

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4850, District of Columbia Appropriations.

The House passed H.R. 5025, Transportation, Treasury, and Independent Agencies Appropriations Act for Fiscal Year 2005.

House Committees ordered reported 16 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S9471–S9538

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2827–2831, and S. Res. 432. **Pages S9524–25**

Measures Passed:

District of Columbia Appropriations: Committee on Appropriations was discharged from further consideration of H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2826, Senate companion measure. **Pages S9535–37**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees: Senators DeWine, Hutchison, Brownback, Stevens, Landrieu, Durbin, and Inouye. **Page S9535**

Subsequently, S. 2826 was returned to the Senate Calendar. **Page S9535**

Burma Human Rights: Committee on Foreign Relations was discharged from further consideration of S. Res. 431, expressing the sense of the Senate that the United Nations Security Council should immediately consider and take appropriate actions to respond to the growing threats posed by conditions in Burma under the illegitimate rule of the State Peace and Development Council, and the resolution was then agreed to. **Pages S9537–38**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a

committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency, Ayad Allawi, Prime Minister of the Interim Government of the Republic of Iraq, into the House Chamber for the joint meeting on Thursday, September 23, 2004.

Page S9538

Nominations Confirmed: Senate confirmed the following nomination:

By 77 yeas to 17 nays (Vote No. Ex. 187), Porter J. Goss, of Florida, to be Director of Central Intelligence. **Page S9518**

Messages From the House: **Pages S9521–22**

Measures Referred: **Page S9522**

Measures Placed on Calendar: **Page S9522**

Measures Read First Time: **Page S9537**

Executive Communications: **Pages S9522–23**

Executive Reports of Committees: **Pages S9523–24**

Additional Cosponsors: **Pages S9525–26**

Statements on Introduced Bills/Resolutions: **Pages S9526–34**

Additional Statements: **Page S9521**

Notices of Hearings/Meetings: **Page S9534**

Authority for Committees to Meet: **Pages S9534–35**

Record Votes: One record vote was taken today. (Total—187) **Page S9518**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:33 p.m., until 11 a.m., on Thursday, September 23, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on Page S9538.)

Committee Meetings

(Committees not listed did not meet)

9/11 COMMISSION RECOMMENDATIONS

Committee on Appropriations: Committee concluded a hearing to examine the 9/11 Commission intelligence recommendations, focusing on the quality of analysis, effective information-sharing among agencies, protecting civil liberties, assuring clarity of authority for clandestine operations, and reforming Congressional oversight, after receiving testimony from Richard A. Posner, Judge of the Court of Appeals, 7th Circuit; John J. Hamre, Center For Strategic and International Studies, Washington, D.C., former Under Secretary of Defense; and Dale Watson, former Executive Director of Terrorism and Counter-Intelligence, Federal Bureau of Investigation, Department of Justice.

INSURANCE INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the condition and regulation of the insurance industry, after receiving testimony from Gregory Serio, New York Department of Insurance, Albany, on behalf of the National Association of Insurance Commissioners; Arthur F. Ryan, Prudential Financial, Newark, New Jersey, on behalf of the American Council of Life Insurers; William H. McCartney, United Services Automobile Association Group, San Antonio, Texas; J. Robert Hunter, Consumer Federation of America, and Brian K. Atchinson, Insurance Marketplace Standards Association, both of Washington, D.C.; Alan F. Liebowitz, OMNIA (Bermuda), Ltd., Purchase, New York, on behalf of the American Bankers Insurance Association; Albert R. Counselman, Riggs, Counselman, Michaels, Downes, Inc., Baltimore, Maryland, on behalf of the Council of Insurance Agents and Brokers; Thomas B. Ahart, Ahart, Frinzi, and Smith Insurance, Phillipsburg, New Jersey, on behalf of the Independent Insurance Agents and Brokers of America, Inc.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2541, to reauthorize and restructure the National Aeronautics and Space Administration, with amendments;

S. 2393, to improve aviation security, with an amendment;

S. 1798, to provide for comprehensive fire safety standards for upholstered furniture, mattresses, bed-

clothing, and candles, with an amendment in the nature of a substitute;

