

# Daily Digest

## HIGHLIGHTS

Senate passed H.R. 3104, Afghanistan/Iraq Campaign Medals.

## Senate

### Chamber Action

*Routine Proceedings, pages S5559–S5728*

**Measures Introduced:** Eight bills and one resolution were introduced, as follows: S. 2430–2437, and S. Res. 364. **Page S5706**

#### Measures Passed:

**Afghanistan/Iraq Campaign Medals:** By a unanimous vote of 98 yeas (Vote No. 96), Senate passed 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, clearing the measure for the President.

**Pages S5566–69**

**Premier Certified Lenders Program Improvement Act:** Committee on Small Business and Entrepreneurship was discharged from further consideration of H.R. 923, to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve, and the bill was then passed, clearing the measure for the President.

**Pages S5726–27**

**Department of Defense Authorization Act:** Senate continued 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 S5569–73, S5582–93**

#### Rejected:

By 47 yeas to 49 nays (Vote No. 98), Lott Amendment No. 3158, to provide that the 2005 base closure round shall apply solely to military installations located outside the United States and to provide for expedited consideration by Congress of a

proposal for a base closure round in 2007 on military installations located inside the United States.

**Pages S5569–73, S5583–5593**

#### Withdrawn:

Domenici Amendment No. 3162, to accelerate the removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.

**Pages S5582, S5594**

#### Pending:

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

**Page S5569**

A unanimous-consent agreement was reached providing for the further consideration of the bill at approximately, 11 a.m., on Wednesday, May 19, 2004.

**Project Bioshield Act—Agreement:** A unanimous-consent agreement was reached providing that on Wednesday, May 19, 2004, at a time to be determined by the Majority Leader in consultation with the Democratic Leader, Senate proceed to the consideration of S. 15, to amend the Public Health Service Act to provide for the payment of compensation for certain individuals with injuries resulting from the administration of smallpox countermeasures, to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States, and to improve immunization rates by increasing the distribution of vaccines and improving and clarifying the vaccine injury compensation program, that the only amendment in order be a Gregg/Kennedy amendment in the nature of a substitute; that there be two hours of debate equally divided; that upon the use or yielding back of time, the substitute amendment be agreed to, the committee amendment, as amended, be agreed to; and the Senate then proceed to a vote on final passage of the bill.

**Page S5726**

**Nominations Confirmed:** Senate confirmed the following nomination:

By unanimous vote of 96 yeas (Vote No. Ex. 97), Marcia G. Cooke, of Florida, to be United States District Judge for the Southern District of Florida.

Pages S5574–75, S5728

(Prior to the vote on confirmation of the nomination (listed above), Senate vitiated the vote on the motion to invoke cloture thereon.) Page S5574

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

Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years. (Reappointment)

Captain Samuel P. DeBow, Jr., NOAA for appointment to the grade of Rear Admiral (O–8), while serving in a position of importance and responsibility as Director, NOAA Corps and Director, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

Captain Richard R. Behn, NOAA for appointment to the grade of Rear Admiral (O–7), while serving in a position of importance and responsibility as Director, Marine and Aviation Operations Centers, National Oceanic and Atmospheric Administration, under the provisions of Title 33, United States Code, Section 3028(d)(1).

Routine lists in the Foreign Service, and National Oceanic and Atmospheric Administration.

Pages S5727–28

**Messages From the House:** Page S5605

**Measures Referred:** Page S5605

**Measures Placed on Calendar:** Page S5605

**Petitions and Memorials:** Pages S5605–7

**Additional Cosponsors:** Pages S5607–9

**Statements on Introduced Bills/Resolutions:** Pages S5609–13

**Additional Statements:** Pages S5603–4

**Amendments Submitted:** Pages S5613–21

**Notices of Hearings/Meetings:** Page S5622

**Authority for Committees to Meet:** Page S5622

**Privilege of the Floor:** Page S5622

**Text of S. 1637 as Previously Passed:** Pages S5622–S5726

**Record Votes:** Three record votes were taken today. (Total—98) Pages S5569, S5575, S5593

**Adjournment:** Senate convened at 9:45 a.m., and adjourned at 6:44 p.m., until 9:30 a.m., on Wednesday, May 19, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5727.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: HIV/AIDS FUNDING

*Committee on Appropriations:* Subcommittee on Foreign Operations concluded a hearing to examine proposed budget estimates for fiscal year 2005 for foreign assistance, focusing on HIV/AIDS, after receiving testimony from Randall L. Tobias, Global HIV/AIDS Coordinator, Department of State; and Bono, DATA, Washington, D.C.

