of approximately 163.56 feet to a point. Thence, N 78°33'17" E, a distance of approximately 1,388.23 feet to a point. Thence, N 84°37'31" E, a distance of approximately 1,340.20 feet to a point. Thence, N 75°00'00" E, a distance of approximately 1,000.00 feet to a point. Thence, S 88°06'07" E, a distance of approximately 1,806.81 feet to a point. Thence, N 80°00'00" E, a distance of approximately 1,050.00 feet to a point. Thence, N 87°00'00" E, a distance of approximately 1,100.00 feet to a point. Thence, S 00°00'00" W, a distance of approximately 300.00 feet to a point. Said point being on the United States/Mexico International boundary. Thence, S 84°44'09" W, along said boundary, a distance of approximately 7,629.63 to the Point-of-Beginning. Said tract of land having an area of approximately 56.60 acres more or less.

(c) EXEMPTION FROM CERTAIN REQUIREMENTS.—The provisions referred to in subsection (a) areas as follows:

(1) Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), as amended by Quiet Communities of 1978 (P.L. 95-609).

(2) Clean Air Act and amendments of 1990 (42 U.S.C. 7401-7671q).

(3) Clean Water Act of 1977 (33 U.S.C. 1342).

(4) Executive Order 11988 (Floodplain Management), as amended by Executive Order 12608.

(5) Executive Order 11990 (Protection of Wetlands), as amended by Executive Order 12608.

(6) Coastal Zone Management Act of 1972 (16 U.S.C. 1456(c)).

(7) Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6992k) as amended by Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616; 98 Stat. 3221).

(8) Comprehensive, Environmental Response, Compensation, Liability Act of 1980 (42 U.S.C. 9601-9675), as amended by Emergency Planning and Community Right-To-Know-Act of 1986 (42 U.S.C. 11001 et seq.).

(9) Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.).

(10) Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

(11) Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712).

(12) Bald and Golden Eagle Act of 1940, as amended (16 U.S.C. 688-688d).

(13) National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended Executive Order 13007—Sacred Sites Presidential Memorandum regarding government to Government Relations (April 29, 1994).

(14) Native American Graves Protection and Repatriation Act (43 CFR Part 10).

(15) Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa-470ii).

(16) Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) of 1994.



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S10381–S10468*

**Measures Introduced:** Twelve bills and two resolutions were introduced, as follows: S. 2887–2898, S. Res. 447, and S. Con. Res. 140. **Page S10436**

#### Measures Reported:

H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program. (S. Rept. No. 108–385)

S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence. **Page S10436**

#### Measures Passed:

**Presidential Pardon:** Senate agreed to S. Res. 447, expressing the sense of the Senate that the President of the United States should exercise his Constitutional Authority to pardon posthumously John Arthur “Jack” Johnson for Mr. Johnson’s racially-motivated 1913 conviction that diminished his athletic, cultural, and historic significance, and unduly tarnished his reputation. **Pages S10417–19**

**Veterans’ Compensation Cost-Of-Living Adjustment Act:** Committee on Veterans’ Affairs was discharged from further consideration of H.R. 4175, to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and the bill was then passed after striking all after the enacting clause and inserting in lieu thereof the text of S. 2483, Senate companion-measure. **Pages S10458–59**

Subsequently, S. 2483 was returned to the Senate calendar. **Page S10459**

**St. Louis Gateway Arch Lighting:** Senate passed S. 2895, to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights in honor of breast cancer awareness month. **Page S10459**

**Communications Satellite Act:** Senate passed S. 2896, to modify and extend certain privatization requirements of the Communications Satellite Act of 1962. **Page S10459**

**Little Rock Central High School National Historic Site:** Committee on Energy and Natural Resources was discharged from further consideration of S. Res. 420, recommending expenditures for an appropriate visitors center at Little Rock Central High School National Historic Site to commemorate the desegregation of Little Rock Central High School, and the resolution was then agreed to. **Page S10460**

**Protecting Older Americans From Fraud Month:** Senate agreed to S. Res. 424, designating October 2004 as “Protecting Older Americans From Fraud Month”. **Page S10460**

**Department of Veterans Affairs Health Care Personnel Enhancement Act:** Senate passed S. 2484, to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists and to authorize alternate work schedules and executive pay for nurses, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**Pages S10460–67**

