

# Daily Digest

## HIGHLIGHTS

The House passed 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.

The House passed H.R. 4280, Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2004.

House Committees ordered reported 20 sundry measures, including the National Defense Authorization Act for Fiscal Year 2005 and the Postal Accountability and Enhancement Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S5241–S5382*

**Measures Introduced:** Three bills and five resolutions were introduced, as follows: S. 2412–2414, S. Res. 357–359, and S. Con. Res. 107–108.

**Pages S5371–72**

#### Measures Passed:

*Authorizing Use of Capitol Grounds:* Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 388, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, and the resolution was then agreed to. **Page S5381**

*Authorizing Use of Capitol Grounds:* Senate agreed to H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run. **Page S5381**

*Free Enterprise Education Week:* Senate agreed to S. Res. 359, designating the Week of April 11 through April 17, 2004, as "Free Enterprise Education Week." **Page S5381**

*Recognizing Science Program Anniversary:* Senate agreed to S. Con. Res. 107, recognizing the significance of the 30th anniversary of the American Association for the Advancement of Science Congressional Science and Engineering Fellowship Program, and reaffirming the commitment of Congress to support the use of science in governmental decision-making through such program. **Page S5381**

*Supporting Tinnitus Awareness Week:* Senate agreed to S. Con. Res. 108, supporting the goals and ideals of Tinnitus Awareness Week. **Page S5382**

**IDEA Reauthorization:** Pursuant to the order of May 11, 2004, Senate began consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, taking action on the following amendments proposed thereto: **Pages S5250–S5360**

#### Adopted:

By 96 yeas to 1 nay (Vote No. 92), Gregg Amendment No. 3145, to authorize appropriations for part B of the Individuals with Disabilities Education Act. **Pages S5328–44**

Clinton Amendment No. 3146, to require the Department of Education to participate in the long-term child development study authorized under the Children's Health Act of 2000. **Pages S5345–48**

Gregg Amendment No. 3147, to provide for attorney's fees. **Pages S5348–53**

Murray Amendment No. 3148, to ensure that children with disabilities who are homeless, are wards of the State, who are in military families, or who move school districts have access to special education services. **Pages S5353–55**

#### Pending:

Gregg (for Santorum) Amendment No. 3149, to provide for a paperwork reduction demonstration. **Pages S5356–60**

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

By 56 yeas to 41 nays (Vote No. 93), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to waive section 302(f) of the Congressional Budget Act of 1974, as amended, with respect to Harkin Amendment No. 3144, to amend part B of the Individuals with Disabilities Education Act to reach full Federal funding of such part in 6 years. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, as amended, was sustained, and the amendment thus falls. **Pages S5326–27, S5344**

A unanimous-consent-time agreement was reached providing that following morning business on Thursday, May 13, 2004, Senate resume consideration of the bill, that there be 30 minutes equally divided with respect to Gregg (for Santorum) Amendment No. 3149; that it be in order for Senator Bingaman to offer one relevant second-degree amendment to Amendment No. 3149; that the only other amendment in order be a manager's amendment; that following the disposition of the amendments, there be 20 minutes of debate remaining on the bill. **Page S5356**

**Messages From the House:** **Page S5369**

**Measures Referred:** **Page S5369**

**Executive Communications:** **Pages S5369–71**

**Executive Reports of Committees:** **Page S5371**

**Additional Cosponsors:** **Pages S5372–73**

**Statements on Introduced Bills/Resolutions:**  
**Pages S5373–77**

**Additional Statements:** **Pages S5367–69**

**Amendments Submitted:** **Pages S5377–80**

**Authority for Committees to Meet:** **Pages S5380–81**

**Privilege of the Floor:** **Page S5381**

**Record Votes:** Two record votes were taken today. (Total—93) **Pages S5344, S5345**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 6:31 p.m., until 9:30 a.m., on Thursday, May 13, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5382.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Defense concluded hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Defense, after receiving testimony from Donald H. Rumsfeld, Secretary, and Larry Lanzillotta, Acting Under Secretary (Comptroller), both of the Depart-

ment of Defense; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

### NOMINATIONS

*Committee on Armed Services:* On Tuesday, May 11, Committee ordered favorably reported the nominations of William A. Chatfield, of Texas, to be Director of Selective Service, Jerald S. Paul, of Florida, to be Principal Deputy Administrator, National Nuclear Security Administration, Mark Falcoff, of California, to be a Member of the National Security Education Board, Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy, and Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller).

