



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, TUESDAY, OCTOBER 5, 2004

No. 124—Part II

House of Representatives

□ 0749

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 7 o'clock and 49 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5212, EMERGENCY SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 2005, FOR ADDITIONAL DISASTER ASSISTANCE RELATING TO STORM DAMAGE

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-735) on the resolution (H. Res. 819) providing for consideration of the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4850, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-736) on the resolution (H. Res. 822) waiving points of order against the conference report to accompany the bill (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 for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5107, JUSTICE FOR ALL ACT OF 2004

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108-737) on the resolution (H. Res. 823) providing for consideration of the bill (H.R. 5107) to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Ms. PELOSI) for today before 2 p.m. on account of personal reasons.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for October 4 and today before 5 p.m. on account of official business.

Mr. KLECZKA (at the request of Ms. PELOSI) for today after 6:30 p.m. and October 6 on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POMEROY) to revise and ex-

tend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Ms. BALDWIN, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Mr. TURNER of Texas, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Mr. INSLER, for 5 minutes, today.

(The following Members (at the request of Mr. GOODLATTE) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today and October 6.

Mr. PEARCE, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today.

ADJOURNMENT

Mr. PUTNAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes a.m.), the House adjourned until today, Wednesday, October 6, 2004, at 10 a.m.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H8163

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10011. A letter from the Deputy Secretary, Department of Defense, transmitting Certification that the total cost for the planning, design, construction, and installation of equipment for the renovation of Wedges 2 through 5 of the Pentagon, cumulatively, will not exceed four times the total cost for the planning, design, construction and installation of equipment for the renovation of Wedge 1, pursuant to 10 U.S.C. 2674 Public Law 108-87, section 8055(a); to the Committee on Armed Services.

10012. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Admiral Frank L. Bowman, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

10013. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James C. Dawson, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

10014. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Hal M. Hornburg, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

10015. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Admiral Thomas B. Fargo, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

10016. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the DoD Mentor-Protege Program Annual Report for 2004, pursuant to Public Law 101-510, section 831; to the Committee on Armed Services.

10017. A letter from the Deputy Chief of Naval Operations (Manpower and Personnel), Department of Defense, transmitting notification of a decision to convert to contractor performance by private sector Public Works Center Maintenance and Hazardous Materials of the Washington, DC metro area (initiative number NC20010699); to the Committee on Armed Services.

10018. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the first annual report to Congress on the Defense Acquisition Challenge Program for FY 2003, pursuant to 10 U.S.C. 2359b(i); to the Committee on Armed Services.

10019. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the State of Qatar pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

10020. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's Combined Annual Performance Report 2003/Initial Annual Performance Plan 2005 and Annual Performance Plan 2004, prepared in accordance with the Government Performance and Results Act and OMB Circular No. A-11; to the Committee on Government Reform.

10021. A letter from the Chairman, Securities and Exchange Commission, transmitting the annual report of the Securities Investor Protection Corporation for the year 2003, pursuant to 15 U.S.C. 78ggg(c)(2); to the Committee on Financial Services.

10022. A letter from the Secretary, Department of Education, transmitting a follow-up report on the recommendations of Presidential Advisory Committee, pursuant to section 6(b) of the Federal Advisory Committee Act, as amended; to the Committee on Education and the Workforce.

10023. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Listing of Substances in the Foam Sector [OAR-2003-0228, FRL-7821-6] (RIN: 2060-AG12) received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10024. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Minnesota; Sulfur Dioxide; United Defense [R05-OAR-2004-MN-0001; FRL-7794-5] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10025. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Carbon Monoxide Maintenance Plan Update; Limited Maintenance Plans. [R01-OAR-2004-CT-0003; A-1-FRL-7801-2] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10026. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to New Source Review Rules [RME Docket Number R08-OAR-UT-0002; FRL-7791-7] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10027. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Colorado Springs Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions [RME Docket Number R08-OAR-2004-CO-0002; FRL-7809-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10028. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference [VA160-5083; FRL-7808-8] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10029. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans for California-San Joaquin Valley PM-10 [CA-121-CORR; FRL-7807-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10030. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Source Review; State of Nevada, Clark County Department of Air Quality and Environmental Management [NV054-081; FRL-7808-7] received September

1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10031. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Standards for Hazardous Air Pollutants for Secondary Aluminum Production [OAR-2002-0084; FRL-7808-2] received September 1, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10032. A letter from the Chairman, Federal Communications Commission, transmitting a report on Auction Expenditures for FY 2003, pursuant to the Balanced Budget Act of 1997, as codified in Section 309(j)(8)(B) of the Communications Act of 1934, as amended; to the Committee on Energy and Commerce.

