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No. 64

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. PEARCE).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

May 10, 2004.

I hereby appoint the Honorable STEVAN PEARCE 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: "O God, my Strength, it is to You I turn. For You, O Lord, are my Stronghold. The God who showers me with love . . ."

It is so countercultural to pray this ancient psalm. In an age which values only winners and self-reliance, we are inclined to feel all alone. We imagine we can only draw upon personal strength to shoulder responsibilities or face our difficulties.

Yet Your revealing scriptures remind us again and again that Your love, O Lord, is an unrelenting wellspring. Every challenge can bring us closer to You.

So each day at the beginning of every week "I will sing of Your Strength and acclaim Your love. For You are a stronghold at any moment of distress. You alone offer lasting peace." 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 has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 622. An act to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 2092. An act to address the participation of Taiwan in the World Health Organization.

S. 2264. An act to require report on the conflict in Uganda, and for other purposes.

S. 2292. An act to require a report on acts of anti-Semitism around the world.

S. Con. Res. 99. Concurrent resolution condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan.

S. Con. Res. 100. Concurrent resolution celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

S. Con. Res. 102. 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*.

### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 622. An act to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes; to the Committee on Energy and Commerce.

S. 2264. An act to require a report on the conflict in Uganda, and for other purposes; to the Committee on International Relations.

S. 2292. An act to require a report on acts of anti-Semitism around the world; to the Committee on International Relations.

S. Con. Res. 100. Concurrent resolution celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country; to the Committee on International Relations.

S. Con. Res. 102. 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.

### ADJOURNMENT

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

There was no objection.

Accordingly (at 12 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 11, 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:

8018. A communication from the President of the United States, transmitting requests for FY 2005 budget amendments for the Departments of Agriculture, Defense, Education, Energy, Homeland Security, Housing

□ 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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and Urban Development, the Interior, Labor, and the Treasury; the Corps of Engineers; the National Aeronautics and Space Administration; and the Securities and Exchange Commission. In addition FY 2004 language proposals for the Departments of Health and Human Services and the Treasury and FY 2005 budget amendments for the legislative branch are enclosed; (H. Doc. No. 108—183); to the Committee on Appropriations and ordered to be printed.

8019. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Miles 93.0 to 96.0, Above Head of Passes, New Orleans, LA [COTP New Orleans-04-007] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8020. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River Mile Marker 95.0 to Mile Marker 99.0, Glendale, WV [COTP Pittsburgh-04-001] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8021. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Neches River; Beaumont, TX [COTP Port Arthur-03-024] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8022. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine-Neches Canal Between light 6 on the Neches River and light 49 on the Port Arthur Canal; Port Arthur, TX [COTP Port Arthur-04-001] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8023. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Sabine-Neches Canal between mile marker 284 and 285, Port Arthur, TX [COTP Port Arthur-04-002] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8024. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Emergency Barge Product Transfer, Intracoastal Waterway between mile marker 310 and 312, High Island, TX [COTP Port Arthur-04-003] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8025. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Bay, San Diego, CA [COTP San Diego 03-037] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8026. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Havasu Landing Resort and Casino, Lake Havasu, California [COTP San Diego 04-001] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8027. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Waters Adjacent to National City Marine Terminal, San Diego, CA [COTP San Diego 04-002] (RIN: 2115-AA97) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8028. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Bay, San Diego, CA [COTP San Diego 04-003] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8029. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Waters Surrounding Coast Guard Activities San Diego, California [COTP San Diego 04-004] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8030. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; — Lake Havasu, California. [COTP San Diego 04-005] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8031. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Shag Slough, Cache Slough, the Sacramento River, Suisan Bay, Carquinez Strait, and Mare Island Strait, California [COTP San Francisco Bay 04-001] (RIN: 1626-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8032. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-03-177] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8033. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-04-003] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8034. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-04-007] (RIN: 1625-AA00) received April 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8035. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-04-013] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8036. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-04-028] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8037. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-04-038] (RIN: 1625-AA00) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8038. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kwigillingok, AK [Docket No. FAA-2003-16584; Airspace Docket No. 03-AAL-25] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8039. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Ruby, AK [Docket No. FAA-2003-16586; Airspace Docket No. 03-AAL-24] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8040. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Jamestown, KY [Docket No. FAA-2004-16904; Airspace Docket No. 04-ASO-2] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8041. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Juneau, AK [Docket No. FAA-2003-16587; Airspace Docket No. 03-AAL-22] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8042. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Hays, KS [Docket No. FAA-2004-16989; Airspace Docket No. 04-ACE-7] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8043. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace Area; Chicago, IL [Docket No. FAA-2003-15398; Airspace Docket No. 03-AGL-09] received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8044. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76 A, B, and C Helicopters [Docket No. 2003-SW-45-AD; Amendment 39-13530; AD 2004-06-04] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8045. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2001-NM-239-AD; Amendment 39-13529; AD 2004-06-03] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8046. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2002-NM-18-AD; Amendment 39-13528; AD 2004-06-02] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8047. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2003-CE-55-AD; Amendment 39-13531; AD 2004-06-05] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8048. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-100 Series Airplanes [Docket No. 2001-NM-400-AD; Amendment 39-13527; AD 2004-06-01] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8049. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland (RRD) (Formerly Rolls-Royce, plc) TAY 611-8, TAY 620-15, TAY 650-15, and TAY 651-54 Series Turbofan Engines [Docket No. 2004-NE-11-AD; Amendment 39-13517; AD 2004-05-22] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8050. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, -500 Series Airplanes [Docket No. 95-NM-111-AD; Amendment 39-13544; AD 2004-06-18] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8051. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes [Docket No. FAA-2003-16645; Directorate Docket No. 2003-NM-113-AD; Amendment 39-13533; AD 2004-06-07] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8052. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-401 and -402 Airplanes [Docket No. 2002-NM-120-AD; Amendment 39-13534; AD 2004-06-08] (RIN: 2120-AA64) received April 30,