### TERRORISM RISK INSURANCE PROGRAM

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Terrorism Risk Insurance Program, which established a temporary Federal program of shared public and private compensation for insured commercial property and casualty losses resulting from acts of terrorism covered by the Terrorism Risk Insurance Act, after receiving testimony from Brian C. Roseboro, Under Secretary of the Treasury for Domestic Finance; Richard J. Hillman, Director, Financial Markets and Community Investment, General Accounting Office; Donna Lee Williams, Delaware Department of Insurance, Dover, on behalf of the National Association of Insurance Commissioners; J. Robert Hunter, Consumer Federation of America, Washington, D.C.; John J. Degnan, Chubb Corporation, Warren, New Jersey, on behalf of sundry organizations; Christopher Nassetta, Host Marriott Corporation, Bethesda, Maryland, on behalf of the Coalition to Insure Against Terrorism; and Jacques E. Dubois, Swiss Re America Holding Corporation, Armonk, New York.

### FAA OVERSIGHT

*Committee on Commerce, Science, and Transportation:* Committee concluded an oversight hearing to examine the Federal Aviation Administration, focusing on airline flight operations, congestion caused by regional jets, low-cost carrier expansion, and new airport security screening procedures, the aviation trust fund, and establishing a new air traffic organization, after receiving testimony from Kenneth M. Mead, Inspector General, and Marion Blakey, Administrator, Federal Aviation Administration, both of the Department of Transportation; and JayEtta Z. Hecker, Director, Physical Infrastructure Issues, General Accounting Office.

### DOE CONTRACTING

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine implications of a 1999 change in reporting of small business contracts by the Department of Energy (DOE), focusing on

the potential benefits and risks of the change, and the efforts of the Office of Small Disadvantaged Utilization to reach out to small businesses and encourage them to do business with DOE, after receiving testimony from Kyle E. McSlarrow, Deputy Secretary of Energy; Robin M. Nazzaro, Director, Natural Resources and Environment, General Accounting Office; Ann Sullivan, Women Impacting Public Policy, Oklahoma City, Oklahoma; Joan B. Woodard, Sandia National Laboratories, Albuquerque, New Mexico; Robert Thompson, Energy Communities Alliance, Richland, Washington.

### IRAQ'S TRANSITION

*Committee on Foreign Relations:* Committee held a hearing to examine the way ahead in Iraq, focusing on the transition to sovereignty and democracy and securing a stable, peaceful, and economically vital region, receiving testimony from Paul Wolfowitz, Deputy Secretary of Defense, and Lieutenant General Walter L. Sharp, Director, Strategic Plans and Policy, Joint Chiefs of Staff, both of the Department of Defense; and Richard L. Armitage, Deputy Secretary of State.

Hearings continue tomorrow.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing 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, after each nominee testified and answered questions in their own behalf.

### ANIMAL RIGHTS TERRORISM

*Committee on the Judiciary:* Committee concluded a hearing to examine the threat of animal rights extremism and eco-terrorism, focusing on law enforcement needs to pursue and prosecute those who commit violent acts against institutions that conduct animal research, after receiving testimony from McGregor W. Scott, U.S. Attorney, Eastern District of California; John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; William Green, Chiron Corporation, Emeryville, California; Jonathan Blum, Yum! Brands Inc., Louisville, Kentucky and Stuart M. Zola, Emory University Yerkes National Primate Research Laboratory, Atlanta, Georgia, on behalf of the National Association for Biomedical Research.