### TELECOMMUNICATIONS POLICY

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the future of telecommunications policy, focusing on a view from the industry relating to mobility and broadband networks, after receiving testimony from Ivan Seidenberg, Verizon Communications, Washington, D.C.; Brian L. Roberts, Comcast Corporation, Philadelphia, Pennsylvania; Scott Ford, ALLTEL Corporation, Little Rock, Arkansas; C. Garry Betty, EarthLink, Inc., Atlanta, Georgia; and Delbert Wilson, Central Texas Telephone Cooperative, Goldthwaite, Texas, on behalf of the National Telecommunications Cooperative Association.

### GASOLINE

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the environmental regulatory framework affecting oil refining and gasoline policy, focusing on domestic refining capacity, the fuel supply, reformulated gasoline, low-sulfur fuels, and reducing incentives for market manipulation, after receiving testimony from Bob Slaughter, on behalf of the National Petrochemical and Refiners Association, and the American Petroleum Institute, A. Blakeman Early, American Lung Association, and Mark Cooper, Consumer Federation of America, on behalf of the Consumers Union, all of Washington, D.C.; Michael Ports, Ports Petroleum Company, Inc, Wooster, Ohio, on behalf of the Society of Independent Gasoline Marketers of America and the National Association of Convenience Stores, and John R. Doshier, Jacobs Consultancy, Houston, Texas.

### AFGHANISTAN

*Committee on Foreign Relations:* Committee concluded a hearing to examine continuing challenges in Afghanistan, focusing on allied efforts to defeat Al-

Qaeda and to assist Afghanistan in building democracy and rebuilding its economy, after receiving testimony from Mark L. Schneider, International Crisis Group, Robert M. Perito, United States Institute of Peace, and David C. Isby, all of Washington, D.C.; and Thomas E. Gouttierre, University of Nebraska Center for Afghanistan Studies, Omaha.

#### DIPLOMA MILLS

*Committee on Governmental Affairs:* Committee concluded hearings 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, after receiving testimony from Sally L. Stroup, Assistant Secretary of Education for Postsecondary Education; Stephen C. Benowitz, Associate Director, Human Resources Products and Services, Office of Personnel Management; Alan Contreras, Administrator, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; Lieutenant Commander Claudia Gelzer, U.S. Coast Guard Detachment, Senate Committee on Governmental Affairs; and Andrew Coulombe, Ventura, California.

#### TRIBAL SELF-GOVERNANCE ACT

*Committee on Indian Affairs:* Committee concluded a hearing to examine S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, after receiving testimony from David W. Anderson, Assistant Secretary for Indian Affairs, and William Sin-

clair, Director, Office of Self-Governance and Self-Determination, both of the Department of the Interior; D. Fred Matt, Confederated Salish and Kootenai Tribes, Pablo, Montana; Philip Baker-Shenk, Holland and Knight, Washington, D.C.; and Geoffrey Strommer, Hobbs, Strauss, Dean, and Walker, Portland, Oregon.

#### SATELLITE HOME VIEWER EXTENSION

*Committee on the Judiciary:* Committee concluded a hearing to examine S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, focusing on the statutory licensing regimes for over-the-air broadcast signals, royalty rates, and the transition to digital television, after receiving testimony from David O. Carson, General Counsel, Copyright Office, Library of Congress; Charles W. Ergen, EchoStar Communications Corporation, Littlewood, Colorado; Bruce T. Reese, Bonneville International Corporation, Salt Lake City, Utah, on behalf of the National Association of Broadcasters; Eddy W. Hartenstein, DIRECTV Group, Inc., El Segundo, California; Fritz Attaway, Motion Picture Association of America, Inc., Washington, D.C.; and John King, Vermont Public Television, Colchester.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

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## House of Representatives

### Chamber Action

**Measures Introduced:** 17 public bills, H.R. 4341–4357; and 4 resolutions, H. Con. Res. 421, and H. Res. 639–641 were introduced.

