

Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Flake  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Herse  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)

Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
LoBiondo  
Lofgren  
Lucas (KY)  
Lucas (OK)  
Lynch  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Muscgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Nunes  
Nussle  
Oberstar  
Obey  
Oliver  
Osborne  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts

Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Waters  
Watson  
Watt  
Waxman  
Weiner

Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NOT VOTING—22

Baker  
Ballenger  
Boehert  
Collins  
Filner  
Gephardt  
Houghton  
Klecza  
Lipinski  
Majette  
Millender-  
McDonald  
Murtha  
Norwood  
Ortiz  
Paul  
Ros-Lehtinen  
Schrock  
Slaughter  
Smith (MI)  
Stark  
Tauzin  
Towns

□ 0010

So the amendment was agreed to.

The result of the vote was announced as above recorded.

MR. SESSIONS. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GERLACH) having assumed the chair, Mr. NETHERCUTT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10) to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, had come to no resolution thereon.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

MR. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-764) on the resolution (H. Res. 832) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

MR. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-765) on the resolution (H. Res. 833) providing for consideration of motions to suspend the rules, which was referred to the Union Calendar and ordered to be printed.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

MR. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-766) on the resolution (H. Res. 834) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 6, 2004.

Speaker DENNIS HASTERT,  
U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: With this letter, please accept my resignation from the House Committee on Government Reform, effective immediately.

Should you have any questions, please feel free to contact me.

With kind regards, I am

Sincerely,

ERIC CANTOR,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

#### ELECTION OF MEMBER TO COMMITTEE ON GOVERNMENT REFORM

MR. SESSIONS. Mr. Speaker, I offer a resolution (H. Res. 835) and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

*Resolved*, That the following Member be and is hereby elected to the following standing committee of the House of Representatives.

Committee on Government Reform: Mr. Putnam, to rank after Mr. Cannon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to

A motion to reconsider was laid on the table.

#### APPOINTMENT OF CONFEREES ON H.R. 4837, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

MR. KNOLLENBERG. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4837) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? The Chair hears none and, without objection, appoints the following conferees: Messrs. KNOLLENBERG, WALSH, ADERHOLT, Ms. GRANGER, and Messrs. GOODE, VITTER, KINGSTON, CRENSHAW, YOUNG of Florida, EDWARDS, FARR, BOYD, BISHOP of Georgia, DICKS and OBEY.

There was no objection.

# APPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. Pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 Note), amended by section 681(b) of the Foreign Relations Authorization Act, fiscal year 2003 (22 U.S.C. 2651 Note), the order of the House of December 8, 2003, and upon the recommendation of the Minority Leader, the Chair announces the Speaker's appointment of the following member on the part of the House to the Commission on International Religious Freedom for a 2-year term ending May 14, 2006, to fill the existing vacancy thereon:

Ms. Elizabeth Prodromou, Boston, Massachusetts, to succeed Ms. Patricia W. Chang, San Francisco, California.

## HONORING THE FALLEN OF THE USS "COLE"

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. BURGESS. Mr. Speaker, it is hard to believe that it has almost been 4 years, but October 12 will mark the fourth anniversary of the bombing of the USS *Cole*. During that attack, 17 of our sailors died and 39 were hurt when the guided missile destroyed the USS *Cole*, which was attacked while refueling offshore. A small craft with two terrorists and probably 400 to 700 pounds of explosives blew a 40-foot hole in the hull of that ship.

Today, Mr. Speaker, I think it is appropriate since we will not be here next week, I think it is appropriate today that we honor those who were lost and acknowledge those who were injured and also acknowledge the suffering of those families who continue to mourn their loss.

Mr. Speaker, the following are the names of the fallen of the USS *Cole*.

### USS COLE VICTIMS

Electronics technician 1st Class Richard Costelow; Morrisville, Pennsylvania.

Signalman Seaman Recruit Cherone Louis Gunn; Rex, Georgia.

Seaman James Rodrick McDaniels; Norfolk, Virginia.

Seaman Recruit Lakiba Nicole Palmer; San Diego, California.