### SOCIAL SECURITY REFORM

*Special Committee on Aging:* Committee concluded a hearing to examine social security reform issues, and comparing the U.S. social security system with other nations', focusing on pension systems in Japan, Germany, the United Kingdom, and Chile, demographic factors, taxes, scheduled benefits, and investment returns, after receiving testimony from James B. Lockhart III, Deputy Commissioner, Social Security Administration; Yoshinori Ohno, Member, Japan's House of Representatives, Tokyo; Vincent J. Truglia, Moody's Investors Service, New York, New York; Axel Boersch-Supan, University of Mannheim Research Institute for the Economics of Aging, Mannheim, Germany; David O. Harris, Watson Wyatt Worldwide, London, England; and L. Jacobo Rodriguez, CATO Institute, Washington, D.C.

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# House of Representatives

## Chamber Action

**Measures Introduced:** 11 public bills, H.R. 4378–4388; and 4 resolutions, H. Con. Res. 429–430, and H. Res. 646–647 were introduced.

Page H3229

**Additional Cosponsors:**

Pages H3229–30

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

Conference report on S. Con. Res. 95, 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 (H. Rept. 108–498);

H. Res. 648, providing for consideration of 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 (H. Rept. 108–499); and

H. Res. 649, providing for consideration of the conference report to accompany 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 (H. Rept. 108–500).

Pages H3187–H3227, H3229

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Bishop of Utah to act as Speaker pro tempore for today. **Page H3095**

**Chaplain:** The prayer was offered today by Rev. Maury Davis, Pastor, Cornerstone Church in Madison, Tennessee. **Page H3095**

**Recess:** The House recessed at 9:01 a.m. and reconvened at 10 a.m. **Page H3095**

**Occupational Safety and Health Small Business Day in Court Act of 2004:** The House passed H.R. 2728, amended, to amend the Occupational Safety and Health Act of 1970 to provide for 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, by a ye-and-nay vote of 251 yeas to 177 nays, Roll No. 183. **Pages H3107–15, S3160–61,**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill was considered as adopted. **Page H3108**

Pursuant to section 6 of H. Res. 645, the text of H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432 will be appended to the engrossment of H.R. 2728; and H.R. 2729, H.R. 2730, H.R. 2731, and H.R. 2432 are laid on the table. **Page H3161**

Also pursuant to section 6 of H. Res. 645, the title of H.R. 2728 is conformed to reflect the additions of the text of all the bills. Conformed so as to read: to amend the Occupational Safety and Health Act of 1970 to provide for 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; to provide for greater efficiency at the Occupational Safety and Health Review Commission; to provide for an independent review of citations issued by the Occupational Safety and Health Administration; 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 to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes.

H. Res. 645, the rule providing for consideration of the bill was agreed to by a ye-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

**Pages H3099–H3105**

**Occupational Safety and Health Review Commission Efficiency Act of 2004:** The House passed H.R. 2729, amended, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Re-

view Commission, by a ye-and-nay vote of 228 yeas to 199 nays, Roll No. 184. **Pages H3115–23, H3130–31**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill, modified by the amendment printed in part A of H. Rept. 108–497 was considered as adopted.

**Page H3115**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a ye-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

**Pages H3099–H3105**

**Occupational Safety and Health Independent Review of OSHA Citations Act of 2004:** The House passed H.R. 2730, amended, 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, by a ye-and-nay vote of 224 yeas to 204 nays, Roll No. 185. **Pages H3124–30, H3131–32**

Pursuant to the rule, the amendment recommended by the Committee on Education and the Workforce that is printed in the bill, as modified by the amendment printed in part B of H. Rept. 108–497 was considered as adopted. **Page H3124**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a ye-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

**Pages H3099–H3105**

**Occupational Safety and Health Small Employer Access to Justice Act of 2004:** The House passed H.R. 2731, amended, 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, by a ye-and-nay vote of 233 yeas to 194 nays, Roll No. 189. **Pages H3132–40, H3160–61**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce that is printed in the bill, as modified by the amendment printed in part C of H. Rept. 108–497 was considered as adopted. **Page H3133**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a ye-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

**Pages H3099–H3105**

**Paperwork and Regulatory Improvements Act of 2003:** The House passed H.R. 2432, to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes, by a ye-and-nay vote of 373 yeas to 54 nays, Roll No. 188. **Pages H3141–3160**

The amendment in the nature of a substitute recommended by the Committee on Government Reform that is printed in the bill was considered as an original bill for the purpose of amendment.