Frist (for Specter) Amendment No. 3973, in the nature of a substitute. **Page S10467**

**National Intelligence Reform Act:** Senate continued consideration of S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, taking action on the following amendments proposed thereto:

**Pages S10384–88, S10390–S10400, S10400–17**

#### Adopted:

Collins (for Cantwell) Modified Amendment No. 3933, to require biometric identification information on travel documents of aliens seeking to enter the United States. **Pages S10384, S10394–95**

Collins/Lieberman Amendment No. 3957, to provide for certain revisions to the bill, including providing for permanent authority for the Public Interest Declassification Board, and for homeland security civil rights and civil liberties protection. **Page S10384**

Collins (for Rockefeller) Modified Amendment No. 3712, to provide improved aviation security.

**Pages S10384–88**

Collins (for Baucus) Further Modified Amendment No. 3768, to require an annual report on the allocation of funding within the Office of Foreign Assets Control of the Department of the Treasury.

**Pages S10384–88, S10391**

Feinstein Modified Amendment No. 3718, to improve the intelligence functions of the Federal Bureau of Investigation.

**Pages S10390, S10391–92**

Collins (for Gregg) Modified Amendment No. 3934, to enhance the role of the Federal Bureau of Investigation in its intelligence and law enforcement missions.

**Page S10394**

Withdrawn:

Chambliss Amendment No. 3710, to provide for the establishment of a unified combatant command for military intelligence.

**Pages S10392–94**

Roberts Amendment No. 3739, to ensure the sharing of intelligence information in a manner that promotes all-sources analysis and to assign responsibility for competitive analysis.

**Pages S10390, S10398**

Roberts Amendment No. 3750, to clarify the responsibilities of the Directorate of Intelligence of the National Counterterrorism Center for information-sharing and intelligence analysis.

**Pages S10390, S10398**

Lautenberg Amendment No. 3767, to specify that the National Intelligence Director shall serve for one or more terms of up to 5 years each.

**Pages S10390, S10416**

Pending:

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight.

**Page S10390**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding.

**Page S10390**

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation.

**Page S10390**

Reid (for Harkin) Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board.

**Page S10390**

Roberts Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States.

**Pages S10390–91**

Stevens Amendment No. 3827, to strike section 206, relating to information sharing.

**Page S10391**

Stevens Amendment No. 3840, to strike the fiscal and acquisition authorities of the National Intelligence Authority.

**Page S10391**

Stevens Amendment No. 3882, to propose an alternative section 141, relating to the Inspector General of the National Intelligence Authority.

**Page S10391**

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform.

**Page S10391**

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities.

**Page S10391**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program.

**Page S10391**

Stevens Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency.

**Page S10391**

Warner Amendment No. 3875, to clarify the definition of National Intelligence Program.

**Page S10391**

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas.

**Page S10391**

Reid (for Leahy) Amendment No. 3916, to strengthen civil liberties protections.

**Page S10391**

Reid (for Leahy) Amendment No. 3915, to establish criteria for placing individuals on the consolidated screening watch list of the Terrorist Screening Center.

**Page S10391**

Collins (for Frist) Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority.

**Page S10391**

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees.

**Page S10391**

During consideration of this measure today, Senate also took the following action:

By 85 yeas to 10 nays (Vote No. 197), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill.

**Page S10391**

Chair sustained certain points of order against the following amendments:

Reid (for Schumer) Amendment No. 3887, to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group.

**Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3888, to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies.

**Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3889, to establish a National Commission on the United States-Saudi Arabia Relationship.

**Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3890, to improve the security of hazardous materials transported by truck.

**Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3891, to improve rail security.

**Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3892, to strengthen border security. **Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3893, to require inspection of cargo at ports in the United States. **Pages S10390, S10398**

Reid (for Schumer) Amendment No. 3894, to amend the Homeland Security Act of 2002 to enhance cybersecurity. **Pages S10390, S10398**

Reed Amendment No. 3908, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Pages S10390, S10398**

Reid (for Corzine/Lautenberg) Amendment No. 3849, to protect human health and the environment from the release of hazardous substances by acts of terrorism. **Pages S10390, S10398**

Reid (for Lautenberg) Amendment No. 3782, to require that any Federal funds appropriated to the Department of Homeland Security for grants or other assistance be allocated based strictly on an assessment of risks and vulnerabilities. **Pages S10390, S10398**