S. 2820, to ensure the availability of certain spectrum for public safety entities by amending the Communications Act of 1934 to establish January 1, 2009, as the date by which the transition to digital television shall be completed, with amendments;

S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services, with an amendment in the nature of a substitute;

S. 1380, to distribute universal service support equitably throughout rural America;

S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute;

S. 2647, to establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective interagency coordination, with an amendment in the nature of a substitute;

S. 2489, to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with an amendment in the nature of a substitute;

S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996; and

The nominations of Deborah P. Majoras, of Virginia, and Jon D. Leibowitz, of Maryland, both to be Federal Trade Commissioners, sundry nominations for promotion in the U.S. Coast Guard and the National Oceanic and Atmospheric Administration.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Lloyd O. Pierson, an Assistant Administrator for Africa, United States Agency for International Development, and to be a Member of the Board of Directors of the African Development Foundation, after the nominee, who was introduced by Representative Royce, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on the Governmental Affairs: Committee ordered favorably reported an original bill to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 2686, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute;

S. 518, to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy, with an amendment in the nature of a substitute;

S. 2283, to extend Federal funding for operation of State high risk health insurance pools, with an amendment in the nature of a substitute;

S. 1217, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls, with an amendment in the nature of a substitute;

S. 2815, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis;

S. 2526, to reauthorize the Children's Hospitals Graduate Medical Education Program, with an amendment in the nature of a substitute;

S. Res. 389, expressing the sense of the Senate with respect to prostate cancer information; and

An original bill entitled "Elder Justice Act"; and

The nominations of Jonathan Baron, of Maryland, Elizabeth Bryan, of Texas, James R. Davis, of Mississippi, Frank H. Handy, of Florida, Eric Hanushek, of California, Caroline Hoxby, of Massachusetts, Roberto Lopez, of Texas, Richard Milgram, of New Mexico, Sally Shaywitz, of Connecticut, Joseph Torgesen, of Florida, Herbert Walberg, of Illinois, each to be a Member of the Board of Directors of the National Board for Education Sciences, Herman Belz, of Maryland, Craig Haffner, of California, James Hunter, of Virginia, Tamar Jacoby, of New Jersey, Harvey Klehr, of Georgia, Thomas Lindsay, of Texas, Iris Love, of Vermont, Thomas Mallon, of Connecticut, and Ricardo Quinones, of California, each to be a Member of the National Council on the Humanities, Beverly Allen, of Georgia, Gail Daly, of Texas, Donald Leslie, of Wisconsin, Amy Owen, of Utah, Sandra Pickett, of Texas, Renee Swartz of New Jersey, and Kim Wang, of California, each to be a Member of the National Museum and Library Services Board, James Ballinger, of Arizona, Gerald Schwarz, of Washington, and Terence Teachout, of New York, each to be a Member of the National

Council on the Arts, Maria Otero, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace, John Hager, to be an Assistant Secretary of Education for Special Education and Rehabilitative Services, Young Woo Kang, of Indiana, to be a Member of the National Council on Disability, Juan Olivarez, William Hiller, and Richard Wagner, of Florida, each to be a Member of the National Institute for Literacy Advisory Board, Arden Bement, Jr., of Indiana, to be Director of the National Science Foundation, and sundry nominations for promotion in the Public Health Service.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 556, to amend the Indian Health Care Improvement Act to revise and extend that Act, with an amendment in the nature of a substitute;

S. 1438, to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of claims of the Tribe concerning the contribution of the Tribe to the production of hydropower by the Grand Coulee Dam, with an amendment in the nature of a substitute; and

S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, with an amendment in the nature of a substitute.

Also, Committee approved the issuance of various subpoenas pursuant to the *In re Tribal Lobbying Matters*, et al. investigation.

