

Daily Digest

HIGHLIGHTS

Senate passed S. 1637, Jumpstart Our Business Strength (JOBS) Act.

Senate

Chamber Action

Routine Proceedings, pages S5171–S5240

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 2400–2411, and S. Con. Res. 106. **Page S527**

Measures Reported:

S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services. (S. Rept. No. 108–260)

S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism, with an amendment in the nature of a substitute. (S. Rept. No. 108–261)

H.R. 3104, To provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom.

S. 441, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouses in that county, with an amendment in the nature of a substitute.

S. 2286, to designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.

S. 2401, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces.

S. 2402, to authorize appropriations for fiscal year 2005 for military construction.

S. 2403, to authorize appropriations for fiscal year 2005 for defense activities of the Department of Energy. **Pages S5226–27**

Measures Passed:

Jumpstart Our Business Strength (Jobs) Act: By 92 yeas to 5 nays (Vote No. 91), Senate passed S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, after taking action on the following amendments proposed thereto:

Pages S5179–90, S5191–S5218

Adopted:

Landrieu Amendment No. 3123, to improve the credit for Ready Reserve-National Guard employees, to provide a credit for replacement employees of Ready Reserve-National Guard employees called to active military duty, and for other purposes.

Pages S5200–04

Hutchison Amendment No. 3138, to make certain engineering and architectural services eligible for the deduction relating to income attributable to United States production activities and to limit an employer's deduction for entertainment expenses of covered employees to the amount which the employee includes in income.

Pages S5199–S5200, S5204–05

Levin Modified Amendment No. 3120, to restrict the use of abusive tax shelters to inappropriately avoid Federal taxation.

Pages S5213–16

Grassley Amendment No. 3133, to provide for certain technical corrections.

Page S5217

Grassley (for Nickles) Modified Amendment No. 3040, to treat electric transmission property as 15-year property.

Pages S5217–18

Grassley Amendment No. 3143, to make certain improvements to the bill.

Page S5218

Subsequently, the amendment was modified.

Page S5220

Rejected:

By 13 yeas to 85 nays (Vote No. 89), McCain Amendment No. 3129, to strike provisions relating to energy tax incentives. **Pages S5186–90, S5193**

By 23 yeas to 74 nays (Vote No. 90), Hollings Amendment No. 3134, to strike the international tax provisions that are unrelated to the FSC/ETI repeal and eliminate the phase-in of the deduction for qualified production activities income. **Pages S5194–99**

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

By 90 yeas to 8 nays (Vote No. 87), 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 S5184**

By 59 yeas to 40 nays (Vote No. 88), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. Subsequently, the point of order that the amendment increases mandatory spending and would cause an increase in the deficit in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Pages S5184–86**

IDEA—Agreement: A unanimous-consent agreement was reached providing for consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, at approximately 10:30 a.m., on Wednesday, May 12, 2004. **Page S5240**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the notification of an Executive Order blocking the property of certain persons and prohibiting the export of certain goods to Syria; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–76)

Pages S5224–25

Nominations Received: Senate received the following nominations:

Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2007.

Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary of the Treasury.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management. **Page S5240**

Executive Communications: **Pages S5225–26**

Additional Cosponsors: **Pages S5227–28**

Statements on Introduced Bills/Resolutions: **Pages S5228–36**

Additional Statements: **Pages S5223–24**

Amendments Submitted: **Pages S5236–39**

Notices of Hearings/Meetings: **Page S5239**

Authority for Committees to Meet: **Pages S5239–40**

Record Votes: Five record votes were taken today. (Total–91) **Pages S5184, S5186, S5193, S5199, S5218**

Adjournment: Senate convened at 9:47 a.m., and adjourned at 7:28 p.m., until 9:30 a.m., on Wednesday, May 12, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5240.)