**Pages H3152–53**

Agreed to the Ose amendment (No. 1 printed in part D of H. Rept. 108–497) that authorizes annual funding for the General Accounting Office's regulatory analysis function and removes the requirement for the Office of Management and Budget to integrate its annual regulatory accounting statement and associated report into the President's fiscal budget documents.

**Pages H3153–55**

Rejected the Waxman amendment (No. 2 printed in part D of H. Rept. 108–497) that sought to create an expert commission to study the politicization of science and make recommendations for how to protect science in the regulatory process from political and ideological manipulation and interference, by a recorded vote of 201 ayes to 226 noes, Roll No. 187.

**Pages H3155–60**

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

**Page H3099–H3105**

**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 George Miller of California 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, by a recorded vote of 216 ayes to 199 noes, Roll No. 181.

**Pages H3106–3107**

**Suspension Failed—Undocumented Alien Emergency Medical Assistance Amendments of 2004:** The House failed to suspend the rules and pass 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, which was debated on Monday, May 17, by a  $\frac{2}{3}$  yea-and-nay vote of 88 yeas to 331 nays, Roll No. 182.

**Page H3107**

**Suspensions:** The House agreed to suspend the rules and pass the following measures which were debated on Monday, May 17:

**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", by a  $\frac{2}{3}$  yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 186; and

**Page H3132**

**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", by a  $\frac{2}{3}$  yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 190.

**Pages H3161–62**

**Budget Resolution for FY 2005—Motion to Instruct Conferees:** The House debated the Stenholm 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 until Wednesday, May 19.

**Pages H3162–68**

Representative Price of North Carolina announced his intention to offer a motion to instruct on the measure.

**Page H3162**

**Senate Message:** Message received from the Senate today appears on page H3095.

**Senate Referral:** S. Con. Res. 103 was referred to the Committee on Education and the Workforce.

**Amendments:** Amendment ordered printed pursuant to the rule appears on page H3230.

**Quorum Calls—Votes:** Nine yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H3105, H3106–3107, H3107, H3130, H3130–31, H3131–32, H3132, H3159–60, H3160, H3160–61, and H3161–62. There were no quorum calls.

**Recess:** The House recessed at 11:36 p.m. and reconvened at 6:08 a.m. on Wednesday, May 19.

**Pages H3185, H3187**

**Recess:** The House recessed at 6:09 a.m. on Wednesday, May 19 and reconvened at 9:54 a.m.

**Pages H3228**

**Adjournment:** The House met at 9 a.m. and adjourned at 9:55 a.m. on Wednesday, May 19.

## Committee Meetings

### SUPPORTING OUR INTERCOLLEGIATE STUDENT-ATHLETES: PROPOSED NCAA REFORMS

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Supporting Our Intercollegiate Student-Athletes: Proposed NCAA Reforms." Testimony was heard from 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 Marilyn L. Glynn, Acting Director, Office of Government Ethics; the following officials of the Department of Health and Human Services; Edgar M. Swindell, Associate General Counsel, Ethics Division; Raynard S. Kington, M.D., Deputy Director, NIH; Lance A. Liotta, M.D., Chief, Laboratory of Pathology, J. Carl Barrett, Director, Center for Cancer Research, and Anna D. Barker, Deputy Director, Advanced Technologies and Strategic Partnerships, all with the National Cancer Institute; and Emanuel Petricoin, Lead Microbiologist, Center for Biologics Evaluation and Research, FDA; Jack Maskell, American Law Division, Congressional Research Service, Library of Congress; and a public witness.

#### MARKET STRUCTURE—SEC PROPOSAL

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled “SEC Proposal on Market Structure: How will Investors Fare?” Testimony was heard from public witnesses.

#### IMPROVING FINANCIAL OVERSIGHT

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled “Improving Financial Oversight: A Private Sector View of Anti-Money Laundering Efforts.” Testimony was heard from public witnesses.