**Pages H2917–18**

**Additional Cosponsors:**

**Pages H2918–19**

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

H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the *Brown v. Board of Education* decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of *Brown* (Rept. 108–485). **Page H2917**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page H2817**

**Chaplain:** The prayer was offered today by Rev. Cynthia L. Hale, Pastor, Ray of Hope Christian Church in Decatur, Georgia. **Page H2817**

**Amending the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements:** The House passed 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, by a yea-and-nay vote of 273 yeas to 152 nays, Roll No. 163. **Pages H2821–29, H2838–53**

Rejected the Stark motion to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 202 yeas to 224 noes, Roll No. 162. **Pages H2850–52**

Rejected the Stark amendment in the nature of a substitute printed in part A of H. Rept. 108–484, by a recorded vote of 197 yeas to 230 noes, Roll No. 161. **Pages H2844–50**

H. Res. 638, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 yeas to 203 noes, Roll No. 158, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 202 nays, Roll No. 157. **Page H2835**

**Permanent Extension of 10-Percent Individual Income Tax Rate Bracket bill:** The House agreed to H. Res. 637, the rule 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, by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 203 nays, Roll No. 156. **Pages H2829–35**

**Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees:** The House agreed to table the 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, offered by Representative George Miller (CA), by a recorded vote of 222 yeas to 205 noes, Roll No. 159. **Pages H2836–37**

Later Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on the bill. **Page H2876**

**Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2004:** The House passed 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, by a recorded vote of 229 yeas to 197 noes, Roll No. 166. **Pages H2853–74**

Rejected the Conyers motion to recommit the bill to the Committees on the Judiciary and Energy & Commerce with instructions to report the bill back to the House forthwith with amendments, by a yea-and-nay vote of 193 yeas to 231 nays, Roll No. 165. **Pages H2869–73**

H. Res. 638, the rule providing for consideration of the bill was agreed to earlier by a recorded vote of 224 yeas to 203 nays, Roll No. 158. **Pages H2835–36**

**Suspensions—Proceedings Postponed:** The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, May 11:

**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, by a  $\frac{2}{3}$  yea-and-nay vote of 421 yeas with none voting “nay”, Roll No. 160; **Pages H2837–38**

**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, by a  $\frac{2}{3}$  yea-and-nay vote of 415 yeas to 2 nays and 2 voting “present”, Roll No. 164; **Page H2853**

**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, by a  $\frac{2}{3}$  yea-and-nay vote of 424 yeas with one voting nay, Roll No. 167; **Pages H2874–75**

**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, by a  $\frac{2}{3}$  yea-and-nay vote of 422 yeas with none voting “nay”, Roll No. 168. **Pages H2875–76**

**50th Anniversary of the Brown v. Board of Education decision—Order of Business:** The House agreed that it shall be in order at any time without intervention of any point of order to consider H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown; that the concurrent resolution be

considered as read for amendment; and that the previous question be considered as ordered on the concurrent resolution to final adoption without intervening motion or demand for a division of the question except (1) 30 minutes of debate on the concurrent resolution equally divided and controlled by chairman and ranking minority member of the Committee on the Judiciary and (2) one motion to recommit.

Page H2874

**Budget Resolution for FY 2005—Motion to Instruct Conferees:** The House debated the Pomeroy 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. Further proceedings were postponed. Pages H2876–82

**Quorum Calls—Votes:** Eight yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H2834–35, H2835, H2835–36, H2836–37, H2837–38, H2850, H2851–52, H2852–53, H2853, H2873, H2873–74, H2874–75, and H2875. There were no quorum calls.

**Adjournment:** The House met at 10 a.m and adjourned at 12 midnight.

## Committee Meetings

### LEGISLATIVE APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative held a hearing on the Library of Congress; the Architect of the Capitol; and the Capitol Visitor Center. Testimony was heard from James H. Billington, The Librarian of Congress; and Alan M. Hantman, Architect of the Capitol.

### TRANSPORTATION, TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation, Treasury and Independent Agencies held a hearing on Election Assistance Commission. Testimony was heard from Deforest B. Soaries, Chairman, Election Assistance Commission.

### NATIONAL DEFENSE AUTHORIZATION ACT; MISCELLANEOUS MEASURES

*Committee on Armed Services:* Ordered reported the following bills: 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, amended, National Defense Authorization Act for Fiscal Year 2005.