Committee Meetings

(Committees not listed did not meet)

CONSERVATION PROGRAMS OVERSIGHT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the implementation conservation programs of the 2002 Farm Bill, including the Environmental Quality Incentives Program (EQIP), the Ground and Surface Water Conservation Program, the Wetlands Reserve Program, the Grassland Reserve Program, Wildlife Habitat Incentives Program, and the Farm and Ranch Lands Protection Program, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, and James R. Little, Administrator, Farm Service Agency, both of the Department of Agriculture; Al Christopherson, Minnesota Farm Bureau, Pennock, on behalf of the American Farm Bureau Federation; John K. Hansen, Nebraska Farmers Union, Lincoln, on behalf of the National Farmers Union; Bill Wilson, Haskell County Conservation District, Kinta, Oklahoma, on behalf of the National Association of Conservation Districts; Gordon Gallup, Idaho Grain Producers, Ririe, on behalf of the National Association of Wheat Growers,

and other organizations; Jeffrey W. Nelson, Ducks Unlimited, Bismarck, North Dakota, on behalf of the Congressional Sportsmen's Foundation, and other organizations; David Petty, Eldora, Iowa, on behalf of the National Cattlemen's Beef Association; and Francis Thicke, Fairfield, Iowa, on behalf of the Sustainable Agriculture Coalition.

IRAQI PRISONERS

Committee on Armed Services: Committee resumed hearings to examine allegations of mistreatment of Iraqi prisoners, receiving testimony from Major General Antonio M. Taguba, USA, Deputy Commanding General for Support, Coalition Forces Land Component Command; Lieutenant General Lance L. Smith, USAF, Deputy Commander, U.S. Central Command; Stephen A. Cambone, Under Secretary of Defense for Intelligence; Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G-2, U.S. Army; Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J-2, The Joint Staff; and Major General Thomas J. Romig, USA, Judge Advocate General.

SMOKING IN MOVIES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the impact of smoking in the movies on children, focusing on tobacco litigation and the 1998 Master Settlement Agreement, after receiving testimony from Maryland State Attorney General J. Joseph Curran, Jr., Baltimore; Jack Valenti, Motion Picture Association of America, Washington, D.C.; Madeline A. Dalton, Dartmouth Medical School, Hanover, New Hampshire; LeVar Burton, Directors Guild of America, Los Angeles, California; Stanton Glantz, University of California School of Medicine, San Francisco; and C. Steven Yerrid, Bank of America, Tampa, Florida.

NATIONAL FIRE PLAN

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the impacts and costs of the 2003 fire season, focusing on the problems faced last year and what problems agencies and the land they oversee may face next season, including aerial fire fighting assests and crew, and overhead availability, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; and P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management and Budget.

AIDS AND HUNGER

Committee on Foreign Relations: Committee concluded a hearing to examine the deadly intersection of AIDS and hunger, focusing on overseeing international food assistance and the implementation of the

United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, after receiving testimony from James T. Morris, Executive Director, World Food Program, United Nations, New York, New York; Randall L. Tobias, Global AIDS Coordinator, Department of State; and Andrew S. Natsios, Administrator, U.S. Agency for International Development.

DIPLOMA MILLS

Committee on Governmental Affairs: Committee held a hearing to examine allegations relevant to the issuance of bogus degrees, focusing on tax payer dollars subsidizing diploma mills, and the development of a government-wide policy to identify and discourage the use of bogus degrees, receiving testimony from Representative Tom Davis; Robert J. Cramer, Managing Director, and Paul DeSaulniers, Senior Special Agent, both of the Office of Special Investigations, General Accounting Office; Alan Contreras, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; and Laurie Gerald, Aliso Viejo, California.

Hearings continue tomorrow.

ALZHEIMER'S RESEARCH

Committee on Health, Education, Labor, and Pensions: Subcommittee on Aging held a hearing to examine breakthroughs in Alzheimer's Disease (AD) research, focusing on risk factors for developing AD, developing safe, effective preventions and treatments for AD, and "The Maintain Your Brain" campaign, receiving testimony from Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; John C. Morris, Washington University School of Medicine, St. Louis, Missouri; Peter V. Rabins, Johns Hopkins University School of Medicine, Baltimore, Maryland; and Stephen McConnell, Alzheimer's Association, Washington, D.C.

