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No. 58

Senate

The Senate was not in session today. Its next meeting will be held on Monday, May 3, 2004, at 1 p.m.

House of Representatives

FRIDAY, APRIL 30, 2004

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 30, 2004.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal Shepherd, our Stronghold and our Refuge, take this Nation under Your protection. Individually, let each one of us know that You do not reject any of us, as long as we are humble enough in Your presence and honest enough to keep asking You to forgive us for our blindness, our self-centeredness, and our failures.

Lord, perhaps as a Nation and as individual persons we make ourselves too important. At times we may think ourselves too great for You to embrace us anymore. Look upon us, Lord, and see our deepest needs. Answer our prayer. Do not let us distance ourselves from You. Give us the grace to know Your loving presence more intimately today, this weekend, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 4219. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H. Con. Res. 376. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The message also announced that the Senate had passed bills of the following titles in which the concurrence of the House is requested:

S. 150. An act to make permanent the moratorium on taxes on Internet access and

multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

S. 2267. An act to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2267. An act to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers; to the Committee on Small Business.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 4219. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1904. An act to designate the United States courthouse located at 400 North

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.



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Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse."

S. 2043. An act to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building."

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. on Tuesday next for morning hour debates.

There was no objection.

Accordingly (at 10 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until Tuesday, May 4, 2004, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

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

7911. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Fees for Product Review and Approval — received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7912. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule — Fees for Review of the Rule Enforcement Programs of Contract Markets and Registered Futures Association — received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7913. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Classical Swine Fever Status of France and Spain [Docket No. 98-090-7] (RIN: 0579-AB03) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7914. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Cattle From Australia and New Zealand; Testing Exemptions [Docket No. 99-071-3] received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7915. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Golden Nematode; Regulated Area [Docket No. 03-082-2] received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7916. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Certification Program for Imported Articles of *Pelargonium* spp. and *Solanum* spp. To Prevent Introduction of Potato Brown Rot [Docket No. 03-019-2] received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7917. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Tuberculosis in Cattle and Bison; State and Zone Designation; Michigan [Docket No. 02-112-3] received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7918. A letter from the Director, Regulatory Review Group, Commodity Credit Cor-

poration, Department of Agriculture, transmitting the Department's final rule — Flexible Marketing Allotments for Sugar (RIN: 0560-AH08) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7919. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's final rule — General Requirements for Cooperative Services Grant Programs, Value-Added Producer Grants, Agriculture Innovation Centers and Rural Cooperative Development Grants (RIN: 0570-AA40) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7920. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Loan Policies and Operations; Disclosure to Shareholders; Disclosure to Investors in Systemwide and Consolidated Bank Debt Obligations of the Farm Credit System (RIN: 3052-AC07) received April 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7921. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

7922. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and/or Defer Sanctions, South Coast Air Quality Management District [CA 304-0446; FRL-7651-6] received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7923. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 04-04 which informs of an intent to sign a Project Arrangement for the Distribution and Fate of Energetics between the United States and Canada, pursuant to 22 U.S.C. 2767(f); to the Committee on Armed Services.

7924. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to the Republic of Korea (Transmittal No. DTC-011-04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7925. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-418, "Unemployment Compensation and Domestic Violence Amendment Act of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7926. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-417, "Disposal of District-Owned Surplus Real Property in Ward 8 Temporary Amendment Act of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7927. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-416, "Commission on Selection and Tenure of Administrative Law Judges Non-Liability Temporary Act of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7928. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-415, "Freedom Way Designation Act of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7929. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. ACT 15-414, "Language Access Act of 2004," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7930. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting notice on leasing systems for the Cook Inlet, Sale 191, scheduled to be held in May 2004, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Resources.

7931. A letter from the Senior Staff Attorney, United States Court of Appeals for the First Circuit, transmitting an opinion of the United States Court of Appeals for the First Circuit (No.03-9006 — In re Bankvest Capital Corp. (March 15, 2004)); to the Committee on the Judiciary.

7932. A letter from the Secretary, Department of Transportation, transmitting the Nineteenth Annual Report of Accomplishments Under the Airport Improvement Program for Fiscal Year 2000, pursuant to 49 U.S.C. 47131; to the Committee on Transportation and Infrastructure.

7933. A letter from the United States Trade Representative, transmitting the report of the Advisory Committee for Trade Policy and Negotiations, and the policy, sectoral, and functional trade advisory committees duly constituted under said Acts, on the proposed free trade agreement between the United States and the Dominican Republic, pursuant to 19 U.S.C. 2155(e)(1); to the Committee on Ways and Means.