10033. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Canada for defense articles and services (Transmittal No. 04-39), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

10034. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 10-04 informing of an intent to sign a Memorandum of Understanding Concerning Cooperation in Post-Production Support of Harrier Aircraft with Italy, Spain, and the United Kingdom and a Project Agreement with Italy Concerning Post-Production In-Service Support of the T/AV-8B Aircraft, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10035. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed lease of defense articles or defense services to the Czech Republic (Transmittal No. DDTC 078-04), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10036. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Sections 101 and 102(b) of the Arms Export Control Act, the President has determined and certified that it is in the national interest to waive restrictions and allow the Export-Import Bank to support United States exports to Libya (PD 2004-44), with an accompanying justification by the Secretary, in accordance with Section 2(b)(4) of the Export-Import Bank Act of 1945, as amended; to the Committee on International Relations.

10037. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the heading "Loan Guarantees to Israel" in Chapter 5 of Title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Pub. L. 108-11); to the Committee on International Relations.

10038. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for the waiver of loan default sanctions under Section 620(q) of the Foreign Assistance Act to support the Government of Ethiopia; to the Committee on International Relations.

10039. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Presidential Determination (No. 2004-52) and an explanation of relevant factors that support rescinding the designation of Iraq as a state sponsor of terrorism with respect to Section 6(j)(4)(A) of the Export Administration Act of 1979, Pub. L. 96-72, as amended, and as continued in effect by Executive Order 13222 of August 17, 2001; section 620A(c)(1) of the Foreign Assistance Act of 1962, Pub. L. 87-195, as

amended; and Section 40(f)(1)(A) of the Arms Export Control Act, Pub. L. 90-629, as amended; to the Committee on International Relations.

10040. A letter from the Assistant Secretary for Policy, Management, and Budget, Department of the Interior, transmitting the Department's Annual Report on grants streamlining and standardization, covering the period from May 2003 to May 2004, pursuant to Public Law 106-107, section 5 (113 Stat. 1488); to the Committee on Government Reform.

10041. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10042. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10043. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled "Annual Report to Congress on Implementation of Public Law 106-107"; to the Committee on Government Reform.

10044. A letter from the Associate Special Counsel for Legal Counsel and Policy, Office of Special Counsel, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

10045. A letter from the Director, Officer of Personnel Management, transmitting the Chief Human Capital Officers (CHCO) Council's Report to Congress covering FY 2003, pursuant to 5 U.S.C. 1401 note Public Law 107-296 section 1303(d); to the Committee on Government Reform.

10046. A letter from the Chairman, Commission on Ocean Policy, transmitting the final report on the recommendations for a national ocean policy entitled, "An Ocean Blueprint for the 21st Century," pursuant to Public Law 106-553, section Title V (114 Stat. 2762A-98); to the Committee on Resources.

10047. A letter from the Assistant Secretary for Policy, Management, & Budget, Department of the Interior, transmitting the Department's report on the administration of the Marine Mammal Protection Act of 1972, covering calendar years 1999 and 2000, pursuant to 16 U.S.C. 1373(f); to the Committee on Resources.

10048. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by the "21st Century Department of Justice Appropriations Authorization Act," related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

10049. A letter from the Deputy Executive Director, Reserve Officers Association, transmitting the Association's report of audit for the year ending March 31, 2004, pursuant to Public Law 90-595, section 16; to the Committee on the Judiciary.

10050. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Patapsco River, Baltimore, MD [CGD05-04-157] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10051. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Special Local Regulations for Marine Events; Susquehanna River, Port Deposit, MD [CGD05-04-143] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10052. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2004 MTV Video Music Awards, American Airlines Arena, Port of Miami, Miami, FL [CGD07-04-103] (RIN: 1625-AA08) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10053. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wiscasset, Maine, Demolition of Maine Yankee former containment building [CGD01-04-099] (RIN: 2115-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10054. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Metro North Railroad Bridge over the Norwalk River, Norwalk, Connecticut [CGD01-04-111] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10055. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Delaware River, [CGD05-04-170] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10056. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Anchorage Grounds and Safety Zone; Delaware Bay and River [CGD05-04-172] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10057. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security and Safety Zone: Protection of Large Passenger Vessels, Portland, OR [CGD13-04-031] (RIN: 1625-AA00) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10058. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Bayou Lafourche, Clotilda, LA [CGD08-04-024] (RIN: 1625-AA09) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10059. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Massalina Bayou, Panama City, FL [CGD08-04-031] (RIN: 1625-AA09) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10060. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Connecticut River, CT, [CGD01-04-105] received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-

mittee on Transportation and Infrastructure.