Hearing recessed subject to the call of the chair.

BIO-TERRORISM

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine rapid bio-terrorism detection and response, focusing on point-of-care diagnostic devices, forensic work, emergency room facilities, and the medical care system's capability and capacity to respond to future terrorist attacks in the United States, after receiving testimony from Paul S. Keim, Northern Arizona University, Flagstaff, and Jeffrey Trent, Phoenix, Arizona, both of the Translational Genomics Research Institute; Harvey W. Meislin, University of Arizona Health Science Center, Tucson; and David A. Relman, Stanford University, Palo Alto, California.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 4322–4340; and 4 resolutions, H. Con. Res. 420, and H. Res. 636–638, were introduced.

Pages H2814–15

Additional Cosponsors:

Pages H2815–16

Reports Filed: Reports were filed today as follows:

H.R. 3879, to authorize appropriations for the Coast Guard for fiscal year 2005, to amend various laws administered by the Coast Guard, amended (H. Rept. 108–482);

H. Res. 637, providing for consideration of H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket (H. Rept. 108–483); and

H. Res. 638, providing for consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements; for consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; and for consideration of H.R. 4281, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (H. Rept. 108–484).

Pages H2814

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker Pro Tempore for today.

Page H2735

Recess: The House recessed at 1:11 p.m. and reconvened at 2 p.m.

Page H2739

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

Tomochichi United States Courthouse Designation Act: H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the “Tomochichi United States Courthouse”;

Pages H2741–42

Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run: H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run;

Page H2743

Mary Ann Collura Post Office Building Redesignation Act: H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24

Abbott Road in Fair Lawn, New Jersey, as the “Mary Ann Collura Post Office Building”;

Pages H2746–49

Dr. Miguel A. Nevarez Post Office Building Designation Act: H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the “Dr. Miguel A. Nevarez Post Office Building”, by a yeand-nay vote of 405 yeas with none voting “nay”, Roll No. 153;

Pages H2749–51, H2774–75

Supporting the goals and ideals of Peace Officers Memorial Day: H. Res. 622, supporting the goals and ideals of Peace Officers Memorial Day, by a yeand-nay vote of 404 yeas with none voting “nay”, Roll No. 154;

Pages H2751–52, H2775

Recognizing and honoring the tenth anniversary of Vietnam Human Rights Day: H. Res. 613, recognizing and honoring the tenth anniversary of Vietnam Human Rights Day; and

Pages H2752–55

Recognizing 50 years of relations between the United States Government and the European Union: H. Res. 577, amended, recognizing 50 years of relations between the United States Government and the European Union, by a yeand-nay vote of 397 yeas to 7 nays, Roll No. 155.

Pages H2758–61, H2775–76

Suspensions—Proceedings Postponed: The House postponed further proceedings on the following measures which were debated today under suspension of the rules:

Sense of the House regarding the military postal system: H. Res. 608, expressing the sense of the House of Representatives that the Department of Defense should rectify deficiencies in the military postal system to ensure that members of the Armed Forces stationed overseas are able to receive and send mail in a timely manner as well as receive and send election ballots in time to be counted in the 2004 elections;

Pages H2743–46

Recognizing the contributions of people of Indian origin to the United States: H. Con. Res. 352, recognizing the contributions of people of Indian origin to the United States and the benefits of working together with India towards promoting peace, prosperity, and freedom among all countries of the world;

Pages H2755–57

Calling on the Government of the Socialist Republic of Vietnam to release Father Thaddeus Nguyen Van Ly: H. Con. Res. 378, amended, calling on the Government of the Socialist Republic of

Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly; **Pages H2761–65**

Recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944: H.J. Res. 91, recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944; and **Pages H2766–69**

Recognizing those who contributed to the war effort during World War II and celebrating the completion of the National World War II Memorial: H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia.

