

Rejected:

By 13 yeas to 85 nays (Vote No. 89), McCain Amendment No. 3129, to strike provisions relating to energy tax incentives. **Pages S5186–90, S5193**

By 23 yeas to 74 nays (Vote No. 90), Hollings Amendment No. 3134, to strike the international tax provisions that are unrelated to the FSC/ETI repeal and eliminate the phase-in of the deduction for qualified production activities income. **Pages S5194–99**

During consideration of this measure today, the Senate also took the following action:

By 90 yeas to 8 nays (Vote No. 87), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S5184**

By 59 yeas to 40 nays (Vote No. 88), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution, with respect to Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. Subsequently, the point of order that the amendment increases mandatory spending and would cause an increase in the deficit in excess of levels permitted by H. Con. Res. 95, was sustained, and the amendment thus falls. **Pages S5184–86**

**IDEA—Agreement:** A unanimous-consent agreement was reached providing for consideration of S. 1248, to reauthorize the Individuals with Disabilities Education Act, at approximately 10:30 a.m., on Wednesday, May 12, 2004. **Page S5240**

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

Transmitting, pursuant to law, the notification of an Executive Order blocking the property of certain persons and prohibiting the export of certain goods to Syria; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–76)

**Pages S5224–25**

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

Joseph F. Bader, of the District of Columbia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2007.

Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce.

Deborah P. Majoras, of Virginia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2001.

Timothy S. Bitsberger, of Massachusetts, to be an Assistant Secretary of the Treasury.

James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management. **Page S5240**

**Executive Communications:** **Pages S5225–26**

**Additional Cosponsors:** **Pages S5227–28**

**Statements on Introduced Bills/Resolutions:** **Pages S5228–36**

**Additional Statements:** **Pages S5223–24**

**Amendments Submitted:** **Pages S5236–39**

**Notices of Hearings/Meetings:** **Page S5239**

**Authority for Committees to Meet:** **Pages S5239–40**

**Record Votes:** Five record votes were taken today. (Total–91) **Pages S5184, S5186, S5193, S5199, S5218**

**Adjournment:** Senate convened at 9:47 a.m., and adjourned at 7:28 p.m., until 9:30 a.m., on Wednesday, May 12, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5240.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### CONSERVATION PROGRAMS OVERSIGHT

*Committee on Agriculture, Nutrition, and Forestry:* Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the implementation conservation programs of the 2002 Farm Bill, including the Environmental Quality Incentives Program (EQIP), the Ground and Surface Water Conservation Program, the Wetlands Reserve Program, the Grassland Reserve Program, Wildlife Habitat Incentives Program, and the Farm and Ranch Lands Protection Program, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, and James R. Little, Administrator, Farm Service Agency, both of the Department of Agriculture; Al Christopherson, Minnesota Farm Bureau, Pennock, on behalf of the American Farm Bureau Federation; John K. Hansen, Nebraska Farmers Union, Lincoln, on behalf of the National Farmers Union; Bill Wilson, Haskell County Conservation District, Kinta, Oklahoma, on behalf of the National Association of Conservation Districts; Gordon Gallup, Idaho Grain Producers, Ririe, on behalf of the National Association of Wheat Growers,

and other organizations; Jeffrey W. Nelson, Ducks Unlimited, Bismarck, North Dakota, on behalf of the Congressional Sportsmen's Foundation, and other organizations; David Petty, Eldora, Iowa, on behalf of the National Cattlemen's Beef Association; and Francis Thicke, Fairfield, Iowa, on behalf of the Sustainable Agriculture Coalition.

### IRAQI PRISONERS

*Committee on Armed Services:* Committee resumed hearings to examine allegations of mistreatment of Iraqi prisoners, receiving testimony from Major General Antonio M. Taguba, USA, Deputy Commanding General for Support, Coalition Forces Land Component Command; Lieutenant General Lance L. Smith, USAF, Deputy Commander, U.S. Central Command; Stephen A. Cambone, Under Secretary of Defense for Intelligence; Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G-2, U.S. Army; Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J-2, The Joint Staff; and Major General Thomas J. Romig, USA, Judge Advocate General.

### SMOKING IN MOVIES

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the impact of smoking in the movies on children, focusing on tobacco litigation and the 1998 Master Settlement Agreement, after receiving testimony from Maryland State Attorney General J. Joseph Curran, Jr., Baltimore; Jack Valenti, Motion Picture Association of America, Washington, D.C.; Madeline A. Dalton, Dartmouth Medical School, Hanover, New Hampshire; LeVar Burton, Directors Guild of America, Los Angeles, California; Stanton Glantz, University of California School of Medicine, San Francisco; and C. Steven Yerrid, Bank of America, Tampa, Florida.