NATIVE AMERICAN CODE TALKERS

Committee on Indian Affairs: Committee concluded an oversight hearing on the contributions of Native American code talkers in American military history, after receiving testimony from Gordon H. Mansfield, Deputy Secretary of Veterans Affairs; Brigadier General John S. Brown, USA (Ret.), U.S. Army Center of Military History; Clarence Wolf Guts, and John Yellow Bird Steele, both of the Oglala Sioux Tribe, Pine Ridge, South Dakota; Don Loudner, American Indian Veterans of the United States, Mitchell, South Dakota; Robin Roberts, USMC (Ret.), Sac Fox Tribe, and Samson Keahna, Sac and Fox Tribe of the Mississippi in Iowa, both of Tama, Iowa; Gregory E. Pyle, Choctaw Nation of Oklahoma, Durant; Melvin Kerchee, Jr., Comanche Nation, Lawton, Oklahoma; and William C. Meadows, Southwest Missouri State University Department of Sociology and Anthropology, Springfield.

COUNTER-TERRORISM

Committee on the Judiciary: Committee concluded a hearing to examine counterterrorism legislation and proposals, including the USA PATRIOT ACT (P.L. 107-56), and S. 1709, to amend the USA PATRIOT ACT to place reasonable limitations on the use of surveillance and the issuance of search warrants, (the SAFE Act), after receiving testimony from Senators Craig and Durbin; former Representative Bob Barr; James B. Comey, Deputy Attorney General, Department of Justice; and Daniel P. Collins, Munger, Tolles, and Olson, LLP, Los Angeles, Cali-

fornia, former Associate Deputy Attorney General, Department of Justice.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Christopher A. Boyko, to be United States District Judge for the Northern District of Ohio, who was introduced by Senator DeWine and Representative LaTourette, and Beryl A. Howell, of the District of Columbia, who was introduced by Senator Leahy, to be a Member of the United States Sentencing Commission, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 5119-5128; and; 11 resolutions, Con. Res. 495-496, and H. Res. 784, 786-793 were introduced.

Pages H7442-43

Additional Cosponsors:

Page H7443

Reports Filed: Reports were filed today as follows:

H.R. 4555, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards, amended (H. Rept. 108-694); and

H. Res. 785, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108-695).

Pages H7441-42

Chaplain: The prayer was offered today by Rev. Austin DeLoach, Jr., Pastor, Southside Baptist Church in Lakeland, Georgia.

Page H7331

Transportation, Treasury, and Independent Agencies Appropriations Act for FY05: The House passed H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and Independent agencies for the fiscal year ending September 30, 2005, by a yea and nay vote of 397 yeas to 12 nays, Roll No. 465. The bill was also considered on Tuesday, September 14, Wednesday, September 15, and Tuesday, September 21.

Pages H7336-51

Agreed Tuesday, September 14, to limit further amendments offered and the time for debate on such amendments.

The unanimous consent agreement was amended on Wednesday, September 15 to strike any provision

for the amendment by Representative Flake regarding Cuba.

A separate vote was demanded on the Stenholm amendment that prohibits the use of funds to implement any suspension of issuance of obligations of the U.S. for purchase by the Civil Service Retirement and Disability Fund, to implement any suspension of issuance of obligations of the U.S. for purchase by the Thrift Savings Fund for the Government Securities Investment Fund, or to implement any sale or redemption of securities, obligations, or other invested assets of the Civil Service Retirement and Disability Fund before maturity, which was agreed to yesterday, September 21, by a voice vote (agreed to by a recorded vote of 404 yeas to 8 nays, Roll No. 463);

Pages H7348-49

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report it back to the House promptly with an amendment, by a yea and nay vote of 201 yeas to 210 nays, Roll No. 464.

Pages H7349-50

Agreed to:

Lee amendment that prohibits the use of funds to implement, administer, or enforce the amendments made to the Code of Federal Regulations relating to specific licenses for U.S. academic institutions;

Pages H7337-39

Waters amendment (no. 12 printed in the Congressional Record of September 15) that prohibits the use of funds to implement any sanction imposed by the U.S. on private commercial sales of agricultural commodities, medicine, or medical supplies to Cuba (agreed to by voice vote, after agreeing to vitiate the request for a recorded vote); and

Pages H7336-37

Olver amendment prohibits the use of funds to issue or implement the proposed regulation entitled Parts and Accessories Necessary for Safe Operation; Certification of Compliance With Federal Motor Vehicle Safety Standards, published in the Federal Register on March 19, 2002 (by a recorded vote of 339 ayes to 70 noes, Roll No. 462).