Pages H2769–74

Recess: The House recessed at 5:55 p.m. and reconvened at 6:30 p.m. **Page H2774**

Budget Resolution for FY 2005—Motion to Instruct Conferees: Representative Pomeroy announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page H2776**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. **Page H2783**

Presidential Message: Read a letter from the President wherein he transmitted notification of his issuance of an Executive Order declaring a national emergency with respect to the Government of Syria—referred to the Committee on International Relations (H. Doc. 108–184). **Pages H2776–77**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2774–75, H2775, and H2775–76. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:48 p.m.

Committee Meetings

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT OF 2004

Committee on Energy and Commerce: Subcommittee on Health held a hearing on H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004. Testimony was heard from Representative Cox; Andrew T. Mitchell, Deputy Director, Office of Domestic Preparedness, Department of Homeland Security; and William Raub, Acting Assistant Secretary, Planning and Evaluation, Department of Health and Human Services.

“DOE NUCLEAR SECURITY: WHAT ARE THE CHALLENGES, AND WHAT’S NEXT?”

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “DOE Nuclear Security: What are the Challenges, and What’s Next?” Testimony was heard from the following officials of the Department of Energy: Kyle E. McSlarrow, Deputy Secretary; Ambassador Lynton Brooks, Administrator, National Nuclear Security Administration; and Glenn Podonsky, Director, Office of Security and Safety Performance Assessment; Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; and a public witness.

TERRORIST FINANCING AND MONEY LAUNDERING

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “Terrorist Financing and Money Laundering Investigations: Who Investigates and How Effective Are They?” Testimony was heard from Marcy Forman, Deputy Assistant Director, Financial Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; the following officials of the Department of Justice: Donald C. Semesky, Chief, Office of Financial Operations, DEA; Michael Morehart, Section Chief, Terrorist Financing Operations Section, FBI; and John Roth, Chief, Criminal Division’s Asset Forfeiture and Money Laundering Section; the following officials of the Department of the Treasury: Dwight Sparlin, Director, Operations, Policy, and Support for the Criminal Investigations Branch, IRS; Bob Warner, Chief of Staff, FinCEN; and Daniel Glaser, Director, Money Laundering and Financial Crimes Section; Richard Stana, Director, Homeland Security and Justice, GAO; and a public witness.

COMBATING TERRORISM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “Combating Terrorism: Training and Equipping Reserve Component Forces.” Testimony was heard from the following officials of the Department of Defense: ISG Gerald Neill, 323 Military Intelligence Battalion, U.S. Army Reserve, Maryland; SSG Juan SanchezLopez, 2nd Battalion 23rd Marine Reserves; SP Michael Tanguay, 143 Military Police Company, National Guard, Connecticut; LTG Steve J. Novotny, 530th Military Police Battalion, U.S. Army Reserve, Nebraska; BG Louis Weber, Director of Training, U.S. Army; LTG James R. Helmly, Chief of Army Reserve; LTG Roger C. Schultz, Director, Army National Guard; and LTG Edward Hanlon, Commandant, Marine Corps Combat Development Command; and public witnesses.

BRIEFING—CURRENT ISSUES IN WORLD HUNGER

Committee on International Relations: Held a briefing on Current Issues in World Hunger. The Committee was briefed by Ambassador Tony Hall, Food and Agriculture Organization of the United Nations.

THE AFRICAN GROWTH AND OPPORTUNITY ACT

Committee on International Affairs: Subcommittee on Africa held a hearing on The African Growth and Opportunity Act: Building Trade Capacity. Testimony was heard from Emmy Simmons, Assistant Administrator, Bureau for Economic Growth, Agriculture, and Trade, AID, Department of State; Florizelle H. Liser, Assistant U.S. Trade Representative for Africa; and a public witness.

PRIVATE RELIEF MEASURES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims approved for full Committee action private relief bills.