Reid (for Lautenberg) Amendment No. 3905, to provide for maritime transportation security. **Pages S10390, S10398**

Roberts Amendment No. 3747, to provide the National Intelligence Director with flexible administrative authority with respect to the National Intelligence Authority. **Pages S10391, S10398**

Kyl Amendment No. 3881, to protect crime victims' rights. **Pages S10391, S10398**

Kyl Amendment No. 3724, to strengthen anti-terrorism investigative tools, promote information sharing, punish terrorist offenses. **Pages S10391, S10398**

Sessions Amendment No. 3928, to require aliens to make an oath prior to receiving a nonimmigrant visa. **Pages S10391, S10398**

Sessions Amendment No. 3873, to protect railroad carriers and mass transportation from terrorism. **Pages S10391, S10398**

Sessions Amendment No. 3871, to provide for enhanced Federal, State, and local enforcement of the immigration laws. **Pages S10391, S10398**

Sessions Amendment No. 3870, to make information sharing permanent under the USA PATRIOT Act. **Pages S10391, S10398**

Collins (for Cornyn) Amendment No. 3803, to provide for enhanced criminal penalties for crimes related to alien smuggling. **Pages S10391, S10398**

Frist (for McConnell) Amendment No. 3930, to clarify that a volunteer for a federally-created citizen volunteer program and for the program's State and local affiliates is protected by the Volunteer Protection Act. **Pages S10391, S10398**

Frist (for McConnell) Amendment No. 3931, to remove civil liability barriers that discourage the donation of equipment to volunteer fire companies. **Pages S10391, S10398**

Warner Amendment No. 3874, to provide for the treatment of programs, projects, and activities within the Joint Military Intelligence Program and Tactical Intelligence and Related Activities programs as of the date of the enactment of the Act. **Pages S10391, S10398**

Sessions (for Grassley) Amendment No. 3850, to require the inclusion of information regarding visa revocations in the National Crime Information Center database. **Pages S10391, S10398**

Sessions (for Grassley) Amendment No. 3851, to clarify the effects of revocation of a visa. **Pages S10391, S10398**

Sessions (for Grassley) Amendment No. 3855, to combat money laundering and terrorist financing, to increase the penalties for smuggling goods into the United States. **Pages S10391, S10398**

Sessions (for Grassley) Amendment No. 3856, to establish a United States drug interdiction coordinator for Federal agencies. **Pages S10391, S10398**

Sessions/Ensign Amendment No. 3872, to amend the Immigration and Nationality Act to require fingerprints on United States passports and to require countries desiring to participate in the Visa Waiver Program to issue passports that conform to the biometric standards required for United States passports. **Pages S10391, S10398**

Kyl Amendment No. 3926, to amend the Immigration and Nationality Act to ensure that non-immigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Pages S10391, S10398**

Ensign Amendment No. 3819, to require the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Pages S10390, S10398**

Subsequently, the aforementioned amendments were ruled out of order since they were not germane to the bill under the provisions of Rule 22. **Page S10398**

Subsequently, Collins (for Inhofe) Amendment No. 3946 (to Amendment No. 3849), in the nature of a substitute, fell when Amendment No. 3849 (listed above) was ruled out of order. **Page S10391**

Lieberman (for Bingaman) Amendment No. 3814, to provide the sense of Congress that United States foreign assistance should be provided to South Asia, Southeast Asia, West Africa, the Horn of Africa,

North and North Central Africa, the Arabian peninsula, Central and Eastern Europe, and South America to prevent the establishment of terrorist sanctuaries, previously agreed to on Monday, October 4, 2004, was modified by unanimous consent. **Page S10417**

A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate or other business before the Senate, all time be counted as post-cloture time on the bill; provided further, that at 11:30 a.m. on Wednesday, October 6, 2004, Senate begin a series of rollcall votes on the pending amendments in the order offered; further that there be two minutes equally divided prior to each vote, with no second degree amendments in order to the amendments prior to the votes; provided further, that the voting sequence end at Amendment No. 3916. **Page S10419**

A unanimous-consent agreement was reached providing that it be in order for the Managers, with the concurrence of the two Leaders, to send a Managers' amendment to the desk, prior to passage of the bill. **Page S10419**