10061. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Fore River, Me. [CGD01-04-114] received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10062. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lexington, NE. [Docket No. FAA-2004-18011; Airspace Docket No. 04-ACE-40] received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10063. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE); CT7-2D1 Turboshift Engines [Docket No. FAA-2004-18758; Directorate Identifier 2004-NE-24-AD; Amendment 39-13763; AD 2004-16-07] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10064. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2003-NM-107-AD; Amendment 39-13765; AD 2004-16-09] received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10065. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 and 767 Airplanes [Docket No. 2003-NM-83-AD; Amendment 39-13767; AD 2004-16-11] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10066. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and -300 Series Airplanes Equipped with Off-wing Escape Slides [Docket No. 2002-NM-151-AD; Amendment 39-13766; AD 2004-16-10] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10067. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400, -401, and -402 Airplanes [Docket No. 2002-NM-132-AD; Amendment 39-13769; AD 2004-16-13] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10068. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thales Avionics Traffic Advisory/Resolution Advisory (TA/RA) Vertical Speed Indicator-Traffic Alert and Collision Avoidance System (VSI-TCAS) Indicators, Installed on But Not Limited to Certain Transport Category Airplanes Equipped with TCAS II Change 7 Computers (ACAS II) [Docket No. 2002-NM-284-AD; Amendment 39-13770; AD 2004-16-14] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10069. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146-RJ Series Airplanes [Docket No. 2003-NM-92-AD; Amendment 39-13762; AD 2004-16-06] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10070. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000-NM-419-AD; Amendment 39-13761; AD 2004-16-05] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10071. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Model Gulfstream 200 Airplanes [Docket No. 2002-NM-325-AD; Amendment 39-13759; AD 2004-16-03] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10072. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Short Brothers Model SD3 Series Airplanes [Docket No. 2002-NM-209-AD; Amendment 39-13758; AD 2004-16-02] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10073. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters Inc. Model MD900 Helicopters [Docket No. 2004-SW-10AD; Amendment 39-13764; AD 2004-16-08] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10074. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A109K2 Helicopters [Docket No. 2004-SW-14-AD; Amendment 39-13755; AD 2004-15-21] (RIN: 2120-AA64) received September 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10075. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Shungnak, AK [Docket No. FAA-2004-17661; Airspace Docket No. 04-AAL-08] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10076. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; King Salmon, AK [Docket No. FAA-2004-17660; Airspace Docket No. 03-AAL-09] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10077. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace Area; Mount Clemens, MI [Docket No. FAA-2003-16705; Airspace Docket No. 03-AGL-20] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10078. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Modification of Class E Airspace; Columbus, NE [Docket No. FAA-2004-18013; Airspace Docket No. 04-ACE-42] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Urbana, OH [Docket No. FAA-2004-16963; Airspace Docket No. 04-AGL-01] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Georgetown, OH [Docket No. FAA-2004-17093; Airspace Docket No. 04-AGL-02] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Janesville, WI [Docket No. FAA-2004-17092; Airspace Docket No. 04-AGL-07] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Camp Douglas, WI [Docket No. FAA-2004-17136; Airspace Docket No. 04-AGL-08] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Rochester, MN; Modification of Class E Airspace; Rochester, MN. [Docket No. FAA-2004-17163; Airspace Docket No. 04-AGL-10] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; South Haven, MI [Docket No. FAA-2004-17096; Airspace Docket No. 04-AGL-05] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Kalamazoo, MI [Docket No. FAA-2004-17095; Airspace Docket No. 04-AGL-04] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10086. A letter from the Chairman, Interagency Coordinating Committee on Oil Pollution Research, Department of Homeland Security, transmitting the Department's report on the Interagency Coordinating Committee on Oil Pollution Research for FY 2003 and 2004, pursuant to 33 U.S.C. 2761(e); to the Committee on Science.

10087. A letter from the Assistant Secretary of Defense for Health Affairs and the Acting Under Secretary for Health, Department of Defense and Veterans Affairs, transmitting as required by Section 8147 of the Department of Defense Appropriations Act for FY 2002, the Findings and Recommendations from the Department of Defense (DoD)/Department of Veterans Affairs

(VA) Joint Assessment Study; jointly to the Committees on Armed Services and Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes; with an amendment (Rept. 108-724 Pt. 4). Ordered to be printed.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, with an amendment (Rept. 108-724 Pt. 5). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 5011. A bill to prevent the sale of abusive insurance and investment products to military personnel; with an amendment (Rept. 108-725). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON: Committee on Energy and Commerce. H.R. 3858. A bill to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation (Rept. 108-726). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON: Committee on Energy and Commerce. H.R. 918. A bill to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services, with amendments (Rept. 108-727 Pt. 1). Ordered to be printed.

Mr. BARTON: Committee on Energy and Commerce. H.R. 3015. A bill to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance, and for other purposes; with amendments (Rept. 108-728). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 4302. A bill to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect (Rept. 108-729). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4453. A bill to improve access to physicians in medically underserved areas; with an amendment (Rept. 108-730). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4306. A bill to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment; with an

amendment (Rept. 108-731). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. S. 1194. An act to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems; with an amendment (Rept. 108-732). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. S. 129. An act to provide for reform relating to Federal employment, and for other purposes; with an amendment (Rept. 108-733). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRELINGHUYSEN: Committee of Conference. Conference report on H.R. 4850. A bill 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 for other purposes (Rept. 108-734). Ordered to be printed.