7934. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the Corporation's annual Management Report for FY 2003, pursuant to 31 U.S.C. 9106; jointly to the Committees on International Relations and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Mr. FILNER):

H.R. 4251. A bill to amend various laws relating to maritime transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 4252. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize grants for the repair, renovation, alteration, and construction of public elementary and secondary school facilities; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 4253. A bill to amend title 4, United States Code, to require the display at half-staff of the flag of the United States on National Workers Memorial Day; to the Committee on the Judiciary.

By Mr. BOSWELL:

H.R. 4254. A bill to authorize the Speaker of the House of Representatives and the President Pro Tempore of the Senate to make appropriate arrangements for the presentation, on behalf of Congress, of gold medals to the Meskwaki Code Talkers in recognition of their contributions to the Nation during World War II, and for other purposes; to the Committee on Financial Services.

By Mr. INSLEE:

H.R. 4255. A bill to prevent deceptive software transmission practices in order to safeguard computer privacy, maintain computer control, and protect Internet commerce; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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. GEORGE MILLER of California (for himself, Mr. WAXMAN, Mr. OWENS, Mr. LYNCH, Mr. MICHAUD, Ms. LINDA T. SANCHEZ of California, Ms. LEE, Mr. HOEFFEL, Mr. MORAN of Virginia, Ms. SLAUGHTER, Mr. ABERCROMBIE, Mr. SERRANO, Mr. DELAHUNT, Ms. DELAURO, Ms. SOLIS, Mr. SHERMAN, Mr. MATSUI, Mr. TIERNEY, Mr. MENENDEZ, Mr. BACA, Ms. WATSON, Mr. LANGEVIN, Mr. CROWLEY, Mr. ACKERMAN, Ms. MCCOLLUM, Mr. BERMAN, Mr. INSLEE, Mr. VAN HOLLEN, Mr. EVANS, Mr. WYNN, Mr. KUCINICH, Mr. NADLER, Ms. CORRINE BROWN of Florida, Mr. DICKS, Mr. GONZALEZ, Mr. HINCHEY, Mr. BROWN of Ohio, Ms. KILPATRICK, Mrs. JONES of Ohio, Ms. MCCARTHY of Missouri, Ms. NORTON, Ms. WATERS, Mr. KLECZKA, Mr. CUMMINGS, Mr. COSTELLO, Mr. RANGEL, Mr. WEINER, Ms. WOOLSEY, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. ISRAEL, Mr. KENNEDY of Rhode Island, Mr. GUTIERREZ, Mr. BISHOP of New York, Ms. CARSON of Indiana, Mr. ALLEN, Mr. RYAN of Ohio, Mr. RODRIGUEZ, Mr. UDALL of New Mexico, Mr. OLVER, Mr. OBEY, Mr. FRANK of Massachusetts, Mr. STARK, Mr. SANDERS, Mr. CAPUANO, Mr. HINOJOSA, Ms. LOFGREN, Mr. KILDEE, Mr. ANDREWS, Mr. HOLT, Mr. GEPHARDT, Mr. HONDA, Mr. SABO, Mr. MEEHAN, Ms. BALDWIN, Mr. WU, and Mr. MEEKS of New York):

H.R. 4256. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. OTTER (for himself, Mr. OBERSTAR, Mr. SIMPSON, Mr. PETERSON of Minnesota, Mr. KILDEE, Mr. MARSHALL, Mr. POMEROY, Mr. PAUL, Mr. ROSS, Mr. MCHUGH, Ms. SCHAKOWSKY, Mr. KENNEDY of Minnesota, Mr. BEREUTER, and Mr. NETHERCUTT):

H.R. 4257. A bill to amend title XVIII of the Social Security Act to clarify payment for clinical laboratory tests furnished by critical access hospitals under the Medicare Program; 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. FLAKE (for himself, Mr. FALEOMAVAEGA, Mr. ROHRBACHER, Ms. BORDALLO, Mr. HOUGHTON, Ms. WATSON, Mr. BOOZMAN, Mr. CARDOZA, Mrs. CHRISTENSEN, Mr. ACEVEDO-VILA, Mr. ABERCROMBIE, and Mr. CASE):

H. Con. Res. 410. Concurrent resolution recognizing the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands and recognizing the Marshall Islands as a staunch ally of the United States, committed to principles of democracy and freedom for the Pacific region and throughout the world; to the Committee on International Relations.