### COLLEGE ACCESS AND OPPORTUNITY ACT

*Committee on Education and the Workforce:* Held a hearing on H.R. 4283, College Access and Opportunity Act of 2004. Testimony was heard from public witnesses.

### DIGITAL MEDIA CONSUMERS' RIGHTS ACT

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing on H.R. 107, Digital Media Consumers' Rights Act of 2003. Testimony was heard from Representatives Boucher and Doolittle; and public witnesses.

### NIH ETHICS CONCERNS

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled "NIH Ethics Concerns: Consulting Arrangements and Outside Awards." Testimony was heard from Elias Zerhouni, M.D., Director, NIH, Department of Health and Human Services; and the following officials of the National Academy of Sciences: Bruce Alberts, President; and Norman R. Augustine, Co-Chair, Blue Ribbon Panel on Conflict of Interest Policies.

### STOCK OPTION ACCOUNTING REFORM ACT

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises approved for full Committee action, as amended, H.R. 3574, Stock Option Accounting Reform Act.

### COMMUNITY-BASED BANKS REGULATORY RELIEF

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Cutting Through the Red Tape: Regulatory Relief for America's Community-Based Banks." Testimony was heard from Wayne A. Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury; John M. Reich, Vice Chairman, FDIC; and public witnesses.

### DC CIVIL COMMITMENT MODERNIZATION ACT; POSTAL ACCOUNTABILITY AND ENHANCEMENT ACT; PAPERWORK AND REGULATORY IMPROVEMENTS ACT

*Committee on Government Reform:* Ordered reported the following measures: H.R. 4302, District of Columbia Civil Commitment Modernization Act of 2004;

and H. Res. 612, amended, 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; H.R. 4341, Postal Accountability and Enhancement Act; and H.R. 2432, amended, Paperwork and Regulatory Improvements Act of 2003.

#### **EXPLORING HUMAN RIGHTS ABUSES— KASHMIR AND DISPUTED TERRITORIES**

*Committee on Government Reform:* Subcommittee on Human Rights and Wellness held a hearing entitled “Decades of Terror: Exploring Human Rights Abuses in Kashmir and the Disputed Territories.” Testimony was heard from the following officials of the Department of State: Michael Kozak, Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and Don Camp, Deputy Assistant Secretary, Bureau of South Asian Affairs; and public witnesses.

#### **UN CONVENTION ON THE LAW OF THE SEA**

*Committee on International Relations:* Held a hearing on The United Nations Convention on the Law of the Sea. Testimony was heard from William H. Taft, IV, Legal Advisor, Department of State; ADM Michael G. Mullen, USN, Vice Chief of Naval Operations, Department of the Navy; and public witnesses.

#### **UKRAINE’S FUTURE AND U.S. INTERESTS**

*Committee on International Relations:* Subcommittee on Europe held a hearing on Ukraine’s Future and United States Interests. Testimony was heard from Steven Pifer, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; and public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on International Relations:* Subcommittee on the Middle East and Central Asia approved for full Committee action, as amended, 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).

#### **MISCELLANEOUS MEASURES**

*Committee on the Judiciary:* Ordered reported the following measures: H. Con. Res. 414, Recognizing the 50th anniversary of Brown v. Board of Education; H.R. 3754, amended, Fraudulent Online Identity Sanctions Act; H.R. 1731, amended, Identity Theft Penalty Enhancement Act; S. 1301, amended, Video Voyeurism Prevention Act of 2003; and H.R. 1678, amended, Anti-Hoax Terrorism Act of 2003.

The Committee began markup of H.R. 2179, Securities Fraud Deterrence and Investor Restitution Act of 2003.

The Committee also approved private relief bills.

#### **OVERSIGHT—REORGANIZATION OF TRUST MANAGEMENT**

*Committee on Resources:* Held an oversight hearing on the current reorganization of trust management at the Bureau of Indian Affairs and the Office of the Special Trustee. Testimony was heard from the following officials of the Department of the Interior: Aurene Martin, Principal Deputy Assistant Secretary for Indian Affairs; and Ross O. Swimmer, Special Trustee for American Indians; and public witnesses.