Pages H7340–46, H7347–48

Rejected:

Rangel amendment that sought to prohibit the use of funds to implement, administer, or enforce the economic embargo of Cuba (by a recorded vote of 188 ayes to 225 noes, Roll No. 461).

Pages H7339–40, H7346–47

H. Res. 770, the rule providing for consideration of the bill was agreed to on Tuesday, September 14.

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

Civil War Sesquicentennial Commission Act: H.R. 2449, amended, to establish a commission to commemorate the sesquicentennial of the American Civil War;

Pages H7351–54

Hudson-Fulton-Champlain 400th Commemoration Commission Act of 2003: H.R. 2528, amended, to establish the Hudson-Fulton-Champlain 400th Commemoration Commission;

Pages H7354–57

Supporting the goals and ideals of National Preparedness Month: H. Con. Res. 489, supporting the goals and ideals of National Preparedness Month;

Pages H7357–59

Supporting the goals and ideals of National Long-Term Care Residents' Rights Week: H. Res. 772, supporting the goals and ideals of National Long-Term Care Residents' Rights Week and recognizing the importance to the Nation of residents of long-term care facilities, including senior citizens and individuals living with disabilities;

Pages H7359–60

Expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion: H. Con. Res. 473, amended, expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion;

Pages H7360–61

Agreed to amend the title so as to read: expressing the sense of Congress that it is appropriate to annually observe Patriot Day, September 11, with voluntary acts of service and compassion. Page H7361

Eva Holtzman Post Office Building Designation Act: H.R. 5039, to designate the facility of the United States Postal Service located at United States Route 1 in Ridgeway, North Carolina, as the "Eva Holtzman Post Office";

Pages H7362–63

United States Postal Service Henry Johnson Annex Redesignation Act: H.R. 480, to redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex";

Pages H7363–64

Congratulating Lance Armstrong on his record-setting victory in the 2004 Tour de France: H. Res. 761, congratulating Lance Armstrong on his record-setting victory in the 2004 Tour de France;

Pages H7364–66

Recognizing the outstanding efforts of those who assisted the North Platte Canteen in Nebraska during WWII from December 25, 1941 to April 1, 1946: H. Con. Res. 161, amended, recognizing the outstanding efforts of the individuals and communities who volunteered or donated items to the North Platte Canteen in North Platte, Nebraska, during World War II from December 25, 1941, to April 1, 1946;

Pages H7366–68

Recognizing military unit family support volunteers for their service: H. Con. Res. 486, recognizing and honoring military unit family support volunteers for their dedicated service to the United States, the Armed Forces, and members of the Armed Forces and their families;

Pages H7368–70

Commending the National Oceanic and Atmospheric Administration: H. Con. Res. 488, amended, commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley and Frances;

Pages H7370–73

Agreed to amend the title so as to read: commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley, Frances, and Ivan.

Page H7373

Justin W. Williams United States Attorney's Building Designation Act: 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";

Pages H7373–74

Joe Skeen Federal Building Designation Act: H.R. 3734, to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building";

Pages H7374–76

Calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights: S. Con. Res. 137, calling for the suspension of Sudan's membership on the United Nations Commission on Human Rights;

Pages H7381–86

Condemning the terrorist attack in Jakarta, Indonesia, that occurred on 9/9/04: H. Res. 767, amended, condemning the terrorist attack in Jakarta, Indonesia, that occurred on September 9, 2004;

Pages H7386–88

Encouraging the International Olympic Committee to select New York City as the site of the 2012 Olympic Games: H. Con. Res. 475, encouraging the International Olympic Committee to select New York City as the site of the 2012 Olympic Games;

Pages H7388–90

Supporting the goals of National Farm Safety and Health Week: H. Con. Res. 494, supporting the goals and purposes of National Farm Safety and Health Week and applauding the men and women who provide a stable supply of food and fiber for the United States and the world;

Pages H7390–91

Pine Springs Land Exchange Act: H.R. 4806, amended, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico;

Pages H7395–96

Authorizing a feasibility study with respect to the Mokelumne River: H.R. 4045, amended, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; and

Pages H7396–97

Creating the Office of Chief Financial Officer for the Government of the Virgin Islands: H.R. 3589, amended, to create the Office of Chief Financial Officer of the Government of the Virgin Islands.