By Mr. RYUN of Kansas:

H. Con. Res. 411. Concurrent resolution to express the sense of the Congress regarding the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education of Topeka*; to the Committee on the Judiciary.

By Mr. WHITFIELD (for himself, Mr. BEREUTER, Mr. PRICE of North Carolina, and Mr. WEXLER):

H. Con. Res. 412. Concurrent resolution relating to the reunification of Cyprus; to the Committee on International Relations.

By Mr. TOM DAVIS of Virginia (for himself, Mr. SMITH of New Jersey, Ms. LOFGREN, and Ms. LORETTA SANCHEZ of California):

H. Res. 613. A resolution recognizing and honoring the tenth anniversary of Vietnam Human Rights Day; to the Committee on Government Reform.

By Mrs. MUSGRAVE:

H. Res. 614. A resolution supporting the goals of a National Motorcycle Safety and Awareness Month; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. BLUNT, Mr. LANTOS, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, Mr. MCCOTTER, Mr. CROWLEY, and Mr. ACKERMAN):

H. Res. 615. A resolution expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, Mr. MCCOTTER, and Mr. BLUNT):

H. Res. 616. A resolution condemning the recent increase in acts of anti-Semitism in members countries of the European Union, and for other purposes; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mr. PENCE, Mrs. JO ANN DAVIS of Virginia, Mr. MCCOTTER, Mr. CROWLEY, Mr. BLUNT, and Mr. LANTOS):

H. Res. 617. A resolution expressing support for the accession of Israel to the Organization for Economic Co-operation and Development (OECD); to the Committee on International Relations.

MEMORIALS

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

317. The SPEAKER presented a memorial of the Senate of the State of Kansas, relative to Senate Resolution No. 1834 memorializing the President and Congress of the United States to hold harmless those states which, as a result of their own educational accountability systems, meet or exceed requirements of or standards of the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

318. Also, a memorial of the Senate of the State of Vermont, relative to Senate Resolution No. 23, memorializing the Congress of the United States to amend the No Child Left Behind Act to include a mechanism for a waiver from its provisions for school accountability that shall be granted to states whose systems of standards and accountability result in high student achievement; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

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

H.R. 203: Mr. SHAYS.

H.R. 432: Mr. LIPINSKI.

H.R. 1057: Mr. MORAN of Kansas and Mr. FROST.

H.R. 2023: Mrs. MCCARTHY of New York.

H.R. 2173: Mr. ISRAEL and Mr. STENHOLM.

H.R. 2260: Mr. WILSON of South Carolina, Mr. GINGREY, Mr. RODRIGUEZ, Mr. GOODE, Mr. CUMMINGS, Mr. GREENWOOD, and Mr. SHIMKUS.

H.R. 2404: Ms. HARRIS and Mr. LATOURETTE.

H.R. 2562: Mr. ROSS.

H.R. 2728: Mr. WILSON of South Carolina.

H.R. 2729: Mr. WILSON of South Carolina.

H.R. 2730: Mr. WILSON of South Carolina.

H.R. 2731: Mr. WILSON of South Carolina.

H.R. 3090: Mr. OWENS.

H.R. 3266: Mrs. NAPOLITANO.

H.R. 3755: Mr. ABERCROMBIE, Mr. ISRAEL, Mr. SULLIVAN, and Mr. STENHOLM.

H.R. 3802: Mr. SMITH of New Jersey, Ms. SLAUGHTER, and Mr. RUPPERSBERGER.

H.R. 3889: Mr. CRAMER.

H.R. 3978: Mr. FOSSELLA.

H.R. 4102: Mr. ALLEN, Mr. COSTELLO, Mr. ROSS, Mr. RUSH, Ms. HOOLEY of Oregon, Mr. DAVIS of Illinois, and Mr. OWENS.

H.R. 4124: Mr. SNYDER.

H.R. 4155: Mr. McDERMOTT.

H.R. 4231: Mr. SMITH of New Jersey.

H.J. Res. 93: Mr. FILNER, Mr. ROTHMAN, Mr. MCGOVERN, Mr. PENCE, Mr. BRADY of Pennsylvania, and Mr. HILL.

H. Con. Res. 366: Mr. MEEKS of New York.

H. Con. Res. 479: Mr. NEAL of Massachusetts and Mr. TIERNEY.