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

8053. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-301, -321, -322, -341, and -342 Series Airplanes; and Model A340-211, -212, -213, -311, -312, -313 Series Airplanes [Docket No. 2001-NM-380-AD; Amendment 39-13537; AD 2004-06-11] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8054. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400F Series Airplanes [Docket No. 2002-NM-288-AD; Amendment 39-13538; AD 2004-06-12] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8055. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319 and A320 Series Airplanes [Docket No. 2001-NM-339-AD; Amendment 39-13539; AD 2004-06-13] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8056. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 2003-NM-115-AD; Amendment 39-13540; AD 2004-06-14] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8057. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10, DC-9-20, DC-9-30, DC-9-40, and DC-9-50 Series Airplanes [Docket No. 99-NM-255-AD; Amendment 39-13549; AD 2004-07-05] (RIN: 2120-AA64) received April 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 4319. A bill to complete the codification of title 46, United States Code, "Shipping", as positive law; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 4320. A bill to revise, codify, and enact without substantive change certain general and permanent laws, related to public contracts, as title 41, United States Code, "Public Contracts"; to the Committee on the Judiciary.

By Mr. LYNCH:

H.R. 4321. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate and disclose lowest possible prices for prescription drug prices for Medicare beneficiaries; 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. NEY (for himself, Mr. REGULA, Ms. PRYCE of Ohio, Mr. OXLEY, Mr. LATOURETTE, and Mr. TIBERI):

H. Res. 634. A resolution congratulating the Kenyon College Ladies swimming and diving team for winning the 2004 National Collegiate Athletic Association Division III Women's Swimming and Diving National Championship; to the Committee on Education and the Workforce.

By Mr. NEY (for himself, Mr. REGULA, Ms. PRYCE of Ohio, Mr. OXLEY, Mr. LATOURETTE, and Mr. TIBERI):

H. Res. 635. A resolution congratulating the Kenyon College Lords swimming and diving team for winning the 2004 National Collegiate Athletic Association Division III Men's Swimming and Diving National Championship; 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. 218: Mr. MILLER of North Carolina.

H.R. 813: Mr. OLVER.

H.R. 1043: Mr. BISHOP of New York, Mr. GORDON, and Mr. LOBIONDO.

H.R. 1160: Mr. CHANDLER, Mr. MARKEY, and Mr. OSE.

H.R. 2885: Mr. MCINTYRE.

H.R. 3352: Mr. NADLER.

H.R. 3801: Mr. BOOZMAN, Mr. PETERSON of Minnesota, and Mr. BISHOP of Utah.

H.R. 3952: Mr. FEENEY and Mr. PAUL.

H.R. 4257: Mr. THOMPSON of Mississippi, Mr. SANDERS, Mr. GILLMOR, Mrs. BLACKBURN, and Mr. CARSON of Oklahoma.

H.J. Res. 93: Mr. FROST, Ms. GINNY BROWN-WAITE of Florida, Mr. VAN HOLLEN, and Mr. RODRIGUEZ.

H. Con. Res. 409: Mr. PORTER.

H. Res. 479: Mr. ALLEN.