

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5503–S5557

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 2426–2429, and S. Con. Res. 109–111. **Page S5535**

Measures Passed:

National Safety Month: Senate agreed to S. Res. 331, designating June 2004 as “National Safety Month”. **Page S5554**

Honoring “Rosie the Riveter”: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. Con. Res. 103, honoring the contribution of the women, symbolized by “Rosie the Riveter”, who served on the homefront during World War II, and the resolution was then agreed to. **Page S5554**

Department of Defense Authorization Act: Senate began consideration of 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, taking action on the following amendments proposed thereto:

Pages S5515–5529

Adopted:

By 82 yeas and 0 nays (Vote No. 95), Hutchison Amendment No. 3152, to authorize medical and dental care for cadets and midshipmen, and to authorize disability benefits for cadets and midshipmen of the service academies. **Pages S5524–27, S5529**

Pending:

Lautenberg Amendment No. 3151, to clarify the application of Presidential action under the International Emergency Economic Powers Act.

Pages S5522–24

Service Medals Act—Agreement: A unanimous-consent agreement was reached providing that at 10:45 a.m., on Tuesday, May 18, 2004, Senate begin consideration of 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 mem-

bers of the uniformed services who participate in Operation Iraqi Freedom, and that there be 20 minutes for debate and Senate then vote on final passage of the bill.

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

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–77) **Pages S5531–32**

Nominations Confirmed: Senate confirmed the following nominations:

1 Army nomination in the rank of general.

Nominations Received: Senate received the following nominations:

Michael H. Schneider, Sr., of Texas, to be United States District Judge for the Eastern District of Texas.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe.

Nadine Hogan, of Florida, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008.

Jack Vaughn, of Tennessee, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

2 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

2 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Public Health Service.

Pages S5555–57

Messages From the House: **Page S5532**

Measures Referred: **Page S5532**

Measures Read First Time: **Page S5532**

Petitions and Memorials: **Pages S5532–35**

Additional Cosponsors: **Pages S5535–36**

Statements on Introduced Bills/Resolutions: **Pages S5536–48**

Additional Statements:	Page S5531
Amendments Submitted:	Page S5548
Notices of Hearings/Meetings:	Page S5553
Authority for Committees to Meet:	Page S5553
Privilege of the Floor:	Page S5553
Record Votes: One record vote was taken today. (Total—95)	Page S5529

Adjournment: Senate convened at 12 noon, and adjourned at 6:13 p.m., until 9:45 a.m., on Tuesday, May 18, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on Page S5555.)

Committee Meetings

(Committees not listed did not meet)

RETIREE HEALTH BENEFITS

Special Committee on Aging: Committee concluded a hearing to examine how the Equal Employment Opportunity Commission's recent rule affects retiree health benefits, focusing on the Commission's decision to permit employers to remain in compliance with the Age Discrimination in Employment Act (ADEA) when coordinating retiree health benefits provided with Medicare eligibility, after receiving testimony from Leslie E. Silverman, Commissioner, U.S. Equal Employment Opportunity Commission; Patricia Neuman, Henry J. Kaiser Family Foundation, Erik D. Olsen, AARP, Andrew J. Imparato, American Association of People with Disabilities, and James A. Klein, American Benefits Council, all of Washington, D.C.; and Bruce Meredith, Wisconsin in Education Association Council, Madison.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 4370–4377; and 5 resolutions, H. Con. Res. 427–428, and H. Res. 643–645 were introduced.

Pages H3093–94

Additional Cosponsors: Page H3094

Reports Filed: Reports were filed today as follows:

Filed on Friday, May 14: H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes, amended (H. Rept. 108–490, Pt. 1);

Filed on Friday, May 14: H.R. 4200, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2005, amended (H. Rept. 108–491);

Supplemental report on H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes (H. Rept. 108–490, Pt. 2);

H.R. 2201, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans (H. Rept. 108–492, Pt. 1);

H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida, amended (H. Rept. 108–493);

H.R. 3505, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery, amended (H. Rept. 108–494);

H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park, amended (H. Rept. 108–495);

H. Res. 644, providing for consideration of H.R. 4359, to amend the Internal Revenue Code of 1986 to increase the child tax credit (H. Rept. 108–496); and

H. Res. 645, providing for consideration of H.R. 2728, to amend the Occupational Safety and Health Act of 1970 to provide for the adjudicative flexibility with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration; for consideration of H.R. 2729, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission; for consideration of H.R. 2730, to amend the Occupational Safety and Health Act of 1970 to provide for an independent review of citations issued by the Occupational Safety and Health Administration; for consideration of

H.R. 2731, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration; and for consideration of H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes (H. Rept. 108-497).

Pages H3092-93

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

Page H3019

Recess: The House recessed at 1:03 p.m. and reconvened at 2 p.m.

