

nominee, who was introduced by District of Columbia Delegate Norton, testified and answered questions in his own behalf.

CHILDHOOD OBESITY PREVENTION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine public-private partnerships to improve nutrition and increase physical activity in children, after receiving testimony from Senator Wyden; Dixie E. Snider, Jr., Acting Chief of Science, Centers for Disease Control and Prevention, and Lynn C. Swann, Chairman, President's Council on Physical Fitness and Sports, Office of Public Health and Science, both of the Department of Health and Human Services; William Potts-Datema, Harvard School of Public Health Partnerships for Children's Health, Boston, Massachusetts, on behalf of Action for Healthy Kids; Ross C. Brownson, Saint Louis University School of Public Health Department of Community Health, St. Louis, Missouri; and Gary M. DeStefano, Nike Corporation, Lake Oswego, Oregon.

PRESIDENTIAL ELIGIBILITY

Committee on the Judiciary: Committee concluded a hearing to examine proposals to define the term "natural born Citizen" as used in the Constitution of the United States to establish eligibility for the Office of the President, including related measures S. 2128 and S.J. Res.15, after receiving testimony from Senator Nickles; Representatives Conyers, Snyder, Frank, Rohrabacher, and Issa; Akhil Reed Amar, Yale University School of Law, New Haven, Connecticut; Matthew Spalding, The Heritage Foundation, Washington, D.C.; and John Yinger, Syracuse University Maxwell School of Citizenship and Public Affairs, Syracuse, New York.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 5210–5223; 1 private bill, H.R. 5224; and 2 resolutions, H. Res. 820–821, were introduced.

Pages H8167, H8168

Additional Cosponsors:

Pages H8168–69

Reports Filed:

Reports were filed today as follows:
H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination amended, (H. Rept. 108–724, Pts. 4 and 5);

H.R. 5011, to prevent the sale of abusive insurance and investment products to military personnel, amended (H. Rept. 108–725);

H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation (H. Rept. 108–726);

H.R. 918, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care serv-

ices for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services, amended (H. Rept. 108–727, Pt. 1);

H.R. 3015, to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance, amended (H. Rept. 108–728);

H.R. 4302, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect (H. Rept. 108–729);

H.R. 4453, to improve access to physicians in medically underserved areas, amended (H. Rept. 108–730);

H.R. 4306, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment, amended (H. Rept. 108–731);

S. 1194, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems, amended (H. Rept. 108–732);

S. 129, to provide for reform relating to Federal employment, amended (H. Rept. 108–733);

Conference report on H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108-734).

H. Res. 819, relating to early organization of the House of Representatives for the One Hundred Ninth Congress (H. Rept. 108-735);

H. Res. 822, waiving points of order against the conference report to accompany the bill (H.R. 4850) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005 (H. Rept. 108-736); and

H. Res. 823, providing for consideration of 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. 108-737).

Pages H8144-57, H8166-67

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today.

Page H8041

Recess: The House recessed at 9:02 a.m. and reconvened at 10 a.m.

Page H8041

District of Columbia Appropriations Act, 2005—Motion to go to conference: The House disagreed to the Senate amendment to H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and agreed to a conference.

Page H8043

Appointed as conferees: Representative Frelinghuysen, Istook, Cunningham, Doolittle, Weldon (FL), Culberson, Young (FL), Fattah, Pastor, Cramer, and Obey.

Page H8043

Bankruptcy Judgeship Act of 2003: The House passed S. 878, to authorize an additional permanent judgeship in the District of Idaho, by voice vote.

Pages H8048-63

Rejected the Berman motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 190 ayes to 216 noes, Roll No. 493.

Pages H8061-63

Agreed to:

Sensenbrenner amendment (No. 1 printed in H. Rept. 108-723) that “staggers” implementation of the 58 new Federal circuit and district court judgeships created by the bill over seven fiscal years; and

Pages H8052-53

Simpson amendment (No. 2 printed in H. Rept. 108-723) that splits the current 9th Circuit Court of Appeals (by a recorded vote of 205 ayes to 194 noes, Roll No. 492).

Pages H8053-61

Agreed to amend the title so as to read: to create additional Federal court judgeships.

Page H8061

H. Res. 814, the rule providing for consideration of the bill was agreed to by a recorded vote of 206 ayes to 173 noes, Roll No. 491, after agreeing to order the previous question by a yea-and-nay vote of 198 yeas to 171 nays, Roll No. 490.