#### FEDERAL WORKFORCE FLEXIBILITY ACT; “FIRST YEAR ON THE JOB: CHIEF HUMAN CAPITAL OFFICERS”

*Committee on Government Reform:* Subcommittee on Civil Service and Agency Organization approved for full Committee action, as amended, S. 129, Federal Workforce Flexibility Act of 2003.

The Subcommittee also held a hearing entitled “First year on the job: Chief Human Capital Officers.” Testimony was heard from Kay Coles Jones, Director, OPM; Chris Mihm, Managing Director, Strategic Issues, GAO; Reginald Wells, Chief Human Capital Officer, SSA; and a public witness.

#### ENSURING ACCURACY AND ACCOUNTABILITY IN LAB TESTING

*Committee on Government Reform:* Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “Ensuring Accuracy and Accountability in Lab Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?” Testimony was heard from the following officials of the Department of Health and Human Services: Steven I. Gutman, M.D., Director, Office of In Vitro Diagnostics Device Evaluation and Safety, FDA; and Sean Tunis, M.D., Chief Clinical Officer,

Centers for Medicare and Medicaid Services and Deputy Director, Office of Clinical Standards and Quality, CMS; Nelson J. Sabatini, Secretary, Department of Health and Mental Hygiene, State of Maryland; and public witnesses.

#### “HOW CAN WE MAXIMIZE PRIVATE SECTOR PARTICIPATION IN TRANSPORTATION?”

*Committee on Government Reform:* Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled “How Can We Maximize Private Sector Participation in Transportation?” Testimony was heard from Emil Frankel, Assistant Secretary, Transportation Policy, Department of Transportation; and public witnesses.

#### SHOULD CHINA JOIN THE NUCLEAR SUPPLIERS GROUP?

*Committee on International Relations:* Held a hearing on Should China Join the Nuclear Suppliers Group? Testimony was heard from John Wolf, Assistant Secretary, Bureau of Nonproliferation, Department of State.

#### ANTI-TERRORISM INTELLIGENCE TOOLS IMPROVEMENT ACT

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3179, Anti-Terrorism Intelligence Tools Improvement Act of 2003. Testimony was heard from the following officials of the Department of Justice; Daniel J. Bryant, Assistant Attorney General; and Thomas J. Harrington, Deputy Assistant Director, FBI; and a public witness.

#### OVERSIGHT—ALIEN SMUGGLING

*Committee on the Judiciary:* Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled “Pushing the Border Out on Alien Smuggling: New Tools and Intelligence Initiatives,” Testimony was heard from Joe D. Morton, Principal Deputy Assistant Secretary and Director, Diplomatic Security Service, Department of State; the following officials of the Department of Homeland Security: Robert Harris, Deputy Chief, Border Patrol, Bureau of Customs and Border Protection; and John P. Torres, Deputy Assistant Director, Smuggling and Public Safety, U.S. Immigration and Customs Enforcement; and a public witness.

#### OVERSIGHT—CHESAPEAKE BAY IN YOUR COMMUNITY: A RESTORATION PLAN

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight

hearing on The Chesapeake Bay in Your Community: A Restoration Plan. Testimony was heard from public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Resources:* Subcommittee on Water and Power held a 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. Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

#### CONFERENCE REPORT—CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

*Committee on Rules:* Committee granted, by a vote of 7 to 4, a rule waiving all points of order against the conference report to accompany S. Con.Res. 95, Setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal year 2006 through 2009, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. Section 2 provides that upon adoption in the House of the conference report, and until a concurrent resolution on the budget for fiscal year 2005 has been adopted by the Congress, the provisions of the conference report and its joint explanatory statement shall have force and effect in the House and that for the purposes of title III of the Congressional Budget Act of 1974 the conference report shall be considered for the purposes of the House to have been adopted by the Congress. The rule provides that nothing in section 2 may be construed to engage rule XXVII. Section 3 provides that the conferees of the House on H.R. 2660 shall be, and they are hereby discharged and that H.R. 2660 and its accompanying papers, be, and they are hereby, laid on the table.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

*Committee on Rules:* Committee granted, by voice vote, a structured rule providing 2 hours of general debate on H.R. 4200, National Defense Authorization Act of Fiscal Year 2005, equally divided and controlled by the chairman and ranking minority

member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services 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 waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Armed Services. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution, and amendments en bloc described in section 3 of the resolution.