October 6, (Legislative Day October 5), 2004

Mr. PUTNAM: Committee on Rules. House Resolution 819. Resolution relating to early organization of the House of Representatives for the One Hundred Ninth Congress (Rept. 108-735). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 822. Resolution waiving points of order against the conference report to accompany the bill (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 for other purposes (Rept. 108-736). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 823. Resolution providing for consideration of the bill (H.R. 5107) to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes (Rept. 108-737). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Education and the Workforce, Energy and Commerce, International Relations, Rules, Science, Transportation and Infrastructure, Ways and Means and the Select Committee on Homeland Security discharged from further consideration. H.R. 10 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Resources discharged from further consideration. H.R. 918 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 918. Referral to the Committee on Resources extended for a period ending not later than October 5, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FILNER:

H.R. 5210. A bill to provide a monthly allotment of free telephone calling time to members of the United States Armed Forces deployed outside of the United States who are directly supporting Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. PICKERING (for himself, Mr. BERRY, Mr. MCCREERY, Mrs. EMERSON, and Mr. MORAN of Kansas):

H.R. 5211. A bill to suspend temporarily new shipper bonding privileges; to the Committee on Ways and Means.

By Mr. YOUNG of Florida (by request):

H.R. 5212. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself and Mrs. KELLY):

H.R. 5213. A bill to expand research information regarding multidisciplinary research projects and epidemiological studies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 5214. A bill to require combination 3-point safety belts on all school buses; to the Committee on Transportation and Infrastructure.

By Mr. BURNS:

H.R. 5215. A bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable tax credit for elder care expenses; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5216. A bill to suspend temporarily the duty on chloroneb; to the Committee on Ways and Means.

By Mr. CASTLE (for himself and Mr. KIRK):

H.R. 5217. A bill to provide for the security and safety of rail transportation systems in the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GEPHARDT:

H.R. 5218. A bill to increase health insurance coverage in America by requiring employers to offer health insurance coverage with greater government assistance and by expanding current safety net programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY:

H.R. 5219. A bill to require the Attorney General to establish a Federal register of cases of child abuse or neglect; to the Committee on the Judiciary.

By Mr. KING of New York (for himself and Mrs. MALONEY):

H.R. 5220. A bill to require the the Secretary of the Treasury to mint coins in commemoration of the Washington National Opera, and for other purposes; to the Committee on Financial Services.

By Mr. RENZI (for himself and Mr. MATHESON):

H.R. 5221. A bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians; to the Committee on Financial Services.

By Ms. LORETTA SANCHEZ of California:

H.R. 5222. A bill to amend chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to provide standards for the use of military commissions for the trial of offenses under the law of war or in furtherance of international terrorism; to the Committee on Armed Services.

By Mr. SHAYS (for himself and Mrs. MALONEY):

H.R. 5223. A bill to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, International Relations, Government Reform, the Judiciary, Rules, Transportation and Infrastructure, Energy and Commerce, Ways and Means, and Homeland Security (Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER (for himself, Mr. BOEHLERT, Mr. SMITH of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GUTKNECHT, Mr. SMITH of Texas, Mr. EHLERS, Mr. HALL, Mr. FEENEY, Mr. CALVERT, and Mr. WELDON of Florida):

H. Res. 820. A resolution to congratulate Mojave Aerospace Ventures for winning the privately funded \$10,000,000 Ansari X Prize and commend the X Prize Foundation for spurring this achievement; to the Committee on Science.

By Mr. CRANE (for himself, Mr. HASTERT, Mr. DELAY, Mr. HYDE, Mr. LAMPSON, Mr. MANZULLO, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. LIPINSKI, Mr. FOLEY, Mrs. BLACKBURN, Mrs. TAUSCHER, Mr. SMITH of Michigan, Mr. DUNCAN, Mr. YOUNG of Alaska, Mr. WELLER, Mr. KIRK, Mrs. BIGGERT, Mr. DREIER, Ms. ESHOO, and Mr. SHIMKUS):

H. Res. 821. A resolution condemning the abduction of Dylan Benwell from the United States and calling for his return; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

430. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 185 memorializing the President and Congress of the United States to maintain federal Section 8 program funding at 2004 levels; to the Committee on Financial Services.

431. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 156 memorializing the President and Congress of the United States to allow states to have certain regulatory power to create competition in the cable television industry; to the Committee on Energy and Commerce.

432. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 167 memorializing the Congress of the United States to enact legislation redesignating the United States Postal Service facility located at 14-24 Abbott Road in Fair Lawn, New Jersey, as the Mary Ann Collura Post Office Building; to the Committee on Government Reform.

433. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 96 memorializing the Supreme Court and Congress of the United States to take all necessary measures to preserve the phrase "one nation under God" in the Pledge of Allegiance; to the Committee on the Judiciary.

434. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 29 memorializing the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana; to the Committee on the Judiciary.

