

to steroids and steroid precursors, with an amendment in the nature of a substitute;

S. Res. 424, designating October 2004 as "Protecting Older Americans From Fraud Month"; and

The nominations of Micaela Alvarez, to be United States District Judge for the Southern District of Texas, Keith Starrett, to be United States District Judge for the Southern District of Mississippi, Raymond L. Finch, to be Judge for the District Court of the Virgin Islands, David E. Nahmias, to be United States Attorney for the Northern District of Georgia, Richard B. Roper III, to be United States Attorney for the Northern District of Texas, Lisa Godbey Wood, to be United States Attorney for the Southern District of Georgia, Ricardo H. Hinojosa, of Texas, to be Chair, Michael O'Neill, of Maryland, to be a Member, and Ruben Castillo, of Illinois, to

be a Member, all of the United States Sentencing Commission, and William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices, Department of Justice.

NOMINATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the nominations of Mary J. Schoelen, of the District of Columbia, who was introduced by Senator Rockefeller, and William A. Moorman, of Virginia, who was introduced by Senator Graham (SC), each to be a Judge of the United States Court of Appeals for Veterans Claims, and Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs for Human Resources and Administration, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 5185–5200; and; 5 resolutions, H. Con. Res. 506–507, and H. Res. 810, 812–813 were introduced. **Pages H7944–45**

Additional Cosponsors: **Page H7945**

Reports Filed: Reports were filed today as follows:

H. Res. 811, providing for the consideration of H.R. 5183, 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. Rept. 108–710);

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 (H. Rept. 108–711);

S. 551, to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado con-

cerning Air Quality Control on the Southern Ute Indian Reservation (H. Rept. 108–712, Pt. 1);

H.R. 1630, to revise the boundary of the Petrified Forest National Park in the State of Arizona, amended (H. Rept. 108–713);

H.R. 4817, to facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California, which were originally conveyed by the United States as part of the right-of-way granted for the construction of transcontinental railroads, amended (H. Rept. 108–714); and

H.R. 3982, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah (H. Rept. 108–715). **Pages H7943–44**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Florida to act as Speaker Pro Tempore for today. **Page H7865**

Chaplain: The prayer was offered today by Rev. William G. Alvey, Pastor, Park United Methodist Church in Madison, Ohio. **Page H7865**

Surface Transportation Extension Act, Part V: The House passed H.R. 5183, 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, by a recorded vote of 409 ayes to 8 noes, Roll No. 481. **Pages H7868, H7874–87**

Agreed to make a technical correction to the bill.

Page H7898

Rejected the DeFazio motion to recommit the bill to the Committee on Transportation & Infrastructure with instructions to report the bill back to the House promptly with an amendment, by a yea-and-nay vote of 199 yeas to 218 nays, Roll No. 480.

Pages H7884–86

H. Res. 807, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, was agreed to by voice vote.

Pages H7868–69

H. Res. 811, providing for consideration of the bill was agreed to by voice vote.

Pages H7869–74

Marriage Protection Amendment: The House failed to pass H.J. Res. 106, proposing an amendment to the Constitution of the United States relating to marriage, by a $\frac{2}{3}$ yea-and-nay vote of 227 yeas to 186 nays, Roll No. 484.

Pages H7895–H7934

H. Res. 801, the rule providing for consideration of the resolution was agreed to by voice vote.

Pages H7888–95

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, September 29:

Reauthorizing the Temporary Assistance for Needy Families block grant program: H.R. 5149, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005, by a $\frac{2}{3}$ yea-and-nay vote of 416 yeas with none voting “nay”, Roll No. 482;

Page H7887

Department of Veterans Affairs Nurse Recruitment and Retention Act of 2004: H.R. 4231, amended, to provide for a pilot program in the Department of Veterans Affairs to improve recruitment and retention of nurses, by a $\frac{2}{3}$ yea-and-nay vote of 411 yeas to 1 nay, Roll No. 483;

Pages H7887–88

Honoring the life and work of Duke Ellington: H. Con. Res. 501, honoring the life and work of Duke Ellington, recognizing the 30th anniversary of the Duke Ellington School of the Arts, congratulating Blue Note records on its 65th anniversary and Down Beat Magazine on its 70th anniversary, and supporting the annual Duke Ellington Jazz Festival, by a $\frac{2}{3}$ yea-and-nay vote of 391 yeas with none voting “nay”, Roll No. 485; and

Page H7934

Honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary: H. Res. 792, honoring the United Negro College Fund on the occasion of the Fund's 60th anniversary, by a $\frac{2}{3}$ yea-and-nay vote of 386 yeas with none voting “nay”, Roll No. 486.

Pages H7934–35

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, October 4 for Morning Hour debate and 2 p.m. for legislative business.

Page H7938

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, October 6.

Page H7938

Discharge Petition: Representative Edwards moved to discharge the Committee on Rules from consideration of H. Res. 773, providing for the consideration of H.R. 4628, to protect consumers in managed care plans and other health coverage (Discharge Petition No. 13).

Senate Message: Messages received from the Senate today appear on pages H7865, H7868, H7939.

Senate Referrals: S. 1601 was referred to the Committees on Resources and the Judiciary; S. 2639 and S. 2436 were referred to the Committee on Education & the Workforce; and S. Con. Res. 110 was referred to the Committee on International Relations.

Page H7942

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of today. There were no quorum calls.

Pages H7886, H7886–87, H7887, H7888, H7933–34, H7934, H7935

Adjournment: The House met at 10 a.m. and adjourned at 6:42 p.m.

Committee Meetings

SPECIALTY CROPS COMPETITIVENESS ACT; U.S. NATIONAL ARBORETUM APPRECIATION ACT

Committee on Agriculture: Ordered reported, as amended, the following bills: H.R. 3242, Specialty Crops Competitiveness Act of 2003; and H.R. 5120, U.S. National Arboretum Appreciation Act of 2004.

SECRET BALLOT PROTECTION ACT

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on H.R. 4343, Secret Ballot Protection Act of 2004. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: S. 551, Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003; H.R. 4667, Tapoco Project Licensing Act of 2004; H.R. 918, amended, Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003; H.R. 3051, amended, National All Schedules Prescription Electronic Reporting Act of 2003; H.R. 3858, Pancreatic Islet Cell Transplantation Act of 2004; H. Res. 567, Congratulating the American