

Commissioner, United States Sentencing Commission; Lawrence L. Piersol, Chief United States District Judge for the District of South Dakota, Sioux Falls, on behalf of the Federal Judges Association; Paul G. Cassell, United States District Judge for the District of Utah, Salt Lake City; Frank O. Bowman, III, Indiana University School of Law, Indianapolis; Rachel E. Barkow, New York University School of Law, and Alan Vinegrad, Covington and Burling, both of New York, New York; and Ronald Weich, Zuckerman Spaeder LLP, Washington, D.C.

### PROPERTY RIGHTS

*Committee on the Judiciary:* Committee concluded a hearing to examine section 211 of the Department of Commerce Appropriations Act, of 1999, as included in the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277), focusing on intellectual property rights relating to Cuba, after receiving testimony from Nancie G. Marzulla, Defenders of Property Rights, William A. Reinsch, National Foreign Trade Council, Inc., and Bruce A. Lehman, former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, all of Washington, D.C.;

Kenneth B. Germain, University of Cincinnati College of Law, Cincinnati, Ohio; and Ramon Arechabala, Miami, Florida.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

### STEROID ABUSE

*United States Senate Caucus on International Narcotics Control:* Caucus concluded a hearing to examine the abuse of anabolic steroids and their precursors by adolescent amateur athletes, after receiving testimony from Joseph T. Rannazzisi, Deputy Director, Office of Diversion Control, Drug Enforcement Administration, Department of Justice; Terry Madden, United States Anti-Doping Agency, Colorado Springs, Colorado; William C. Martin, University of Michigan, Ann Arbor; Don H. Catlin, University of California at Los Angeles Olympic Analytical Laboratory; Curtis A. Wenzlaff, Flint, Michigan; Don Hooten, Plano, Texas; and an anonymous witness.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** 10 public bills, H.R. 4819-4828; and 2 resolutions, H. Res. 713-714 were introduced. **Pages H5653-54**

**Additional Cosponsors:** **Pages H5654-55**

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

H.R. 4418, to authorize appropriations for fiscal years 2005 and 2006 for the Bureau of Customs and Border Protection and the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security, for the Office of the United States Trade Representative, for the United States International Trade Commission, amended (H. Rept. 108-598, Pt. 1);

H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005 (H. Rept. 108-599);

H.R. 3632, to prevent and punish counterfeiting of copyrighted copies and phonorecords, amended (H. Rept. 108-600);

S. 2363, to revise and extend the Boys and Girls Clubs of America (H. Rept. 108-601); and

H. Res. 712, providing for consideration of H.R. 4759, to implement the United States-Australia Free Trade Agreement (H. Rept. 108-602). **Page H5653**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Bradley to act as Speaker Pro Tempore for today. **Page H5539**

**Recess:** The House recessed at 9:33 a.m. and reconvened at 10 a.m. **Page H5542**

**Chaplain:** The prayer was offered today by Rev. Dr. Joseph W. Collins, Pastor, Mount Carmel United Methodist Church in Winston-Salem, North Carolina. **Page H5543**

**Discharge Petition:** Representative Frost moved to discharge the Committee on Rules from the consideration of H. Res. 696, providing for consideration of H.R. 3767, to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program (Discharge Petition no. 9). **Pages H5541-42**

**Department of Defense Appropriations Act for FY 2005—Motion to go to Conference:** The House disagreed to the Senate amendments to H.R. 4613, making appropriations for the Department of

Defense for the fiscal year ending September 30, 2005, and agreed to a conference. **Pages H5546–52**

Agreed to the Jackson (IL) motion to instruct conferees on the bill by a voice vote. **Page H5552**

Appointed as conferees: Representatives Lewis (CA), Young (FL), Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Wicker, Murtha, Dicks, Sabo, Visclosky, Moran (VA), and Obey. **Page H5552**

**Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act for FY 2005:** The House passed H.R. 4766, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, by a yea and nay vote of 389 yeas to 31 nays, Roll No. 370. The bill was also debated on Monday, July 12. **Pages H5552–81, H5581–5615**

Agreed to limit the number of and time limit for debate on further amendments to the bill. **Page H5573**

Agreed to:

Hyde amendment (printed in H. Rept 108–591, modified by unanimous consent) that changes the title of the “John Ogonowski Farmer-to-Farmer Program” to the “Doug Bereuter and John Ogonowski Farmer-to-Farmer Program”; **Pages H5552–54**

Bonilla amendment that increases funding for the Farm Service Agency, the Natural Resources Conservation Service, and Rural Development; **Pages H5554–59**

Kaptur amendment (no. 3 printed in the Congressional Record of July 9) that increases the funding for direct and guaranteed renewable energy loans and grants; **Pages H5560–62**

Blumenauer amendment (no. 13 printed in the Congressional Record of July 12) that reduces funding for the Office of the Inspector General, and increases it by the same amount, resulting in no change in funding; (agreed to limit time for debate on the amendment); **Pages H5567–73**

Hooley en bloc amendment that increases funding for the Animal and Plant Health Inspection Service (by a recorded vote of 260 yeas to 160 noes, Roll No. 363); **Pages H5562–64, H5579–80**

Weiner amendment that increases funding for the Animal and Plant Health Inspection Services (by a recorded vote of 223 yeas to 197 noes, Roll No. 364); **Pages H5564–67, H5580**

Lucas amendment (no. 5 printed in the Congressional Record of July 9) that prohibits the use of funds for any of the Environmental Quality Incentives, Wildlife Habitat Incentive, Grassland Reserve or Farmland Protection programs from being used for technical assistance under the Conservation Reserve or Wetland Reserve programs; **Pages H5583–85**

Sanders amendment that increases funding for the Rural Community Advancement Program; **Page H5589**

Flake amendment that prohibits the use of funds to pay the salaries and expenses of employees of the Department of Agriculture who make payments from any appropriated funds to tobacco quota holders or producers of quota tobacco pursuant to any law enacted after July 1, 2004; **Pages H5589–95**

Kaptur amendment (no. 10 printed in the Congressional Record of July 12) that prohibits the use of funds to provide credits or credit guarantees for agricultural commodities provided for use in Iraq in violation of provisions of the Agricultural Trade Act of 1978; **Pages H5595–98**

Hinchey amendment that increases funding for the Center for Drug Evaluation and Research; **Pages H5598–99**

Kaptur amendment that prohibits the use of funds to pay the federal share of the administrative costs of any state’s operation of the food stamp program that are performed outside the U.S.; **Page H5599**

Maloney amendment (no. 11 printed in the Congressional Record of July 12) that prohibits the Food and Drug Administration from using funds in the bill to restrict the prescription use of any contraceptive that is determined to be safe and effective; and **Pages H5602–06**

Obey amendment that reinstates section 717 of the bill regarding the acquisition of new information technology systems by the Department of Agriculture. **Page H5606**

Rejected:

Baca amendment that sought to increase funding for the Office of the Assistant Secretary for Civil Rights (by a recorded vote of 205 yeas to 209 noes, Roll No. 366); **Page H5608**

Tancredo amendment that sought to prohibit the use of funds for the Food Stamp Program in contravention of the Immigration and Nationality Act (by a recorded vote of 156 yeas to 262 noes, Roll No. 367); **Pages H5585–87, H5608–09**

Chabot amendment (no. 7 printed in the Congressional Record of July 12) that sought to prohibit the use of funds from being used to carry out activities in the Market Access Program (by a recorded vote of 72 yeas to 347 noes, Roll No. 368); and **Pages H5587–89, H5609–10**

Kaptur amendment that sought to increase funding for the Farmers Market Promotion Program (by a recorded vote of 206 yeas to 213 noes, Roll No. 369). **Pages H5600–02, H5610**

Withdrawn:

Brown of Ohio amendment, that was offered and subsequently withdrawn that sought to prohibit the use of funds for school lunch or breakfast programs

to purchase chickens or chicken products from companies that do not have a stated policy that such companies do not use fluoroquinolone in their chickens. **Pages H5582–83**

Point of Order sustained against:

Baca amendment (no. 9 printed in the Congressional Record of July 12) that would have increased funding for the Office of the Assistant Secretary of Civil Rights, for activities under the Cooperative State Research, Education, and Extension Service; **Pages H5559–60**

Weiner amendment that would have increased funding for the Animal and Plant Health Inspection Service; **Page H5567**

Section 717 regarding the acquisition of new information technology systems by the Department of Agriculture; **Pages H5578–79**

Section 751 regarding unobligated balances in the Local Television Loan Guarantee Program; **Page H5579**

Lucas amendment (no. 4 printed in the Congressional Record of July 9) that would have added language to the bill's provisions that changes the Food Security Act of 1985 to prohibit the use of funds provided for Commodity Credit Corporation, starting in FY05 and for each fiscal year thereafter, for technical assistance for the Farmland Protection, Grassland Reserve, Environmental Quality Incentives, and Wildlife Habitat Incentives programs; and **Page H5582**

Tiaht amendment (no. 12 printed in the Congressional Record of July 12) that would have prohibited the use of funds for official travel of Agriculture Department employees in Washington DC, until the Agriculture Secretary implements a voluntary program for beef slaughtering establishments to test for bovine spongiform encephalopathy. **Page H5602**

H. Res. 710, the rule providing for consideration of the bill was agreed to on Monday, July 12.

**Department of Defense Appropriations Act for FY05—Conference Committee:** Agreed to close portions of the conference to the public when classified information is discussed, by a yea and nay vote of 411 yeas to 6 nays, Roll No. 365. **Page H5581**

**Project BioShield Act of 2003—Order of Business:** Agreed that it be in order at any time without intervention of any point of order to consider S. 15, to amend the Public Health Service Act to provide protections and countermeasures against chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States by giving the National Institutes of Health contracting flexibility, infrastructure improvements, and expediting the scientific peer review process, and streamlining

the Food and Drug Administration approval process of countermeasures; that the bill be considered as read for amendment; and that the previous question be considered as ordered on the bill to final passage without intervening motion except (1) 90 minutes of debate equally divided and controlled, and (2) one motion to recommit. **Page H5581**

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H5655–56.

**Quorum Calls—Votes:** Two yea and nay votes and six recorded votes developed during the proceedings of today and appear on pages H5579–80, H5580, H5581, H5608, H5608–09, H5609–10, H5610, H5614–15. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 11:33 p.m.

## Committee Meetings

### COLLEGE ACCESS AND OPPORTUNITY ACT

*Committee on Education and the Workforce:* Held a hearing on H.R. 4283, College Access and Opportunity Act of 2004, focusing on Graduation Rates and Student Outcomes. Testimony was heard from public witnesses.

### CONSOLIDATE OFFICES OF COUNTER INTELLIGENCE AT NNSA AND DOE

*Committee on Energy and Commerce:* Subcommittee on Energy and Air Quality held a hearing entitled "A Hearing to Review Proposals to Consolidate the Offices of Counter Intelligence at NNSA and DOE." Testimony was heard from the following officials of the Department of Energy: Linton F. Brooks, Administrator, National Nuclear Security Administration; and Steve Dillard, Director, Office of Counterintelligence; and a public witness.

### IMPLEMENT INTERNATIONAL CONVENTIONS

*Committee on Energy and Commerce:* Subcommittee on Environment and Hazardous Materials, hearing entitled "POPs, Pic, and LRTAP: the Role of the United States and Draft Legislation to Implement These International Conventions." Testimony was heard from Claudia McMurray, Deputy Assistant Secretary, Environment, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; Susan B. Hazen, Principal Deputy Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, EPA; and public witnesses.