435. Also, a memorial of the House of Representatives of the State of Mississippi, relative to House Resolution No. 51 memorializing the Congress of the United States to propose an amendment to the Constitution of the United States addressing the subject of judicial taxation; to the Committee on the Judiciary.

436. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 158 memorializing the Congress of the United States to enact and fully fund the National Aeronautics and Space Administration's Vision for Space Exploration Program; to the Committee on Science.

437. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 175 memorializing the Congress of the United States to restore funding for certain Small Business Administration loans eliminated by President Bush's proposed budget for FY 2005; to the Committee on Small Business.

438. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 137 memorializing the Congress of the United States to refrain from reducing benefits or increasing age requirements for Social Security programs; to the Committee on Ways and Means.

439. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 73 memorializing the Congress of the United States to modify limits on the sum of Social Security disability and workers' compensation benefits; to the Committee on Ways and Means.

440. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 195 memorializing the Congress of the United States to oppose the Australian Free Trade Agreement (AUSFTA) and other free trade agreements which are harmful to American dairy producers; to the Committee on Ways and Means.

441. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 113 memorializing the Congress of the United States to oppose the Central America Free Trade Agreement and other free trade agreements which are harmful to American sugar producers; to the Committee on Ways and Means.

442. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 115 memorializing the Congress of the United States to defeat legislation creating the Central American Free Trade Agreement; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CRANE introduced A bill (H.R. 5224) for the relief of Dylan Brian Benwell; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. GINGREY and Mrs. MILLER of Michigan.

H.R. 97: Mr. BUTTERFIELD.

H.R. 111: Mr. DOGGETT.

H.R. 296: Mr. KING of New York, Mrs. LOWEY, and Mr. SWEENEY.

H.R. 443: Mr. MCCOTTER.

H.R. 623: Mr. MANZULLO and Mrs. SCHAKOWSKY.

H.R. 648: Mrs. CUBIN.

H.R. 738: Mr. WEINER, Ms. WOOLSEY, and Mr. CASE.

H.R. 785: Mr. GARY G. MILLER of California.

H.R. 1066: Mr. BARTLETT of Maryland.

H.R. 1111: Mr. ABERCROMBIE.

H.R. 1160: Mr. BUTTERFIELD.

H.R. 1267: Mr. OLVER.

H.R. 1336: Mr. PICKERING.

H.R. 1477: Ms. ESHOO and Mr. ISRAEL.

H.R. 1700: Mrs. JONES of Ohio.

H.R. 1741: Mr. LEWIS of Kentucky.

H.R. 1859: Mr. PICKERING, Mrs. MCCARTHY of New York, and Mr. ETHERIDGE.

H.R. 1924: Ms. HERSETH.

H.R. 1958: Ms. PELOSI and Mr. GONZALEZ.

H.R. 2037: Mr. HONDA.

H.R. 2490: Mr. CUMMINGS.

H.R. 2601: Mr. VAN HOLLEN.

H.R. 2680: Mrs. EMERSON, Mrs. CUBIN, Mr. BARTLETT of Maryland, Mr. CANTOR, Mr. SIMMONS, Mr. FOSSELLA, and Mr. HASTERT.

H.R. 2727: Mr. MOORE.

H.R. 3069: Mr. BURR.

H.R. 3203: Mr. CUMMINGS.

H.R. 3325: Mr. BLUMENAUER.

H.R. 3352: Mr. BISHOP of Utah.

H.R. 3438: Mr. MILLER of North Carolina, Mr. ORTIZ, Mr. ISSA, Mr. JOHN, Mr. CROWLEY, Mr. RODRIGUEZ, Ms. MAJETTE, Mr. UDALL of New Mexico, Mr. KING of New York, Mr. KUCINICH, and Mr. HINCHEY.

H.R. 3579: Ms. HERSETH.

H.R. 3729: Mr. TURNER of Texas, Mr. LAHOOD, Mr. CAPUANO, Mr. WOLF, Mr. COSTELLO, and Mr. TANNER.

H.R. 3950: Mr. RANGEL.

H.R. 3965: Mr. FILNER and Mr. OLVER.

H.R. 4026: Mr. YOUNG of Alaska and Mr. DAVIS of Tennessee.

H.R. 4057: Mr. KLINE.

H.R. 4154: Mr. ISRAEL.

H.R. 4180: Mrs. LOWEY.

H.R. 4187: Mr. RYAN of Wisconsin.

H.R. 4232: Mr. SANDLIN, Mr. GONZALEZ, Mr. REYES, Mr. BELL, Mr. SMITH of Texas, Mr. BONILLA, Mr. FROST, Mr. PAUL, Mr. EDWARDS, and Mr. DOGGETT.

H.R. 4249: Mr. BISHOP of New York, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Ms. HERSETH, Mr. KANJORSKI, Mr. BUTTERFIELD, Mr. BASS, Mr. LYNCH, Mr. WALSH, and Mr. MILLER of North Carolina.