A unanimous-consent agreement was reached providing that following conclusion of those votes and the expiration of any remaining time under Rule XXII, Senate vote on any qualified amendment, to be followed by third reading and a vote on passage of the bill as amended, with no intervening action or debate. **Page S10419**

**Intelligence Committee Reform—Agreement:** A unanimous-consent agreement was reached providing that following passage of S. 2845 (listed above), Senate begin consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence. **Page S10419**

**Nominations Received:** Senate received the following nominations:

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

Michael Butler, of Tennessee, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008. **Page S10468**

**Messages From the House:** **Pages S10434–35**

**Executive Communications:** **Pages S10435–36**

**Additional Cosponsors:** **Pages S10436–37**

**Statements on Introduced Bills/Resolutions:** **Pages S10437–46**

**Additional Statements:** **Pages S10431–34**

**Amendments Submitted:** **Pages S10446–58**

**Authority for Committees to Meet:** **Page S10458**

**Privilege of the Floor:** **Page S10458**

**Record Votes:** One record vote was taken today. (Total—197) **Page S10391**

**Adjournment:** Senate convened at 9 a.m., and adjourned at 8:17 p.m., until 9:30 a.m., on Wednesday, October 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10467.)

## Committee Meetings

*(Committees not listed did not meet)*

### NOMINATION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the nomination of Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development for Community Planning and Development, after the nominee, who was introduced by Representative Bradley, testified and answered questions in her own behalf.

### UNIVERSAL SERVICE E-RATE PROGRAM

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine waste, fraud, and abuse issues relating to Universal Service E-rate program, after receiving testimony from Thomas Bennett, Assistant Inspector General for USF Oversight, and Tom Cline, Assistant Inspector General for Audits, both of the Federal Communications Commission; George McDonald and Frank Gumper, both of the Universal Service Administrative Company, Washington, D.C.; and Winston E. Himsworth, E-Rate Central, Seaford, New York, on behalf of the State E-rate Coordinator's Alliance.

### MILLENNIUM CHALLENGE CORPORATION

*Committee on Foreign Relations:* Committee concluded a hearing to examine the progress and future performance of the Millennium Challenge Corporation (MCC), focusing on the size of the foreign aid commitment, the competitive selection process for MCC funds, the separation from the strategic foreign policy goals of the United States, and civil society proposals in each country, after receiving testimony from Paul V. Applegarth, Chief Executive Officer, Millennium Challenge Corporation, Department of State.

### NOMINATION

*Committee on Governmental Affairs:* Committee concluded a hearing to examine the nomination of Gregory E. Jackson, to be an Associate Judge of the Superior Court of the District of Columbia, after the

nominee, who was introduced by District of Columbia Delegate Norton, testified and answered questions in his own behalf.

### CHILDHOOD OBESITY PREVENTION

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine public-private partnerships to improve nutrition and increase physical activity in children, after receiving testimony from Senator Wyden; Dixie E. Snider, Jr., Acting Chief of Science, Centers for Disease Control and Prevention, and Lynn C. Swann, Chairman, President's Council on Physical Fitness and Sports, Office of Public Health and Science, both of the Department of Health and Human Services; William Potts-Datema, Harvard School of Public Health Partnerships for Children's Health, Boston, Massachusetts, on behalf of Action for Healthy Kids; Ross C. Brownson, Saint Louis University School of Public Health Department of Community Health, St. Louis, Missouri; and Gary M. DeStefano, Nike Corporation, Lake Oswego, Oregon.

### PRESIDENTIAL ELIGIBILITY

*Committee on the Judiciary:* Committee concluded a hearing to examine proposals to define the term "natural born Citizen" as used in the Constitution of the United States to establish eligibility for the Office of the President, including related measures S. 2128 and S.J. Res.15, after receiving testimony from Senator Nickles; Representatives Conyers, Snyder, Frank, Rohrabacher, and Issa; Akhil Reed Amar, Yale University School of Law, New Haven, Connecticut; Matthew Spalding, The Heritage Foundation, Washington, D.C.; and John Yinger, Syracuse University Maxwell School of Citizenship and Public Affairs, Syracuse, New York.

### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** 14 public bills, H.R. 5210–5223; 1 private bill, H.R. 5224; and 2 resolutions, H. Res. 820–821, were introduced.