Pages H7397–99

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further consideration will continue tomorrow, September 23.

Adoption Tax Relief Guarantee Act: H.R. 1057, to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

Pages H7376–81

Pledge Protection Act of 2004—Rule for Consideration: The House agreed to H. Res. 781, the rule providing for consideration of H.R. 2028, to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance, by voice vote.

Pages H7391–95

Tax Relief, Simplification, and Equity Act of 2003—Motion to Instruct Conferees: The House debated the Moore motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability

of the child tax credit. Further proceedings on the motion were postponed.

Pages H7399–H7404

Senate Message: Message received from the Senate today appears on page 7331.

Senate Referral: S. 2279 was referred to the Committee on Transportation and Infrastructure.

Page H7440

Quorum Calls—Votes: Two yea and nay votes and three recorded votes developed during the proceedings of today and appear on pages H7346–47, H7347, H7349, H7350, H7351. There were no quorum calls.

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

Committee Meetings

REPAIRING THE 21ST CENTURY CAR

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled “Repairing the 21st Century Car: Is Technology Locking the Consumer Out?” Testimony was heard from public witnesses.

E-RATE PROGRAM INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Problems with the E-rate Program: Waste, Fraud, and Abuse Concerns in the Wiring of Our Nation’s Schools to the Internet.” Testimony was heard from the following officials of the FCC: H. Walker Feaster, III, Inspector General; and Jeffrey Carlisle, Chief, Wireline Competition Bureau; and public witnesses.

In refusing to give testimony at the hearing, the following individuals: Judy Green, former E-rate Consultant and Salesperson, Video Network Communications, Inc., and Quentin R. Lawson, National Alliance of Black School Educators, invoked Fifth Amendments privileges.

9/11 COMMISSION RECOMMENDATIONS

Committee on Financial Services: Held a hearing entitled “Legislative Proposals to Implement the Recommendations of the 9/11 Commission.” Testimony was heard from the following officials of the Department of the Treasury: Stuart A. Levey, Under Secretary, Office of Terrorism and Financial Intelligence; and Brian C. Roseboro, Under Secretary, Domestic Finance.

DRUG TREATMENT ACCESS

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “Access to Recovery: Improving Participation and Access in Drug Treatment.”

Testimony was heard from Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Michael Passi, Associate Director, Department of Family and Community Services, City of Albuquerque, NM; and a public witness.

DIETARY SUPPLEMENTS

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled "Dietary Supplements: Nature's Answer to Cost Effective Preventative Medicine." Testimony was heard from Paul Coates, Director, Office of Dietary Supplements, NIH, Department of Health and Human Services; and public witnesses.

COMBATING TERRORISM: 9/11 RECOMMENDATIONS AND NATIONAL STRATEGIES

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Combating Terrorism: The 9/11 Commission Recommendations and the National Strategies." Testimony was heard from the following members of the 9/11 Commission: Slade Gorton; and Richard Ben-Veniste; Norman Rabkin, Managing Director, Homeland Security and Justice Team, GAO; Raphael Perl, Senior Policy Analyst, CRS, Library of Congress; and a public witness.

IDENTITY THEFT

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held an oversight hearing entitled "Identity Theft: The Causes, Costs, Consequences, and Potential Solutions?" Testimony was heard from Orson Swindle, Commissioner, FTC; Steven Martinez, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; Larry Johnson, Special Agent in Charge, Criminal Investigative Division, U.S. Secret Service, Department of Homeland Security; Patrick O'Carroll, Acting Inspector General, SSA; and public witnesses.

ASIA'S ENVIRONMENTAL CHALLENGES

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Asia's Environmental Challenges. Testimony was heard from public witnesses.