#### **ASSISTANCE TO FIREFIGHTERS GRANT REAUTHORIZATION ACT OF 2004**

*Committee on Science:* Held a hearing on H.R. 4107, Assistance to Firefighters Grant Reauthorization Act of 2004. Testimony was heard from Representative Pascrell; the following officials of the Department of Homeland Security: R. David Paulison, Administrator, U.S. Fire Administration, Emergency and Preparedness Response Directorate; and Andrew Mitchell, Deputy Director, Office of Domestic Preparedness, Border and Transportation Security Directorate; and public witnesses.

#### **WOMEN’S ENTREPRENEURSHIP: SUCCESSES AND CHALLENGES**

*Committee on Small Business:* Held a hearing entitled “Women’s Entrepreneurship: Successes and Challenges.” Testimony was heard from Melanie Sabelhaus, Deputy Administrator, SBA; and public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on Transportation and Infrastructure:* Ordered reported 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, amended, Commercial Aviation MANPADS Defense Act of 2004; H.R. 4226, amended, Cape Town Treaty Implementation Act of 2004; H.R. 4251, amended, Maritime Transportation Amendments of 2004; a resolution on National Transportation Week; and H. Con. Res. 420, Applauding the men and women who keep America moving and recognizing National Transportation Week.

#### BRIEFING ON IRAQI PRISONER SITUATION UPDATE

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Iraqi Prisoner Situation Update. The Committee was briefed by departmental witnesses.

#### ALIGNING CIA HUMINT

*Permanent Select Committee on Intelligence:* Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing on Aligning CIA HUMINT. Testimony was heard from departmental witnesses.

#### TRANSPORTATION SECURITY ADMINISTRATION'S PROGRESS IN ENHANCING SECURITY

*Select Committee on Homeland Security:* Subcommittee on Infrastructure and Border Security held a hearing entitled “The Transportation Security Administration's Progress in Enhancing Security.” Testimony was heard from Stephen J. McHale, Deputy Administrator, Transportation Security Administrator, Department of Homeland Security.

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### COMMITTEE MEETINGS FOR THURSDAY, MAY 13, 2004

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* to hold hearings to examine Commodity Futures Trading Commission regulatory issues, 10 a.m., SD-106.

*Committee on Armed Services:* to hold hearings to examine the contingency reserve fund request for fiscal year 2005, 9:30 a.m., SH-216.

*Subcommittee on Readiness and Management Support,* to hold hearings to examine acquisition policy issues in review of the Defense Authorization Request for fiscal year 2005, 2:30 p.m., SR-222.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science, Technology, and Space, to hold hearings to examine social science data on the impact of marriage and divorce on children, 2:30 p.m., SR-253.

*Committee on Foreign Relations:* to hold hearings to examine combating corruption in the multilateral development banks, 9:30 a.m., SD-419.

*Subcommittee on European Affairs,* to hold hearings to examine challenges and accomplishments as the European Union and the United States promote trade and tourism in a terrorism environment, 2:30 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Children and Families, to hold hearings to examine causes, research and prevention of premature births, 10 a.m., SD-430.

*Committee on the Judiciary:* Subcommittee on Constitution, Civil Rights and Property Rights, business meeting to consider S.J. Res. 23, proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the members of either the House of Representatives or the Senate are killed or incapacitated, 9:30 a.m., SD-226.

Full Committee, business meeting to consider S. 1735, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, S. 1933, to promote effective enforcement of copyrights, S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L-1 visa for intracompany transferees, S. 1609, to make aliens ineligible to receive visas and exclude aliens from admission into the United States for nonpayment of child support, S. 1129, to provide for the protection of unaccompanied alien children, S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, S. Res. 331, designating June 2004 as “National Safety Month”, and the nomination of Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit, 10 a.m., SD-226.

*Select Committee on Intelligence:* closed business meeting to consider certain intelligence matters, 2:30 p.m., SH-219.

#### House

*Committee on Appropriations,* Subcommittee on Foreign Operations, Export Financing and Related Programs, on Millennium Challenge Corporation, 10 a.m., 2359 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on 21st Century Competitiveness, to mark up H.R. 4278, Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, 9:30 a.m., 2175 Rayburn.

Subcommittee on Workforce Protections, hearing entitled “Examining the Federal Employees' Compensation Act and Its Benefits for Workers,” 1 p.m., 2175 Rayburn.