**Pages H8167, H8168**

**Additional Cosponsors:**

**Pages H8168–69**

**Reports Filed:** Reports were filed today as follows:

H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination amended, (H. Rept. 108–724, Pts. 4 and 5);

H.R. 5011, to prevent the sale of abusive insurance and investment products to military personnel, amended (H. Rept. 108–725);

H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation (H. Rept. 108–726);

H.R. 918, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care serv-

ices for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services, amended (H. Rept. 108–727, Pt. 1);

H.R. 3015, to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance, amended (H. Rept. 108–728);

H.R. 4302, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect (H. Rept. 108–729);

H.R. 4453, to improve access to physicians in medically underserved areas, amended (H. Rept. 108–730);

H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment, amended (H. Rept. 108–731);

S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, amended (H. Rept. 108–732);

S. 129, to provide for reform relating to Federal employment, amended (H. Rept. 108–733);

Conference report on H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108-734).

H. Res. 819, relating to early organization of the House of Representatives for the One Hundred Ninth Congress (H. Rept. 108-735);

H. Res. 822, waiving points of order against the conference report to accompany the bill (H.R. 4850) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108-736); and

H. Res. 823, providing for consideration of H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases (H. Rept. 108-737).

**Pages H8144-57, H8166-67**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today.

**Page H8041**

**Recess:** The House recessed at 9:02 a.m. and reconvened at 10 a.m.

**Page H8041**

**District of Columbia Appropriations Act, 2005—Motion to go to conference:** The House disagreed to the Senate amendment to H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and agreed to a conference.

**Page H8043**

Appointed as conferees: Representative Frelinghuysen, Istook, Cunningham, Doolittle, Weldon (FL), Culberson, Young (FL), Fattah, Pastor, Cramer, and Obey.

**Page H8043**

**Bankruptcy Judgeship Act of 2003:** The House passed S. 878, to authorize an additional permanent judgeship in the District of Idaho, by voice vote.

**Pages H8048-63**

Rejected the Berman motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 190 ayes to 216 noes, Roll No. 493.

**Pages H8061-63**

Agreed to:

Sensenbrenner amendment (No. 1 printed in H. Rept. 108-723) that “staggers” implementation of the 58 new Federal circuit and district court judgeships created by the bill over seven fiscal years; and

**Pages H8052-53**

Simpson amendment (No. 2 printed in H. Rept. 108-723) that splits the current 9th Circuit Court of Appeals (by a recorded vote of 205 ayes to 194 noes, Roll No. 492).

**Pages H8053-61**

Agreed to amend the title so as to read: to create additional Federal court judgeships.

**Page H8061**

H. Res. 814, the rule providing for consideration of the bill was agreed to by a recorded vote of 206 ayes to 173 noes, Roll No. 491, after agreeing to order the previous question by a yea-and-nay vote of 198 yeas to 171 nays, Roll No. 490.

**Pages H8043-48**

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

**Recognizing the spirit of Jacob Mock Doub:** H. Con. Res. 480, recognizing the spirit of Jacob Mock Doub and his contribution to encouraging youth to be physically active and fit and expressing the sense of Congress that “National Take a Kid Mountain Biking Day” should be established in Jacob Mock Doub’s honor;

**Pages H8063-64**

**Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003:** H.R. 918, amended, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services;

**Pages H8064-69**

Agreed to amend the title so as to read: to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes.

**Page H8069**

**National All Schedules Prescription Electronic Reporting Act of 2003:** H.R. 3015, amended, to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance;

**Pages H8069-73**

Agreed to amend the title so as to read: to provide for the establishment of a controlled substance monitoring program in each State.

**Page H8073**

*Pancreatic Islet Cell Transplantation Act of 2004:* H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation; **Pages H8073–74**

*Asthmatic Schoolchildren's Treatment and Health Management Act of 2004:* H.R. 2023, amended, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis; **Pages H8074–79**

*Mammography Quality Standards Reauthorization Act of 2004:* H.R. 4555, amended, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards; **Pages H8079–80**

*Safeguard Against Privacy Invasions (SPY) Act:* H.R. 2929, amended, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, by a 2/3 yeas-and-nays vote of 399 yeas to 1 nay, Roll No. 495; **Pages H8080–89, H8130–31**

*Recognizing community organization of public access defibrillation programs:* H. Con. Res. 250, recognizing community organization of public access defibrillation programs; **Pages H8089–91**