Page H3023

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

Amending the Bend Pine Nursery Land Conveyance Act: H.R. 3505, amended, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery;

Pages H3023-24

Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004: H.R. 3768, amended, to expand the Timucuan Ecological and Historic Preserve, Florida;

Pages H3024-25

National War Permanent Tribute Historical Database Act: H.R. 2201, to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and permanent tributes to America's veterans;

Pages H3025-26

Recognizing National Transportation Week: H. Con. Res. 420, applauding the men and women who keep America moving and recognizing National Transportation Week, by a 2/3 yea-and-nay vote of 360 yeas with none voting "nay", Roll No.177;

Pages H3026-28, H3052-53

Authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial: H. Con. Res. 423, authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial, by a 2/3 yea-and-nay vote of 364 yeas with none voting "nay", Roll No. 178;

Pages H3028-30, H3053-54

Amending the Internal Revenue Code of 1986 to allow for the expansion of renewal community areas: H.R. 4193, to amend the Internal Revenue Code of 1986 to allow for the expansion of areas designated as renewal communities based on 2000 census data and to treat certain census tracts with low

populations as low-income communities for purposes of the new markets tax credit;

Pages H3030-33

Condemning the Government of the Republic of Sudan for its attacks against innocent civilians: H. Con. Res. 403, amended, condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan, by a 2/3 yea-and-nay vote of 360 yeas to 1 nay, Roll No. 179.

Pages H3044-49, H3054

Suspensions: Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings were postponed until Tuesday, May 18.

Undocumented Alien Emergency Medical Assistance Amendments of 2004: H.R. 3722, to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to impose conditions on Federal reimbursement of emergency health services furnished to undocumented aliens;

Pages H3033-44

Oscar Scott Woody Post Office Building Designation Act: H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building"; and

Pages H3049-51

Bobby Marshall Gentry Post Office Building Designation Act: H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building".

Pages H3051-52

Supplemental Report: Agreed that the Committee on Government Reform be permitted to file a supplemental report on H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes.

Page H3049

Recess: The House recessed at 4:29 p.m. and reconvened at 6:30 p.m.

Page H3052

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 H3055

Budget Resolution for FY 2005—Motion to Instruct Conferees: Representative Stenholm 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 H3055**

Presidential Message: Read a message from the President wherein he notified the Congress of the continuation of the national emergency with respect to Burma—referred to the Committee on International Relations and ordered printed (H. Doc. 108–186). **Page H3052**

Senate Message: Message received from the Senate today appears on page H3023.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H3052–53, H3053–54, and H3054. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:58 p.m.

Committee Meetings

CHILD CREDIT PRESERVATION AND EXPANSION ACT OF 2004

Committee on Rules: Granted, by voice vote, a modified closed rule providing one hour of debate in the House on H.R. 4359, Child Credit Preservation and Expansion Act of 2004, 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 point 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 Camp and Levin.

OSHA AMENDMENTS AND PAPERWORK AND REGULATORY IMPROVEMENTS ACT OF 2003

Committee on Rules: Granted, by voice vote, a closed rule providing for consideration of H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2004, with one hour of debate in the House on H.R. 2728 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment recommended

by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The rule provides one motion to recommit H.R. 2728 with or without instructions.

Section 2 of the resolution provides for considerations of H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2729 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2729 with or without instructions.

Section 3 of the resolution provides for consideration of H.R. 2730, Occupational Safety and Health Independent Review of OSHA Citations Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2730 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment recommended by the Committee on Education and the Workforce, now printed in the bill, modified by the amendment printed in part B of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2730 with or without instructions.

Section 4 of the resolution provides for consideration of H.R. 2731, Occupational Safety and Health Small Employer Access to Justice Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 2731 equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, modified by the amendment printed in part C of the Rules Committee report accompanying the resolution, shall be considered as adopted. The rule provides one motion to recommit H.R. 2731 with or without instructions.

Section 5 of the resolution provides for consideration of H.R. 2432, Paperwork and Regulatory Improvements Act of 2003, under a structured rule providing one hour of general debate in the Committee of the Whole equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule

waives points of order against consideration of the bill for failure to comply with clause 4(a) of Rule XIII (regarding the three-day availability of committee reports). The rule provides that the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill shall be considered as an original bill for the purpose of amendment, and shall be considered as read.

The rule makes in order only those amendments to the Committee amendment in the nature of a substitute which are printed in part D of the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee on the Whole. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit H.R. 2432 with or without instructions.

Section 6 of the resolution provides that in the engrossment of H.R. 2728 the Clerk shall add the texts of H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432, as passed by the House, as new matter at the end of H.R. 2728, and then lay on the table H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432.