LIBYA'S WMD DISARMAMENT

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on Disarmament of Libya's Weapons of Mass Destruction. Testimony was heard from Representative Weldon (PA); and

the following officials of the Department of State: Paula A. DeSutter, Assistant Secretary, Bureau of Verification and Compliance; Philo Dibble, Deputy Assistant Secretary, Bureau of Near Eastern Affairs; and Kurt Kessler, Acting Deputy Director, Bureau of Nonproliferation.

JUSTICE FOR ALL ACT; BALANCED BUDGET AMENDMENT

Committee on the Judiciary: Ordered reported H.R. 5107, Justice For All Act of 2004.

The Committee began consideration of H. J. Res. 22, Proposing a balanced budget amendment to the Constitution of the United States.

CIVIL RIGHTS COMMISSION SUBPOENA

Committee on the Judiciary: Subcommittee on the Constitution approved a motion to authorize the issuance of a subpoena to Custodian of Records, United States Commission on Civil Rights.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H.J. Res. 102, Recognizing the 60th anniversary of the Battle of Peleliu and the end of Imperial Japanese control of Palau during World War II and urging the Secretary of the Interior to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark and to establish commemorative programs honoring the Americans who fought there; H. Res. 737, Recognizing the 60th anniversary of the Liberation of Guam during World War II; H. Res. 752, Expressing continued support for the construction of the Victims of Communism Memorial; H.R. 2440, amended, Indian Health Care Improvement Act; H.R. 3176, amended, Ojito Wilderness Act; H.R. 3283, amended, Federal Lands Recreation Enhancement Act; H.R. 3391, amended, Provo River Project Transfer Act; H.R. 4593, amended, Lincoln County Conservation, Recreation, and Development Act; H.R. 4650, Wichita Project Equus Beds Division Authorization Act of 2004; H.R. 4683, amended, Gullah/Geechee Cultural Heritage Act; H.R. 4887, amended, Cumberland Island Wilderness Boundary Adjustment Act of 2003; H.R. 4908, amended, Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2004; H.R. 5016, To extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska; H.R. 5104, To amend the Marine Mammal Protection Act of 1972 to authorize appropriations for the John H. Prescott Marine Mammal Rescue Assistance Grant Program; and S. 347, amended, Rim of the Valley Corridor Study Act.

WATER LEGISLATION

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 2603, To impose limitations on the authority of the Secretary of the Interior to claim title or other rights to water absent specific direction of law or to abrogate, injure, or otherwise impair any right to the use of any quantity of water; H.R. 4580, To remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States; and H.R. 4623, Eastern New Mexico Rural Water System Act of 2004. Testimony was heard from Mark Limbaugh, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Committee granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of September 23, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.

NATURAL GAS PRICES IMPACT

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The Impact of High Natural Gas Prices on Small Farmers and Manufacturers." Testimony was heard from Representatives King (IA), and Peterson (PA); and public witnesses.

HAITI TRADE PREFERENCES

Committee on Ways and Means: Subcommittee on Trade held a hearing on Trade Preferences for Haiti. Testimony was heard from Senators Dewine and Graham (FL); and public witnesses.

CYBER ISSUES BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Cyber Issues. The Committee was briefed by departmental witnesses.

EMERGENCY WARNING SYSTEMS

Select Committee on Homeland Security: Subcommittee on Emergency Preparedness and Response held a hearing entitled "Emergency Warning Systems:

Ways to Notify the Public in the New Era of Homeland Security." Testimony was heard from Reynold N. Hoover, Director, National Security Coordination, Department of Homeland Security; James Dailey, Director, Homeland Security, FCC; and public witnesses.

Joint Meetings**HEALTH INSURANCE**

Joint Economic Committee: Committee concluded a hearing to examine consumer choice and addressing "adverse selection" concerns with regard to health care and health insurance, focusing on ways insurance markets might use pooling and pricing of risks to resolve coverage issues, after receiving testimony from Mark V. Pauly, University of Pennsylvania Wharton School, Philadelphia; James H. Cardon, Brigham Young University Department of Economics, Provo, Utah; Jeffrey M. Closs, BENU, Inc., San Mateo, California; and Linda J. Blumberg, Urban Institute, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 23, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine National Labor Relations Board issues, 9:30 a.m., SD-192.