*Sense of Congress regarding the role of private health insurance companies in promoting healthy lifestyles:* H. Con. Res. 34, amended, expressing the sense of the Congress that private health insurance companies should take a proactive role in promoting healthy lifestyles; **Pages H8091–94**

*Orderly and Timely Interstate Placement of Foster Children Act of 2004:* H.R. 4504, amended, to improve protections for children and to hold States accountable for the orderly and timely placement of children across State lines; **Pages H8094–H8100**

Agreed to amend the title so as to read: to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines. **Page H8100**

*Sense of Congress regarding the establishment of a Columbia Memorial Space Science Learning Center:* H.J. Res. 57, amended, expressing the sense of the Congress in recognition of the contributions of the seven *Columbia* astronauts by supporting establishment of a Columbia Memorial Space Science Learning Center; **Pages H8100–04**

*Military Personnel Financial Services Protection Act:* H.R. 5011, amended, to prevent the sale of abusive insurance and investment products to mili-

tary personnel, by a 2/3 yeas-and-nays vote of 396 yeas to 2 nays, Roll No. 496; **Pages H8104–10, H8131**

*Confirming the authority of the Secretary of Agriculture and the Commodity Credit Corporation:* H.R. 4620, amended, to confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; **Pages H8110–11**

Agreed to amend the title so as to read: to confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans. **Page H8111**

*Providing for the development of a national plan for the control and management of Sudden Oak Death:* H.R. 4569, to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen *Phytophthora ramorum*; **Pages H8111–13**

*Pennsylvania National Forest Improvement Act of 2003:* H.R. 3514, amended, to authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania; **Pages H8113–15**

*Honoring the service of Native American Indians in the U.S. Armed Forces:* H. Con. Res. 306, amended, honoring the service of Native American Indians in the United States Armed Forces; **Pages H8115–17**

Agreed to amend the title so as to read: honoring the service of American Indians in the United States Armed Forces. **Page H8117**

*Amending the Agricultural Adjustment Act:* H.R. 2984, to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears; **Pages H8131–33**

*Expressing the support of the House for the efforts of organizations to provide emergency food assistance to people in the U.S.:* H. Res. 261, expressing the support of the House of Representatives for the efforts of organizations such as Second Harvest to provide emergency food assistance to hungry people in the United States, and encouraging all Americans to provide volunteer services and other support for local antihunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; **Pages H8133–36**

**Recognizing the establishment of Hunters for the Hungry programs:** H. Res. 481, recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs to efforts to decrease hunger and help feed those in need; **Pages H8136–37**

**Amending the Department of Agriculture Organic Act of 1944:** H.R. 5042, to amend the Department of Agriculture Organic Act of 1944 to ensure that the dependents of employees of the Forest Service stationed in Puerto Rico receive a high-quality elementary and secondary education; **Pages H8138–39**

**Authorizing the Secretary of Agriculture to sell or exchange certain land in the Ozark-St. Francis and Ouachita National Forests:** S.33, to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; and **Pages H8139–40**

**Providing for the use by the State of North Carolina of the Oxford Research Station in Granville County, North Carolina:** H.R. 2119, amended, to provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina. **Pages H8140–41**

Agreed to amend the title so as to read: to provide for the conveyance of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina. **Page H9141**

**Suspension Failed:** The House failed to agree to suspend the rules and pass the following bill:

**Requiring that all young persons in the U.S. perform a period of military service or civilian service:** H.R. 163, to provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, by a 2/3 yeas-and-nays vote of 2 yeas to 402 nays, Roll No. 494. **Pages H8117–30**

**Discharge Petitions:** Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 788, providing for the consideration of H.R. 4423, making appropriations for the Department of Veterans Affairs for the fiscal year ending September 30, 2004 (Discharge Petition No. 14).

Representative Bishop of New York moved to discharge the Committee on Rules from the consideration of H. Res. 790, providing for consideration of H.R. 4473, making appropriations for the Department of Education for the fiscal year ending September 30, 2005 (Discharge Petition No. 15).

**Senate Message:** Message received from the Senate today appears on page H8048.

**Quorum Calls—Votes:** Four yeas-and-nays votes and three recorded votes developed during the proceedings of today. There were no quorum calls.

**Pages H8046–47, H8047, H8061, H8062–63, H8129–30, H8130–31, H8131**

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H8169–70.