The rule provides that amendments shall be considered only in the order specified in the report (except as specified in section 4 of the resolution), may be offered only by a Member designated in the report, shall be debatable for 10 minutes (unless otherwise specified in the report) equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), shall be considered as read, and shall be not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report and those amendments en bloc as described in section 3 of the resolution. The rule authorizes the Chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for a division of the question in the House or in the Committee of the Whole.

The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. The rule allows the Chairman of the Committee of the Whole to recognize for consideration of any amendment printed in the Rules Committee report out of the order printed, but not sooner than one hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect. Finally, the

rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hunter and Representatives Cunningham, Ehlers, Manzullo, English, Wamp, Whitfield, Goode, Shimkus, Flake, Capito, Johnson of Illinois, Kennedy of Minnesota, Beauprez, Skelton, Spratt, Meehan, Loretta Sanchez, Tauscher, Davis of California, Langevin, Cooper, Meek of Florida, Markey, Dicks, Lantos, Cardin, Slaughter, Price of North Carolina, Waters, Bishop of Georgia, Hastings of Florida, Maloney, Woolsey, Blumenauer, Harman, Strickland, Inslee, Lee, Tierney, Schakowsky, Udall of Colorado, Matheson and Schiff.

#### OVERSIGHT—VETERANS HOMELESS ASSISTANCE PROGRAMS

*Committee on Veterans' Affairs:* Held an oversight hearing on homeless assistance programs for veterans. Testimony was heard from the following officials of the Department of Veterans Affairs: Gordon H. Mansfield, Deputy Secretary; and John Kuhn, Homeless Program Coordinator, New Jersey Health Care System; Patricia Carlile, Deputy Assistant Secretary, Special Needs Programs, Department of Housing and Urban Development; Don Winstead, Deputy Assistant Secretary, Planning and Evaluation, Office of Human Services Policy, Department of Health and Human Services; and public witnesses.

#### REVIEW CIA'S COMPENSATION REFORM INITIATIVE

*Permanent Select Committee on Intelligence:* Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing to Review CIA's Compensation Reform Initiative, Testimony was heard from departmental witnesses.

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### COMMITTEE MEETINGS FOR WEDNESDAY, MAY 19, 2004

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* business meeting to mark up an original bill to reauthorize child nutrition programs, 10:30 a.m., SH-216.

*Committee on Appropriations:* Subcommittee on District of Columbia, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the District of Columbia, 10 a.m., SD-138.

*Committee on Armed Services:* to resume hearings to examine allegations of mistreatment of Iraqi prisoners, 8:30 a.m., SH-216.

*Committee on Banking, Housing, and Urban Affairs:* to hold an oversight hearing to examine the International Monetary Fund and World Bank, 10 a.m., SD-538.

*Committee on Energy and Natural Resources:* Subcommittee on Water and Power, to hold hearings to examine S. 900, to convey the Lower Yellowstone Irrigation Project, the Savage Unit of the Pick-Sloan Missouri Basin Program, and the Intake Irrigation Project to the pertinent irrigation districts, S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, S. 2304 and H.R. 3209, bills to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project, S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska, H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District, and H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, 2:30 p.m., SD-366.

*Committee on Finance:* to hold oversight hearings to examine the Treasury Department and terrorism financing; to be followed by a hearing to examine the nominations of Juan Carlos Zarate, of California, to be Assistant Secretary for Terrorism Finance, and Stuart Levey, of Maryland, to be Under Secretary for Enforcement, both of the Department of the Treasury, and John O. Colvin, of Virginia, to be a Judge of the United States Tax Court, 10 a.m., SD-215.

*Committee on Foreign Relations:* to continue hearings to examine the way ahead in Iraq, 9:30 a.m., SD-419.

*Committee on Indian Affairs:* business meeting to consider S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States, and S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, 10 a.m., SR-485.

*Special Committee on Aging:* to hold hearings to examine Health Savings Accounts and the New Medicare Law, focusing on the future of health care, 2:30 p.m., SD-628.