### NATIONAL FIRE PLAN

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the impacts and costs of the 2003 fire season, focusing on the problems faced last year and what problems agencies and the land they oversee may face next season, including aerial fire fighting assests and crew, and overhead availability, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; and P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management and Budget.

### AIDS AND HUNGER

*Committee on Foreign Relations:* Committee concluded a hearing to examine the deadly intersection of AIDS and hunger, focusing on overseeing international food assistance and the implementation of the

United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, after receiving testimony from James T. Morris, Executive Director, World Food Program, United Nations, New York, New York; Randall L. Tobias, Global AIDS Coordinator, Department of State; and Andrew S. Natsios, Administrator, U.S. Agency for International Development.

### DIPLOMA MILLS

*Committee on Governmental Affairs:* Committee held a hearing to examine allegations relevant to the issuance of bogus degrees, focusing on tax payer dollars subsidizing diploma mills, and the development of a government-wide policy to identify and discourage the use of bogus degrees, receiving testimony from Representative Tom Davis; Robert J. Cramer, Managing Director, and Paul DeSaulniers, Senior Special Agent, both of the Office of Special Investigations, General Accounting Office; Alan Contreras, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; and Laurie Gerald, Aliso Viejo, California.

Hearings continue tomorrow.

### ALZHEIMER'S RESEARCH

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Aging held a hearing to examine breakthroughs in Alzheimer's Disease (AD) research, focusing on risk factors for developing AD, developing safe, effective preventions and treatments for AD, and "The Maintain Your Brain" campaign, receiving testimony from Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; John C. Morris, Washington University School of Medicine, St. Louis, Missouri; Peter V. Rabins, Johns Hopkins University School of Medicine, Baltimore, Maryland; and Stephen McConnell, Alzheimer's Association, Washington, D.C.

Hearing recessed subject to the call of the chair.

### BIO-TERRORISM

*Committee on the Judiciary:* Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine rapid bio-terrorism detection and response, focusing on point-of-care diagnostic devices, forensic work, emergency room facilities, and the medical care system's capability and capacity to respond to future terrorist attacks in the United States, after receiving testimony from Paul S. Keim, Northern Arizona University, Flagstaff, and Jeffrey Trent, Phoenix, Arizona, both of the Translational Genomics Research Institute; Harvey W. Meislin, University of Arizona Health Science Center, Tucson; and David A. Relman, Stanford University, Palo Alto, California.

# House of Representatives

## Chamber Action

**Measures Introduced:** 13 public bills, H.R. 4322–4340; and 4 resolutions, H. Con. Res. 420, and H. Res. 636–638, were introduced.

Pages H2814–15

**Additional Cosponsors:**

Pages H2815–16

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

H.R. 3879, to authorize appropriations for the Coast Guard for fiscal year 2005, to amend various laws administered by the Coast Guard, amended (H. Rept. 108–482);

H. Res. 637, providing for consideration of H.R. 4275, to amend the Internal Revenue Code of 1986 to permanently extend the 10-percent individual income tax rate bracket (H. Rept. 108–483); and

H. Res. 638, providing for consideration of H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements; for consideration of H.R. 4280, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; and for consideration of H.R. 4281, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (H. Rept. 108–484).

Pages H2814

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

Page H2735

**Recess:** The House recessed at 1:11 p.m. and reconvened at 2 p.m.

Page H2739

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

*Tomochichi United States Courthouse Designation Act:* H.R. 2523, to designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the “Tomochichi United States Courthouse”;

Pages H2741–42

*Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run:* H. Con. Res. 389, authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run;

Page H2743

*Mary Ann Collura Post Office Building Redesignation Act:* H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24

Abbott Road in Fair Lawn, New Jersey, as the “Mary Ann Collura Post Office Building”;

Pages H2746–49

*Dr. Miguel A. Nevarez Post Office Building Designation Act:* H.R. 4299, to designate the facility of the United States Postal Service located at 410 South Jackson Road in Edinburg, Texas, as the “Dr. Miguel A. Nevarez Post Office Building”, by a yeand-nay vote of 405 yeas with none voting “nay”, Roll No. 153;