Finally, the rule provides that if H.R. 2728 is disposed of without reaching the stage of engrossment, then whichever of H.R. 2729, H.R. 2730, H.R. 2731, or H.R. 2432 that first passes the House shall be treated in the manner specified for H.R. 2728 and all other bills that have passed the House shall be laid on the table. Testimony was heard from Chairman Boehner and Representatives Ose, Kildee, and Tierney.

COMMITTEE MEETINGS FOR TUESDAY, MAY 18, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Foreign Operations, to hold hearings to examine proposed budget estimates for fiscal year 2005 for HIV/AIDS programs and research, 10:30 a.m., SD-124.

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine the Terrorism Risk Insurance Program, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation, to hold an oversight hearing to

examine the Federal Aviation Administration, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: to hold hearings to examine implications of a recent change in reporting of small business contracts by the Department of Energy, 10 a.m., SD-366.

Committee on Foreign Relations: to hold hearings to examine the way ahead in Iraq, 9:30 a.m., SD-106.

Full Committee, to hold hearings to examine the nominations of William R. Brownfield, of Texas, to be Ambassador to Venezuela, and John D. Rood, of Florida, to be Ambassador to the Bahamas, 2 p.m., SH-216.

Committee on the Judiciary: to hold hearings to examine the threat of animal and eco-terrorism, 10 a.m., SD-226.

Special Committee on Aging: to hold hearings to examine social security reform issues, and comparing the U.S. social security system with other nations', 10 a.m., SD-628.

House

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled "Supporting Our Intercollegiate Student-Athletes: Proposed NCAA Reforms," 3:30 p.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, hearing entitled "SEC Proposal on Market Structure: How Will Investors Fare?" 2 p.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Improving Financial Oversight: A Private Sector View of Anti-Money Laundering Efforts," 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Civil Service and Agency Organization, hearing entitled "First year on the job: Chief Human Capital Officers," 2 p.m., and to consider S. 129, Federal Workforce Flexibility Act of 2003, 3:30 p.m., 2154 Rayburn.

Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled "Ensuring Accuracy and Accountability in Lab Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?" 10:30 a.m., 2154 Rayburn.

Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing entitled "How Can We Maximize Private Sector Participation in Transportation?" 10 a.m., 2247 Rayburn.

Committee on International Relations, hearing on Should China Join the Nuclear Suppliers Group? 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 3179, Anti-Terrorism Intelligence Tools Improvement Act of 2003, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled "Pushing the Border Out on Alien Smuggling: New Tools and Intelligence Initiatives," 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on The Chesapeake Bay in Your Community: A Restoration Plan, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 4045, To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; H.R. 3597, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County,

California; and H.R. 2257, Lower Yellowstone Reclamation Projects Conveyance Act, 10 a.m., 1334 Longworth.

Committee on Rules, to consider H.R. 4200, National Defense Authorization Act for Fiscal Year 2005, 10 a.m., H-313 Capitol.

Committee on Veterans' Affairs, oversight hearing on homeless assistance programs for veterans, 10:30 a.m., 334 Cannon

Permanent Select Committee on Intelligence, Subcommittee on Human Intelligence, Analysis and Counterintelligence, executive hearing to Review CIA's Compensation Reform Initiative, 3:30 p.m., H-405 Capitol.

Next Meeting of the SENATE

9:45 a.m., Tuesday, May 18

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 10:45 a.m.) Senate will vote on final passage of H.R. 3104, Service Medals Act. Additionally, Senate will vote on the motion to invoke cloture on the nomination of Marcia G. Cooke, to be United States District Judge for the Southern District of Florida.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, May 18

House Chamber

Program for Tuesday: Rolled Votes on the following measures debated under suspension of the rules:

H.R. 3722—Undocumented Alien Emergency Medical Assistance Amendments of 2004;

H.R. 3740—Oscar Scott Woody Post Office Building Designation Act; and

H.R. 4193—Bobby Marshall Gentry Post Office Building Designation Act.

Consideration of H.R. 2728—Occupational Safety and Health Small Business Day in Court Act of 2004 (closed rule, one hour of debate).

Consideration of H.R. 2729—Occupational Safety and Health Review Commission Efficiency Act of 2004 (closed rule, one hour of debate).

Consideration of H.R. 2730—Occupational Safety and Health Independent Review of OSHA Citations Act of 2004 (closed rule, one hour of debate).

Consideration of H.R. 2731—Occupational Safety and Health Small Employer Access to Justice Act of 2004 (closed rule, one hour of debate).

Consideration of H.R. 2432—Paperwork and Regulatory Improvements Act of 2003 (structured rule).

Consideration of 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 FY04.

Consideration of Stenholm motion to instruct conferees on S. Con. Res. 95, Concurrent Resolution on the Budget for FY05.

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HOUSE

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