MEDICARE CHRONIC CARE IMPROVEMENT PROGRAM

Committee on Ways and Means: Subcommittee on Health held a hearing on the Medicare Chronic Care Improvement Program. Testimony was heard from Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid, Services, Department of Health and Human Services; and public witnesses.

DISPOSITION OF UNUSED HEALTH BENEFITS IN CAFETERIA PLANS AND FLEXIBLE SPENDING ARRANGEMENTS; IMPROVE PATIENT ACCESS TO HEALTH CARE SERVICES AND IMPROVE MEDICAL CARE; AND SMALL BUSINESS HEALTH FAIRNESS ACT

Committee on Rules: Granted, by voice vote, a rule providing for consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4279 equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in part A of the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part A of the report. The rule provides one motion to recommit H.R. 4279 with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, under a closed rule. The rule provides one hour of debate in the House on H.R. 4280 with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule provides one motion to recommit H.R. 4280.

Section 3 of the resolution provides for consideration of H.R. 4281, Small Business Health Fairness Act of 2004, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4281 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides for consideration of the amendment in the nature of a substitute printed in part B of the Rules Committee report accompanying the resolution, if offered by Representative Kind of Wisconsin or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The

rule waives all points of order against the amendment printed in part B of the report. The rule provides one motion to recommit H.R. 4281 with or without instructions.

Section 4 of the resolution provides that in the engrossment of H.R. 4279 the clerk shall add the texts of H.R. 4280 and H.R. 4281 as passed by the House, as new matter at the end of H.R. 4279, and then lay H.R. 4280 and H.R. 4281 on the table. Finally, the rule provides that if H.R. 4279 is disposed of without reaching the stage of engrossment, H.R. 4280 shall be treated in the manner specified for H.R. 4279 and only H.R. 4281 shall be laid on the table. Testimony was heard from Chairman Boehner and Representatives McCrery, Greenwood, Shadegg, Smith of Texas, Andrews, Kind, Wynn, Scott of Virginia, Sandlin and Baird.

PERMANENTLY EXTEND 10-PERCENT INDIVIDUAL TAX RATE BRACKET

Committee on Rules: Granted, by voice vote, a modified closed rule providing one hour of debate in the House on H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour 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 Representative Sessions.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 12, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Defense, 9 a.m., SH-216.

Committee on Commerce, Science, and Transportation: to hold hearings to conduct a telecommunications policy review, focusing on a view from the industry, 9:30 a.m., SR-253.

Committee on Environment and Public Works: to hold hearings to examine the environmental regulatory framework

affecting oil refining and gasoline policy, 9:30 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine continuing challenges in Afghanistan, 9:30 a.m., SD-419.

Committee on Governmental Affairs: to continue hearings to examine tax payer dollars subsidizing diploma mills, 10 a.m., SD-342.

Committee on Indian Affairs: to hold hearings to examine S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, 10 a.m., SR-485.

Committee on the Judiciary: to hold hearings to examine S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, 2 p.m., SD-226.

House

Committee on Appropriations, Subcommittee on Legislative, on Library of Congress; Architect of the Capitol; and Capitol Visitor Center, 1 p.m., 2362A Rayburn.

Subcommittee on Transportation, Treasury and Independent Agencies, on Election Assistance Commission, 10 a.m., 2358 Rayburn.

Committee on Armed Services: to mark up the following: H.R. 4323, To amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies; H.R. 4322, To provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex; and H.R. 4200, National Defense Authorization Act for Fiscal Year 2004, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, hearing on H.R. 4283, College Access and Opportunity Act of 2004, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing on H.R. 107, Digital Media Consumers' Rights Act of 2003, 10 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "NIH Ethics Concerns: Consulting Arrangements and Outside Awards," 10 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, to consider H.R. 3574, Stock Option Accounting Reform Act, 2 p.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Cutting Through the Red Tape: Regulatory Relief for America's Community-Based Banks," 10 a.m., 2128 Rayburn.