**Adjournment:** The House met at 9 a.m. and adjourned at 7:50 a.m. on Thursday, October 6.

## Committee Meetings

### FLU VACCINE

**Committee on Appropriations:** Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Influenza Vaccine. Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; William Egan, M.D., Acting Director, Office of Vaccines Research and Review, Center for Biologics Evaluation and Research, FDA; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and public witnesses.

### U.N. OIL FOR FOOD PROGRAM

**Committee on Government Reform:** Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “The U.N. Oil for Food Program: Cash Cow Meets Paper Tiger.” Testimony was heard from Ambassador Patrick F. Kennedy, U.S. Representative to the United Nations, U.N. Management and Reform, Department of State; and public witnesses.

### MISCELLANEOUS MEASURES

**Committee on International Relations:** Subcommittee on Europe approved for full Committee action the following measures: H. Res. 726, amended, Congratulating the people of Serbia and government of Serbia for conducting a democratic, free and fair presidential election and for reaffirming Serbia’s commitment to peace, democracy and the rule of law; H.R. 733, Calling on the Government of Libya to review the legal actions taken against several Bulgarian medical workers; H. Res. 341, amended, Urging the



President of the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations; and H. Res. 483, amended, Pledging continued United States support for the sovereignty, independence, territorial integrity, and democratic and economic reforms of the Republic of Georgia.

#### **OVERSIGHT—PEER-TO-PEER PIRACY ON UNIVERSITY CAMPUSES: AN UPDATE**

*Committee on the Judiciary*, Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Peer-to-Peer Piracy (P2P) on University Campuses: An Update. Testimony was heard from public witnesses.

#### **THE JUSTICE FOR ALL ACT OF 2004**

*Committee on Rules*: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 5107, The Justice for All Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Sensenbrenner of Wisconsin or his designee, which shall be considered as read, shall not be subject to a demand for division of the question, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Chabot and Delahunt. Supplemental Appropriations for FY 2005.

#### **EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004**

*Committee on Rules*: Granted, by voice vote, a modified closed rule providing 1 hour of debate in the House on H.R. 5212, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Rules Committee report accompanying the resolution if offered by Representative Hensarling of Texas or his designee, which shall be considered as read, shall not be subject to a demand for division of the question, and shall be separately debatable for 20 minutes equally divided

and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Boyd, Stenholm, Pomeroy and Doyle.

#### **CONFERENCE REPORT—DISTRICT OF COLUMBIA APPROPRIATIONS FOR FISCAL YEAR 2005**

*Committee on Rules*: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 4850, Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and against its consideration. The rule provides that the conference report shall be considered as read.

#### **9/11 RECOMMENDATIONS IMPLEMENTATION ACT**

*Committee on Rules*: Heard testimony from Chairmen Hoekstra, Hunter, Hyde, Cox and Goodlatte and Representatives Gingrey, Bartlett, Capito, Shays, Platts, Smith of Texas, Flake, Rogers of Michigan, Tancredo, Mica, Porter, Foley, Bonilla, Kirk, Weldon of Florida, Harman, Cooper, Maloney, Jackson-Lee of Texas, Markey, Menendez, Ackerman, Turner of Texas, Obey and Sabo, but action was deferred on H.R. 10, 9/11 Recommendations Implementation Act.

### *Joint Meetings*

#### **APPROPRIATIONS: DISTRICT OF COLUMBIA**

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005.

#### **AMERICAN JOBS CREATION ACT**

*Conferees* met to resolve the differences between the Senate and House passed versions of H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, but did not complete action thereon, and will continue on Wednesday, October 6, 2004.

## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1001)

H.R. 5183, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. Signed on September 30, 2004. (Public Law 108–310)

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**COMMITTEE MEETINGS FOR WEDNESDAY,  
OCTOBER 6, 2004**

(Committee meetings are open unless otherwise indicated)

**Senate**

*Committee on Armed Services:* to hold hearings to examine the nominations of Francis J. Harvey, of California, to be Secretary of the Army, Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy, and General Gregory S. Martin, USAF, for reappointment to the grade of general and to be Commander, United States Pacific Command, 10 a.m., SR–222.

Full Committee, to hold hearings to examine the report of the Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs, 2:30 p.m., SH–216.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Competition, Foreign Commerce, and Infrastructure, to hold hearings to examine issues relating to natural gas, 2:30 p.m., SR–253.