H.R. 4264: Mr. ALLEN and Mr. LEVIN.

H.R. 4354: Mr. WEXLER.

H.R. 4374: Mr. KENNEDY of Rhode Island.

H.R. 4433: Mr. CLYBURN, Mr. SWEENEY, Mr. FILNER, Mr. WELLER, Mr. OWENS, Mr. SPRATT, Mrs. MALONE, Ms. GINNY BROWN-WAITE of Florida, Mr. MICHAUD, Mr. MCNULTY, Ms. SOLIS, Mr. RODRIGUEZ, and Mr. HINCHEY.

H.R. 4463: Mr. ACEVEDO-VILÁ and Mr. PALLONE.

H.R. 4576: Mr. BOOZMAN.

H.R. 4595: Mr. ALLEN.

H.R. 4610: Mr. SKELTON and Mr. ROGERS of Alabama.

H.R. 4626: Mr. LEWIS of Kentucky.

H.R. 4628: Mr. GONZALEZ.

H.R. 4636: Mr. CRAMER, Mr. VAN HOLLEN, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HALL.

H.R. 4640: Mr. GILCHREST.

H.R. 4685: Mrs. BLACKBURN, Mr. RODRIGUEZ, Mr. MICHAUD, Mr. FROST, Mr. PUTNAM, Mr. BISHOP of Georgia, Mr. CARDOZA, and Mr. MCHUGH.

H.R. 4702: Mr. THORNBERRY and Mr. NUNES.

H.R. 4747: Mr. HINCHEY.

H.R. 4824: Mr. RODRIGUEZ.

H.R. 4888: Mr. ABERCROMBIE, Mr. WYNN, and Ms. LEE.

H.R. 4902: Mr. CHANDLER, Mr. CARSON of Oklahoma, Mr. PETERSON of Minnesota, Mr. HINCHEY, and Mr. BRADLEY of New Hampshire.

H.R. 4904: Mr. LAHOOD.

H.R. 4910: Mr. BELL, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. GRIJALVA, Mr. ACKERMAN, Mr. KUCINICH, and Mr. FRANK of Massachusetts.

H.R. 4927: Mr. PICKERING, Mrs. BONO, and Mrs. JO ANN DAVIS of Virginia.

H.R. 4928: Mr. EVANS.

H.R. 4936: Mr. PAUL, Mr. MCDERMOTT, Mr. WALSH, Mr. BUTTERFIELD, Mr. STUPAK, Mr. BASS, Mr. FILNER, and Mr. VAN HOLLEN.

H.R. 4965: Mr. CHANDLER.

H.R. 4970: Mr. FILNER.

H.R. 4976: Ms. BERKLEY.

H.R. 4978: Mr. HINCHEY and Mr. FATTAH.

H.R. 4985: Mr. MCDERMOTT.

H.R. 5024: Mr. GORDON.

H.R. 5043: Mr. EVANS.

H.R. 5045: Mr. BARTLETT of Maryland, Mr. SAM JOHNSON of Texas, and Mr. KINGSTON.

H.R. 5048: Mr. ISRAEL.

H.R. 5061: Mr. FRANK of Massachusetts, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 5063: Mr. FROST, Mr. WAXMAN, Mr. OWENS, and Mr. HINCHEY.

H.R. 5076: Mr. PRICE of North Carolina.

H.R. 5081: Mr. ROGERS of Alabama and Mr. WEXLER.

H.R. 5113: Ms. MCCOLLUM.

H.R. 5119: Mr. BRADY of Texas, Mr. LAMPSON, Mr. RYAN of Ohio, and Mr. RODRIGUEZ.

H.R. 5123: Mr. ENGLISH.

H.R. 5144: Mr. CARSON of Oklahoma, Mr. BOOZMAN, Mr. SCOTT of Georgia, and Mr. SOUDER.

H.R. 5145: Mr. MCHUGH and Mr. MICHAUD.

H.R. 5150: Ms. SLAUGHTER, Mr. SHERMAN, Ms. WATSON, Ms. MCCARTHY of Missouri, Mr. VAN HOLLEN, Mr. ETHERIDGE, and Mr. ROTHMAN.

H.R. 5167: Mr. OSBORNE and Mr. LATOURETTE.

H.R. 5182: Ms. LORETTA SANCHEZ of California.

H.R. 5186: Mr. BACHUS, Mr. CASTLE, and Mrs. NORTHUP.

H.R. 5189: Mrs. MALONEY.

H.R. 5193: Mr. CANTOR, Mr. TANCREDO, Mr. FALEOMAVAEGA, Mr. PENCE, and Mr. CROWLEY.

H.R. 5198: Mrs. WILSON of New Mexico.

H.R. 5199: Mr. PALLONE.