*Committee on Financial Services*, hearing entitled “The US–EU Regulatory Dialogue and Its Future,” 10 a.m., 2128 Rayburn.

*Committee on Government Reform*, hearing entitled “Harnessing Science: Advancing Care by Accelerating the Rate of Cancer Clinical Trial Participation,” 10 a.m., 2154 Rayburn.

*Committee on International Relations*, hearing on The Imminent Transfer of Sovereignty in Iraq, 10:30 a.m., 2172 Rayburn.

*Committee on the Judiciary*, Subcommittee on Commercial and Administrative Law, hearing on H.R. 3220, Business Activity Tax Simplification Act of 2003, 2 p.m., 2141 Rayburn.

Subcommittee on the Constitution, hearing on H.J. Res. 56, Proposing an amendment to the Constitution of the United States relating to marriage; and to mark up the following measures: H.J. Res. 568, Expressing the sense of the House of Representatives that Judicial determinations regarding the meaning of the laws of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws, or pronouncements inform an understanding of the original meaning of the laws of the United States; and H.R. 1775, To amend title 36, United States Code, to designate the oak tree as the national tree of the United States, 10 a.m., 2141 Rayburn.

*Committee on Resources*, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following bills: H.R. 3433, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior; H.R. 3479, Brown Tress Snake Control and Eradication Act of 2003; H.R. 4027, To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; and H.R. 4158, To provide for the conveyance to the Government of Mexico of a decommissioned National Oceanic and Atmospheric Administration ship, 10 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, oversight hearing entitled “Firefighting Preparedness: Are we ready for the 2004 Wildlife Season?” 11 a.m., 1334 Longworth.

*Committee on Science*, hearing to examine federal high-performance computing research and development activities and to consider H.R. 4218, High-Performance Computing Revitalization Act of 2004, 10:30 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Aviation, oversight hearing on Avoiding

Summer Delays and a Review of the FAA’s Air Traffic Organization, 10 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings and Emergency Management, oversight hearing on How to Best Prepare for Acts of Terror: National Preparedness and First Responder Funding, 12 p.m., 2253 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Benefits, to mark up the following bills: H.R. 4231, Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004; and H.R. 4248, Homeless Veterans Assistance Reauthorization Act of 2004, 11 a.m., 334 Cannon.

Subcommittee on Health, to mark up the following bills: H.R. 1716, Veterans Earn and Learn Act; H.R. 3936, To amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, DC., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation; H.R. 4175, Veterans’ Compensation Cost-of-Living Adjustment Act of 2004; and H.R. 4345, To amend title 38, United States Code, to increase the maximum amount of home loan guaranty available under the home loan guaranty program of the Department of Veterans Affairs, 9:30 p.m., 340 Cannon.

*Committee on Ways and Means*, Subcommittee on Human Resources, hearing on State Efforts to Comply with Federal Child Welfare Reviews, 10 a.m., B–318 Rayburn.

*Permanent Select Committee on Intelligence*, executive, hearing on Department of Homeland Security Intelligence Budget, 3:30 p.m., H–405 Capitol.

Subcommittee on Intelligence Policy and National Security, hearing on Intelligence Community Language Capabilities, 10 a.m., 2200 Rayburn.

Subcommittee on Terrorism and Homeland Security, executive, hearing on Information Technology Policy Sharing, 1 p.m., H–405 Capitol.

### Joint Meetings

*Conference*: meeting of conferees on H.R. 2443, to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, 2:30 p.m., SD–628.

*Joint Economic Committee*: to hold hearings to examine the costs of health services regulations, 10 a.m., SD–628.

*Next Meeting of the SENATE*

9:30 a.m., Thursday, May 13

## Senate Chamber

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

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, May 13

## House Chamber

**Program for Thursday:**

Consideration of H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the

50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown.

Consideration of H.R. 4281, Small Business Health Fairness Act of 2004 (modified closed rule).

Consideration of H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket (modified closed rule).

George Miller (CA) motion to instruct conferees on H.R. 2660, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for FY 04.

Rolled vote of Pomeroy motion to instruct conferees on S. Con. Res. 95, Concurrent Resolution on the Budget for FY 05.

Rolled vote on Suspensions:

H.J. Res. 91, Recognizing the 60th Anniversary of the Servicemen's Readjustment Act of 1944.

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