Pages H2749–51, H2774–75

*Supporting the goals and ideals of Peace Officers Memorial Day:* H. Res. 622, supporting the goals and ideals of Peace Officers Memorial Day, by a yeand-nay vote of 404 yeas with none voting “nay”, Roll No. 154;

Pages H2751–52, H2775

*Recognizing and honoring the tenth anniversary of Vietnam Human Rights Day:* H. Res. 613, recognizing and honoring the tenth anniversary of Vietnam Human Rights Day; and

Pages H2752–55

*Recognizing 50 years of relations between the United States Government and the European Union:* H. Res. 577, amended, recognizing 50 years of relations between the United States Government and the European Union, by a yeand-nay vote of 397 yeas to 7 nays, Roll No. 155.

Pages H2758–61, H2775–76

**Suspensions—Proceedings Postponed:** The House postponed further proceedings on the following measures which were debated today under suspension of the rules:

*Sense of the House regarding the military postal system:* H. Res. 608, expressing the sense of the House of Representatives that the Department of Defense should rectify deficiencies in the military postal system to ensure that members of the Armed Forces stationed overseas are able to receive and send mail in a timely manner as well as receive and send election ballots in time to be counted in the 2004 elections;

Pages H2743–46

*Recognizing the contributions of people of Indian origin to the United States:* H. Con. Res. 352, recognizing the contributions of people of Indian origin to the United States and the benefits of working together with India towards promoting peace, prosperity, and freedom among all countries of the world;

Pages H2755–57

*Calling on the Government of the Socialist Republic of Vietnam to release Father Thaddeus Nguyen Van Ly:* H. Con. Res. 378, amended, calling on the Government of the Socialist Republic of

Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly; **Pages H2761–65**

*Recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944:* H.J. Res. 91, recognizing the 60th anniversary of the Servicemen's Readjustment Act of 1944; and **Pages H2766–69**

*Recognizing those who contributed to the war effort during World War II and celebrating the completion of the National World War II Memorial:* H. Con. Res. 409, recognizing with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrating the completion of the National World War II Memorial on the National Mall in the District of Columbia.

**Pages H2769–74**

**Recess:** The House recessed at 5:55 p.m. and reconvened at 6:30 p.m. **Page H2774**

**Budget Resolution for FY 2005—Motion to Instruct Conferees:** Representative Pomeroy announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page H2776**

**Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees:** Representative George Miller (CA) announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. **Page H2783**

**Presidential Message:** Read a letter from the President wherein he transmitted notification of his issuance of an Executive Order declaring a national emergency with respect to the Government of Syria—referred to the Committee on International Relations (H. Doc. 108–184). **Pages H2776–77**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H2774–75, H2775, and H2775–76. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 11:48 p.m.

## Committee Meetings

### FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT OF 2004

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing on H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004. Testimony was heard from Representative Cox; Andrew T. Mitchell, Deputy Director, Office of Domestic Preparedness, Department of Homeland Security; and William Raub, Acting Assistant Secretary, Planning and Evaluation, Department of Health and Human Services.

### “DOE NUCLEAR SECURITY: WHAT ARE THE CHALLENGES, AND WHAT’S NEXT?”

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “DOE Nuclear Security: What are the Challenges, and What’s Next?” Testimony was heard from the following officials of the Department of Energy: Kyle E. McSlarrow, Deputy Secretary; Ambassador Lynton Brooks, Administrator, National Nuclear Security Administration; and Glenn Podonsky, Director, Office of Security and Safety Performance Assessment; Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; and a public witness.

### TERRORIST FINANCING AND MONEY LAUNDERING

*Committee on Government Reform:* Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “Terrorist Financing and Money Laundering Investigations: Who Investigates and How Effective Are They?” Testimony was heard from Marcy Forman, Deputy Assistant Director, Financial Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; the following officials of the Department of Justice: Donald C. Semesky, Chief, Office of Financial Operations, DEA; Michael Morehart, Section Chief, Terrorist Financing Operations Section, FBI; and John Roth, Chief, Criminal Division’s Asset Forfeiture and Money Laundering Section; the following officials of the Department of the Treasury: Dwight Sparlin, Director, Operations, Policy, and Support for the Criminal Investigations Branch, IRS; Bob Warner, Chief of Staff, FinCEN; and Daniel Glaser, Director, Money Laundering and Financial Crimes Section; Richard Stana, Director, Homeland Security and Justice, GAO; and a public witness.