Committee on Armed Services: to hold hearings to examine the Global Posture Review of United States military forces stationed overseas, 2:30 p.m., SH-216.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the role of prescription drug monitoring programs, 2 p.m., SD-430.

Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 4 p.m., SH-219.

Special Committee on Aging: to meet to discuss the new Medicare-approved prescription drug cards and transitional assistance programs for seniors, 2:30 p.m., SD-628.

House

Committee on Agriculture, to consider the following measures: H. Res. 261, Expressing the support of the House of Representatives for the efforts of organizations such as Second Harvest to provide emergency food assistance to hungry people in the United States, and encouraging all Americans to provide volunteer services and other support for local antihunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; H. Res. 481, Recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs to

efforts to decrease hunger and help feed those in need; H.R. 2119, To provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina; H.R. 2984, To amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears, H.R. 3372, To designate the facility of the Agriculture Research Service of the Department of Agriculture located at State Highway 26 West in Poplarville, Mississippi, as the "Thad Cochran Southern Horticultural Laboratory;" H.R. 3514, Pennsylvania National Forest Improvement Act of 2003; S. 33, To authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; H.R. 4569, To provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen *Phytophthora ramorum*; H.R. 4620, To confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; H.R. 4918, To provide for the conveyance of certain Federal land administered by the Department of Agriculture in the City of Bastrop, Louisiana, to the City to permit the City to establish and operate a regional emergency services training center for firefighters, police, and EMS personnel serving rural communities in northeast Louisiana, southern Arkansas, and western Mississippi; H.R. 5042, To amend the Department of Agriculture Organic Act of 1944 to ensure that the dependents of employees of the Forest Service stationed in Puerto Rico receive a high-quality elementary and secondary education; and S. 1814, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior, 1 p.m., 1300 Longworth.

Committee on Education and the Workforce, Subcommittee on 21st Century Competitiveness, hearing entitled "Current Safeguards Protecting Taxpayers Against Diploma Mills," 11 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and Hazardous Materials, to mark up H.R. 4940, Municipal Solid Waste Responsibility Act of 2004, 12 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "FDA's Role in Protecting the Public Health: Examining FDA's Review of Safety and Efficacy Concerns in Anti-Depressant Use by Children," 11 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled "Encouraging Small Business Growth and Access to Capital," 11 a.m., 2128 Rayburn.

Committee on Government Reform, hearing entitled "Intellectual Property Piracy: Are We Doing Enough to Protect U.S. Innovation Abroad?" 11 a.m., 2154 Rayburn.

Committee on International Relations, hearing on United States Security Policy in Afghanistan on the Eve of National Elections, 1 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, to mark up the following measures: H.R. 4547, Defending America's Most Vulnerable Safe Access to Drug Treatment and Child Protection Act of 2004; S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003; and H.R. 4264, Animal Fighting Prohibition Enforcement Act of 2004, 9 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on the Upcoming Thirteenth Regular Meeting of the Conference of the Parties (COP13) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 2 p.m., 1324 Longworth.

Committee on Ways and Means, September 23, Subcommittee on Select Revenue Measures, hearing on Select Tax Issues, 11:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

11 a.m., Thursday, September 23

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, September 23

Senate Chamber

Program for Thursday: After the transaction of morning business (not to extend beyond 30 minutes), Senate hopes to begin consideration of the Foreign Operations Appropriations bill for fiscal year 2005 and the Conference Report to accompany H.R. 1308, Tax Relief, Simplification and Equity Act.

(At approximately 9:30 a.m., Senators will meet in the Senate Chamber to proceed to the House of Representatives for a Joint Meeting of Congress, to begin at 10 a.m., to receive an address from His Excellency Ayad Allawi, Prime Minister of the Interim Government of the Republic of Iraq.)

House Chamber

Program for Thursday: Joint Meeting to Receive His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq.

Consideration of H.R. 2028, Pledge Protection Act of 2004 (structured rule, one hour of debate).

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