*Committee on Foreign Relations:* to hold hearings to examine the impact of current visa policy on international students and researchers, 9:30 a.m., SD–419.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine neglected diseases in East Asia regarding public health programs, 2:30 p.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* with the Committee on the Judiciary, to hold joint hearings to examine responding to an ever-changing threat relating to BioShield II, 10 a.m., SH–216.

*Committee on Indian Affairs:* business meeting to consider pending calendar business, 10 a.m., SR–485.

*Committee on the Judiciary:* with the Committee on Health, Education, Labor, and Pensions, to hold joint hearings to examine responding to an ever-changing threat relating to BioShield II, 10 a.m., SH–216.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 10 a.m., SH–219.

**House**

*Committee on the Budget,* hearing on Federal Revenue Options, 10 a.m., 210 Cannon.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled “Child Product Safety: Do Current Standards Provide Enough Protection?” 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled “The OFHEO Report: Allegations of Accounting and Management Failure at Fannie Mae,” 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing entitled “Current Challenges in Combating the West Nile Virus,” 10 a.m., 2154 Rayburn.

*Committee on International Relations,* hearing on the Annual Report on International Religious Freedom 2004 and Designations of Countries of Particular Concern, 10:30 a.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, hearing on U.S. Trade Disputes in Peru and Ecuador, 2:30 p.m., 2200 Rayburn.

*Committee on the Judiciary,* Subcommittee on the Constitution, oversight hearing on the Presidential Succession Act, 9:30 a.m., 2141 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on Maritime Domain Awareness, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Oversight and Investigations, hearing on the status of the Department of Veterans Affairs smart card initiative(s), 9:30 a.m., 334 Cannon.

*Permanent Select Committee on Intelligence,* executive, Briefing on Threat Update, 1 p.m., H–405 Capitol.

**Joint Meetings**

*Conference:* meeting of conferees on H.R. 4520, to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad, 10 a.m., 11 LHOB.

*Next Meeting of the SENATE*  
9:30 a.m., Wednesday, October 6

Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of S. 2845, National Intelligence Reform Act, and vote on or in relation to certain amendments beginning at 11:30 a.m. Also, following third reading and passage of S. 2845, Senate will begin consideration of S. Res. 445, Intelligence Committee Reform Resolution.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, October 6

House Chamber

**Program for Wednesday:** Consideration of Suspensions:

- (1) H.R. 4302, District of Columbia Civil Commitment Modernization Act of 2004;
- (2) H. Res. 815, Congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee, conducted by the National Geographic Society;
- (3) H.R. 4302, Leonard C. Burch Post Office Building Designation Act;
- (4) H. Con. Res. 464, Honoring the 10 communities selected to receive the 2004 All-America City Award;
- (5) S. 129, Federal Workforce Flexibility Act of 2003;
- (6) H.R. 4807, Adam G. Kinser Post Office Building Designation Act;
- (7) S. 2415, Robert J. Opinsky Post Office Building Designation Act;
- (8) H.R. 4847, Lieutenant General James V. Edmundson Post Office Building Designation Act;
- (9) H.R. 4968, Bill Monroe Post Office Building Designation Act;
- (10) H.R. 5053, Lieutenant John F. Finn Post Office Building Designation Act;

(11) H.R. 4829, Irma Rangel Post Office Building Designation Act;

(12) H.R. 5131, Special Olympics Sport and Empowerment Act of 2004;

(13) H.R. 5185, to temporarily extend the programs under the Higher Education Act of 1965;

(14) H.R. 5186, to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans;

(15) H. Res. 805, supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for youth in high-risk situations;

(16) H. Con. Res. 131, expressing the sense of the Congress that student travel is a vital component of the educational process;

(17) H. Res. 809, supporting the goals and ideals of "Lights On Afterschool";

(18) H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment;

(19) H.R. 4453, Access to Rural Physicians Improvement Act of 2004;

(20) S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003;

(21) S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the U.S. Supreme Court;

(22) H. Res. 389, honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary;

(23) H.R. 4661, Internet Spyware (I-SPY) Prevention Act of 2004; and

(24) H.R. 4794, to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations.

Consideration of H.R. 5107—Justice for All Act of 2004 (Subject to a Rule).



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