H.R. 5203: Mr. MORAN of Kansas, Mr. ROGERS of Alabama, Mr. LUCAS of Oklahoma, Mr. ACEVEDO-VILÁ, Mr. CHANDLER, Ms. MCCOLLUM, Mr. SKELTON, Mrs. EMERSON, Ms. KAPTUR, Mrs. MUSGRAVE, Mr. TERRY, Mr. MOORE, Mr. MARSHALL, Ms. HERSETH, Ms. ROYBAL-ALLARD, Mr. MCINTYRE, Mr. LUCAS of Kentucky, Mrs. CUBIN, Mr. SIMPSON, Mr. CARDOZA, Mr. HOLDEN, Mr. ALEXANDER, Mr. KILDEE, and Ms. HOOLEY of Oregon.

H.J. Res. 57: Ms. BORDALLO.

H.J. Res. 103: Ms. MCCOLLUM.

H. Con. Res. 178: Mrs. DAVIS of California.
 H. Con. Res. 306: Mr. HAYWORTH.
 H. Con. Res. 430: Mr. JACKSON of Illinois.
 H. Con. Res. 457: Mr. KIRK.
 H. Res. 28: Mr. McCOTTER and Mr. FALEOMAVAEGA.
 H. Res. 45: Mr. BISHOP of Georgia.
 H. Res. 341: Mr. McCOTTER.
 H. Res. 750: Mr. GREEN of Wisconsin, Mr. LEVIN, Mr. LATOURETTE, Mrs. MILLER of Michigan, Mr. McHUGH, Mr. DINGELL, Mr. EHLERS, and Mr. KILDEE.
 H. Res. 796: Mr. GILLMOR.
 H. Res. 805: Mr. DAVIS of Illinois, Mr. WILSON of South Carolina, Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. VAN HOLLEN, and Mr. GEORGE MILLER of California.
 H. Res. 813: Mr. FRANK of Massachusetts and Mr. BERMAN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5212

OFFERED BY: MR. STENHOLM

AMENDMENT NO. 1: Add at the appropriate place the following new title:

TITLE

SEC. . CROP DISASTER ASSISTANCE.

(a) DEFINITIONS.—In this section:
 (1) ADDITIONAL COVERAGE.—The term “additional coverage” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).
 (2) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).
 (3) NONINSURABLE COMMODITY.—The term “noninsurable commodity” means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).
 (b) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture (referred to in this title as the “Secretary”) shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying crop or quality losses for the 2003 or 2004 crop (as elected by a producer), but not both, due to damaging weather or related condition, as determined by the Secretary.
 (c) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.
 (d) REDUCTION IN PAYMENTS.—The amount of assistance that a producer would otherwise receive for a qualifying crop or quality loss under this section shall be reduced by the amount of assistance that the producer receives under the crop loss assistance program announced by the Secretary on August 27, 2004.
 (e) INELIGIBILITY FOR ASSISTANCE.—Except as provided in subsection (f), the producers on a farm shall not be eligible for assistance under this section with respect to losses to

an insurable commodity or noninsurable commodity if the producers on the farm—
 (1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses; and
 (2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses.
 (f) CONTRACT WAIVER.—The Secretary may waive subsection (e) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—
 (1) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops; and
 (2) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).
 (g) EFFECT OF VIOLATION.—In the event of the violation of a contract under subsection (f) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.
SEC. . LIVESTOCK ASSISTANCE PROGRAM.
 (a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).
 (b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).
 (c) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock assistance program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.
SEC. . TREE ASSISTANCE PROGRAM.
 The Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 to producers who suffered tree losses during the winter of 2003 through 2004.
SEC. . COMMODITY CREDIT CORPORATION.
 The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

SEC. . REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.
 (b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—
 (1) the notice and comment provisions of section 553 of title 5, United States Code;
 (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and
 (3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).
 (c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. . EMERGENCY DESIGNATION.

Amounts appropriated or otherwise made available in this title are each designated as an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 1014). However, such amounts shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress.

H.R. 10

OFFERED BY: MR. OSE OF CALIFORNIA

AMENDMENT NO. 2: At the end of title III of the bill, insert the following:

Subtitle F—Security Barriers

SEC. 3121. EXPEDITED COMPLETION OF SECURITY BARRIERS.