#### House

*Committee on Agriculture,* hearing to review Agricultural Trade Negotiations, 10 a.m., 1300 Longworth.

*Committee on Education and the Workforce,* to mark up H.R. 4278, Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Energy and Air Quality, hearing entitled "Regional Energy

Reliability and Security: DOE Authority to Energize the Cross Sound Cable,” 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled “Competition in the Communications Marketplace: How Convergence Is Blurring the Lines Between Voice, Video, and Data Services,” 11 a.m., 2123 Rayburn.

*Committee on Government Reform*, Subcommittee on Government Efficiency and Financial Management, to mark up H.R. 3826, Program Assessment and Results Act; followed by an oversight hearing entitled “Mission Impossible? Fixing NASA’s Financial Management,” 2 p.m., 2247 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled “Federal Enterprise Architecture: A Blueprint for Improved Federal IT Investment and Cross-Agency Collaboration and Information Sharing,” 2 p.m., 2154 Rayburn.

*Committee on International Relations*, hearing on Implementation of the Millennium Challenge Act, 10:30 a.m., 2172 Rayburn.

Subcommittee on Europe, to mark up H. Res. 642, Providing for the establishment of a commission in the House of Representatives to assist parliaments in emerging democracies, 3 p.m., 2172 Rayburn.

*Committee on Resources*, to mark up the following bills: H.R. 646, To Expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862; H.R. 1156, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to increase the ceiling on the Federal share of the costs of phase I of the Orange County, California, Regional Water Reclamation Project; H.R. 2619, Kilauea Point National Wildlife Refuge Expansion Act of 2003; H.R. 2831, Newlands Project Headquarters and Maintenance Yard Facility Transfer Act; H.R. 2909, Utah Test and Training Range Protection Act; H.R. 3785, To authorize the exchange of certain land in Everglades Park; H.R. 4115, To amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation; H.R. 4158, To provide for the conveyance to the Government of Mexico of a decommissioned National Oceanic and Atmospheric Administration ship; H.R. 4362, To authorize the Secretary of the Interior to accept a parcel of Federal land in the State of

Washington in trust for the Nisqually Tribe, to ensure that the acceptance of such land does not adversely affect the Bonneville Power Administration; S. 144, Noxious Weed Control Act of 2003; and S. 1146, Three Affiliated Tribes Health Facility Compensation Act, 10 a.m., 1324 Longworth.

*Committee on Science*, Subcommittee on Energy, hearing entitled “The Impact of Federal Energy Efficiency and Renewable Energy R&D Programs,” 10 a.m., 2318 Rayburn.

Subcommittee on Environment, Technology, and Standards, hearing entitled “Homeland Security Research and Development at the EPA: Taking Stock and Looking Ahead,” 2 p.m., 2318 Rayburn.

*Committee on Small Business*, hearing entitled “Red Tape Reduction: Improving the Competitiveness of America’s Small Manufacturers,” 2 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Aviation, oversight hearing on The Use of Biometrics to Improve Aviation Security, 10 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, to mark up the following bills: H.R. 4231, amended, Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004; 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, D.C., 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. 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; H.R. 1716, amended, Veterans Earn and Learn Act of 2004; and H.R. 4175, amended, Veterans’ Compensation Cost-of-Living Adjustment Act of 2004, 2 p.m., 334 Cannon.

Subcommittee on Oversight and Investigations, hearing on the Department of Veterans’ role in the development of interoperable electronic-medical records systems in the Federal Government, 10 a.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, executive, to consider pending meeting, 1:45 p.m., executive, Briefing on Department of Defense Intelligence Reform Initiative (DoD HUMINT Reform), 2 p.m., H-405 Capitol.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, May 19

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, May 19

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond a period of 90 minutes), Senate will continue consideration of S. 2400, Department of Defense Reauthorization Act. Also, Senate will begin consideration of S. 15, Project Bioshield Act, at a time to be determined.

## House Chamber

**Program for Wednesday:** Consideration of H.R. 4200, National Defense Authorization Act for Fiscal Year 2005 (subject to a rule).



# Congressional Record

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