Committee on Government Reform, to consider the following: Postal Accountability and Enhancement Act of 2004; H.R. 2432, Paperwork and Regulatory Improvements Act of 2003; H.R. 4302, District of Columbia Civil Commitment Modernization Act of 2004; and H. Res. 612, Recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, 10 a.m., 2154 Rayburn.

Subcommittee on Human Rights and Wellness, hearing entitled “Decades of Terror: Exploring Human Rights Abuses in Kashmir and the Disputed Territories,” 10 a.m., 2247 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled “The Science of Voting Machine Technology: Accuracy, Reliability, and Security,” 2 p.m., 2247 Rayburn.

Committee on International Relations, hearing on The United Nations Convention on the Law of the Sea, 10:30 a.m., 2172 Rayburn.

Subcommittee on Europe, hearing on Ukraine’s Future and United States Interests, 1:30 p.m., 2172 Rayburn.

Subcommittee on Middle East and Central Asia, to mark up the following measures: H. Con. Res. 319, Expressing the grave concern of Congress regarding the continuing repression of the religious freedom and human rights of the Iranian Baha’i community by the Government of Iran; H. Con. Res. 363, Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian people by the Government of the Syrian Arab Republic; H. Res. 615, Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations; and H. Res. 617, Expressing support for the accession of Israel to the Organization for Economic Co-operation Development (OECD), 2 p.m., 2200 Rayburn.

Committee on the Judiciary, May 12, to mark up the following measures: H.R. 2934, Terrorist Penalties Enhancement Act of 2003; H. Con. Res. 414, Recognizing the 50th anniversary of *Brown v. Board of Education*; H.R. 3754, Fraudulent Online Identity Sanctions Act; H.R. 1731, Identity Theft Penalty Enhancement Act; S. 1301, Video Voyeurism Prevention Act of 2003; H.R. 1678, Anti-Hoax Terrorism Act of 2003; H.R. 3632, Anti-Counterfeiting Amendments of 2003; H.R. 338, Defense of Privacy Act; H.R. 2179, Securities Fraud Deterrence and Investor Restitution Act of 2003; and private relief bills, 10 a.m., 2141 Rayburn.

Committee on Resources, hearing on the current reorganization of trust management at the Bureau of Indian Affairs and the Office of the Special Trustee, 10 a.m., 1324 Longworth.

Committee on Science, hearing on H.R. 4107, Assistance to Firefighters Grant Reauthorization Act of 2004, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled “Women’s Entrepreneurship: Successes and Challenges,” 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: a Fiscal Year 2005 Capital Investment and Leasing Program resolution; H.R. 3428, To designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the “Justin W. Williams United States Attorney’s Building;” H.R. 3734, To designate the Federal building at Fifth and Richardson Avenues in Roswell, New Mexico, as the “Joe Skeen Federal Building;” H.R. 3742, To designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the “Luis A. Ferre United States Courthouse and Post Office Building;” H.R. 3884, To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the “Hipolito F. Garcia Federal Building and United States Courthouse;” H.R. 4056, Commercial Aviation MANPADS Defense Act of 2004; H.R. 4226, Cape Town Treaty Implementation Act of 2004; H.R. 4251, Maritime Transportation Amendments of 2004; a resolution on National Transportation Week; and other pending business, 11 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, Briefing on Iraqi Prisoner Situation Update, 10 a.m., H-405 Capitol.

Subcommittee on Human Intelligence, Analysis and Counterintelligence, executive, hearing on Aligning CIA HUMINT, 2 p.m., H-405 Capitol.

Select Committee on Homeland Security. Subcommittee on Infrastructure and Border Security, hearing entitled “The Transportation Security Administration’s Progress in Enhancing Security,” 10:30 a.m., 1334 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 12

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 12

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond a period of 60 minutes), Senate will begin consideration of S. 1248, Individuals with Disabilities Education Improvement Act.

House Chamber

Program for Wednesday: Consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements (modified closed rule, one hour of debate).

Consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system (closed rule, one hour of debate).

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