Operations Specialist 2nd Class Timothy Lamont Saunders; Ringold, Virginia.

Ensign Andrew Triplett; Macon, Mississippi.

Seaman Apprentice Craig Bryan Wibberley; Williamsport, Maryland.

Hull Maintenance Technician 3rd Class Kenneth Eugene Clodfelter; Mechanicsville, Virginia.

Mess Management Specialist Seaman Lakeina Monique Francis; Woodleaf, North Carolina.

Information Systems Technician Seaman Timothy Lee Gauna; Rice, Texas.

Engineman 2nd Class Marc Ian Nieto; Fond du Lac, Wisconsin.

Electronics Warfare Technician 3rd Class Ronald Scott Owens; Vero Beach, Florida.

Engineman Fireman Joshua Langdon Parlett; Churchville, Maryland.

Fireman Apprentice Patrick Howard Roy; Cornwall on Hudson, New York.

Electronics Warfare Technician 2nd Class Kevin Shawn Rux; Portland, North Dakota.

Mess Management Specialist 3rd Class Ronchester Mananga Santiago; Kingsville, Texas.

Fireman Gary Graham Swenchon Jr.; Rockport, Texas.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of important business in the district.

Mr. ORTIZ (at the request of Ms. PELOSI) for today and the balance of the week on account of personal reasons.

Mr. NORWOOD (at the request of Mr. DELAY) from October 5 through the balance of the 108th Congress on account of medical reasons.

## ADJOURNMENT

Mr. PEARCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 13 minutes a.m.), the House adjourned until today, Friday, October 8, 2004, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

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

10164. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Over-the-Counter Human Drugs; Labelling Requirements; Delay of Implementation Date [Docket Nos. 1998N-0337, 1996N-0420, 1995N-0259, and 1990P-0201] (RIN: 0910-AA79) received September 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10165. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Use of Materials Derived From Cattle in Human Food and Cosmetics [Docket No. 2004N-0081] (RIN: 0910-AF47) received July 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10166. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Subject to Certification; D&C Black No. 2 [Docket No. 1987C-0023] received August 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10167. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Skin Protectant Drug Products for Over-the-Counter Human Use; Final Monograph; Technical Amendment [Docket Nos. 1978N-0021 and 1978N-021P] (RIN: 0910-AF42) received September 20, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10168. A letter from the Regulations Coordinator, OIG, Department of Health and Human Services, transmitting the Department's final rule—Health Care Fraud and Abuse Data Collection Program: Technical Revisions to Healthcare Integrity and Protection Data Bank Data Collection Activities (RIN: 0991-AB31) received September 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10169. A letter from the Regulations Coordinator, OS, Department of Health and Human Services, transmitting the Department's final rule—Civil Money Penalties: Procedures for Investigations, Imposition of Penalties, and Hearings—Extension of Expiration Date [CMS-0010-IFC] (RIN: 0938-AM63) received September 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10170. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Fuel System Integrity and Electric Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection [Docket No. NHTSA-2004-18900] (RIN: 2127-AJ45) received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10171. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Crash Protection [Docket No. NHTSA-2004-18905] (RIN: 2127-AJ42) received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10172. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Power-Operated Window, Partition, and Roof Panel Systems [Docket No. NHTSA-2004-19032] (RIN: 2127-AG36) received September 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10173. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Power-Operated Window, Partition, and Roof Panel Systems [Docket No. NHTSA-2004-19076] (RIN: 2127-AF83) received September 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10174. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices and Associated Equipment [Docket No. NHTSA-2004-18794] (RIN: 2127-AF75) received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10175. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Child Restraint Anchorage Systems [Docket No. NHTSA-2004-18793] (RIN: 2127-AJ39; RIN: 2127-AH85) received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10176. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety; Disposition of Recalled Tires [Docket No. NHTSA-2001-10856; Notice 3] (RIN: 2127-AI29) received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10177. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Certification; Importation of Vehicles and Equipment Subject to Federal Safety, Bumper and Theft