(a) IN GENERAL.—In order to construct the physical barriers and roads described in section 102 of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208, div. C), the tracts of land described in subsection (b) shall be exempt from the requirements of the provisions listed in subsection (c).
 (b) LEGAL DESCRIPTION.—The tracts of land referred to in subsection (a) are as follows:
 (1) ZONE WEST.—A tract of land situated within Section 2, 3, 4, 5, 7, 8, 9, 10, and 11, Township 19 South, Range 2 West of the San Bernadino Meridian, within the County of San Diego, State of California, more particularly described as follows: Beginning at the Southwest corner of Fractional Section 7, T19S, R2W; said Point-of-Beginning being on the United States/Mexico International Boundary Line and also being a point of mean sea level of the Pacific Ocean (at Borderfield State Park); thence, N 02°31'00" W, a distance of approximately 800.00 feet to a point. Thence, N 84°44'08" E, a distance of approximately 1,845.12 feet to a point. Said point being on the Section line common to Section 7 and 8, T19S, R2W. Thence, S 01°05'10" W, along said Section line, a distance of approximately 270.62 feet to a point. Thence, S 89°49'43" E, a distance of approximately 1,356.50 feet to a point. Thence, N 45°34'58" E, a distance of approximately 1,901.75 feet to a point. Said point being on the Section line common to Sections 5 and 8, T19S, R2W. Thence, N 00°00'00" E, a distance of approximately 300.00 feet to a point. Thence, S 89°54'53" E, a distance of approximately 1,322.05 feet to a point. Thence, S 00°25'27" W, a distance of approximately 300.00 feet to a point. Said point being on the Section line common to Sections 5 and 8, T19S, R2W. Thence, S 89°37'09" E, along the

Section line common to Section 4, 5, 8, and 9, T19S, R2W, a distance of approximately 5,361.32 feet to a point. Thence, N 00°12'59" E, a distance of approximately 400.00 feet to a point. Thence, N 90°00'00" E, a distance of approximately 1,349.81 feet to a point. Said point being on the Section line common to Sections 3 and 4, T19S, R2W. Thence, S 00°30'02" W, a distance of approximately 410.37 feet to a point. Said point being the Section corner common to Sections 3, 4, 9, and 10, T19S, R2W. Thence, S 89°36'11" E, along the Section line common to Sections 2, 3, 10, and 11, T19S, R2W, a distance of approximately 6,129.36 feet to a point. Thence, along the arc of a curve to the left, having a radius of 518.88 feet, and a distance of 204.96 feet to a point. Thence, S 89°59'41" E, a distance of approximately 258.66 feet to a point. Thence, S 00°00'00" E, a distance of approximately 111.74 feet to a point. Said point being within the NW ¼ of fractional section 11, T19S, R2W, on the United States/Mexico International Boundary. Thence, S 84°41'20" W, along said United States/Mexico International Boundary, a distance of approximately 19,210.48 feet to the Point-of-Beginning. Said tract of land containing an area of 396.61 acre, more or less.

(2) ZONE EAST.—A tract of land situated within Section 32 and 33, Township 18 South, Range 1 East of the San Bernadino Meridian, County of San Diego, State of California, and being described as follows: Beginning at the ¼ Section line of Section 32, T18S, R1E. Said

Point-of-Beginning being on the United States/Mexico International Boundary Line and having a coordinate value of X = 6360877.25 Y = 1781730.88. Thence, N 00°32'02" W, a distance of approximately 163.56 feet to a point. Thence, N 78°33'17" E, a distance of approximately 1,388.23 feet to a point. Thence, N 84°37'31" E, a distance of approximately 1,340.20 feet to a point. Thence, N 75°00'00" E, a distance of approximately 1,000.00 feet to a point. Thence, S 88°06'07" E, a distance of approximately 1,806.81 feet to a point. Thence, N 80°00'00" E, a distance of approximately 1,050.00 feet to a point. Thence, N 87°00'00" E, a distance of approximately 1,100.00 feet to a point. Thence, S 00°00'00" W, a distance of approximately 300.00 feet to a point. Said point being on the United States/Mexico International boundary. Thence, S 84°44'09" W, along said boundary, a distance of approximately 7,629.63 to the Point-of-Beginning. Said tract of land having an area of approximately 56.60 acres more or less.

(c) EXEMPTION FROM CERTAIN REQUIREMENTS.—The provisions referred to in subsection (a) areas as follows:

(1) Noise Control Act of 1972 (42 U.S.C. 4901 et seq.), as amended by Quiet Communities of 1978 (P.L. 95-609).

(2) Clean Air Act and amendments of 1990 (42 U.S.C. 7401-7671q).

(3) Clean Water Act of 1977 (33 U.S.C. 1342).

(4) Executive Order 11988 (Floodplain Management), as amended by Executive Order 12608.

(5) Executive Order 11990 (Protection of Wetlands), as amended by Executive Order 12608.

(6) Coastal Zone Management Act of 1972 (16 U.S.C. 1456(c)).

(7) Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6992k) as amended by Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616; 98 Stat. 3221).

(8) Comprehensive, Environmental Response, Compensation, Liability Act of 1980 (42 U.S.C. 9601-9675), as amended by Emergency Planning and Community Right-To-Know-Act of 1986 (42 U.S.C. 11001 et seq.).

(9) Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.).

(10) Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

(11) Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712).

(12) Bald and Golden Eagle Act of 1940, as amended (16 U.S.C. 688-688d).

(13) National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended Executive Order 13007—Sacred Sites Presidential Memorandum regarding government to Government Relations (April 29, 1994).

(14) Native American Graves Protection and Repatriation Act (43 CFR Part 10).

(15) Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa-470ii).

(16) Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) of 1994.