Pages H8043-48

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

Recognizing the spirit of Jacob Mock Doub: H. Con. Res. 480, recognizing the spirit of Jacob Mock Doub and his contribution to encouraging youth to be physically active and fit and expressing the sense of Congress that “National Take a Kid Mountain Biking Day” should be established in Jacob Mock Doub’s honor;

Pages H8063-64

Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003: H.R. 918, amended, to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services;

Pages H8064-69

Agreed to amend the title so as to read: to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes.

Page H8069

National All Schedules Prescription Electronic Reporting Act of 2003: H.R. 3015, amended, to amend the Public Health Service Act to establish an electronic system for practitioner monitoring of the dispensing of any schedule II, III, or IV controlled substance;

Pages H8069-73

Agreed to amend the title so as to read: to provide for the establishment of a controlled substance monitoring program in each State.

Page H8073

Pancreatic Islet Cell Transplantation Act of 2004: H.R. 3858, to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation; **Pages H8073–74**

Asthmatic Schoolchildren's Treatment and Health Management Act of 2004: H.R. 2023, amended, to give a preference regarding States that require schools to allow students to self-administer medication to treat that student's asthma or anaphylaxis; **Pages H8074–79**

Mammography Quality Standards Reauthorization Act of 2004: H.R. 4555, amended, to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards; **Pages H8079–80**

Safeguard Against Privacy Invasions (SPY) Act: H.R. 2929, amended, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, by a 2/3 yea-and-nay vote of 399 yeas to 1 nay, Roll No. 495; **Pages H8080–89, H8130–31**

Recognizing community organization of public access defibrillation programs: H. Con. Res. 250, recognizing community organization of public access defibrillation programs; **Pages H8089–91**

Sense of Congress regarding the role of private health insurance companies in promoting healthy lifestyles: H. Con. Res. 34, amended, expressing the sense of the Congress that private health insurance companies should take a proactive role in promoting healthy lifestyles; **Pages H8091–94**

Orderly and Timely Interstate Placement of Foster Children Act of 2004: H.R. 4504, amended, to improve protections for children and to hold States accountable for the orderly and timely placement of children across State lines; **Pages H8094–H8100**

Agreed to amend the title so as to read: to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines. **Page H8100**

Sense of Congress regarding the establishment of a Columbia Memorial Space Science Learning Center: H.J. Res. 57, amended, expressing the sense of the Congress in recognition of the contributions of the seven *Columbia* astronauts by supporting establishment of a Columbia Memorial Space Science Learning Center; **Pages H8100–04**

Military Personnel Financial Services Protection Act: H.R. 5011, amended, to prevent the sale of abusive insurance and investment products to mili-

tary personnel, by a 2/3 yea-and-nay vote of 396 yeas to 2 nays, Roll No. 496; **Pages H8104–10, H8131**

Confirming the authority of the Secretary of Agriculture and the Commodity Credit Corporation: H.R. 4620, amended, to confirm the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans; **Pages H8110–11**

Agreed to amend the title so as to read: to confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans. **Page H8111**

Providing for the development of a national plan for the control and management of Sudden Oak Death: H.R. 4569, to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen *Phytophthora ramorum*; **Pages H8111–13**

Pennsylvania National Forest Improvement Act of 2003: H.R. 3514, amended, to authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania; **Pages H8113–15**

Honoring the service of Native American Indians in the U.S. Armed Forces: H. Con. Res. 306, amended, honoring the service of Native American Indians in the United States Armed Forces; **Pages H8115–17**

Agreed to amend the title so as to read: honoring the service of American Indians in the United States Armed Forces. **Page H8117**

Amending the Agricultural Adjustment Act: H.R. 2984, to amend the Agricultural Adjustment Act to remove the requirement that processors be members of an agency administering a marketing order applicable to pears; **Pages H8131–33**

Expressing the support of the House for the efforts of organizations to provide emergency food assistance to people in the U.S.: H. Res. 261, expressing the support of the House of Representatives for the efforts of organizations such as Second Harvest to provide emergency food assistance to hungry people in the United States, and encouraging all Americans to provide volunteer services and other support for local antihunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters; **Pages H8133–36**

Recognizing the establishment of Hunters for the Hungry programs: H. Res. 481, recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs to efforts to decrease hunger and help feed those in need; **Pages H8136–37**

Amending the Department of Agriculture Organic Act of 1944: H.R. 5042, to amend the Department of Agriculture Organic Act of 1944 to ensure that the dependents of employees of the Forest Service stationed in Puerto Rico receive a high-quality elementary and secondary education; **Pages H8138–39**

Authorizing the Secretary of Agriculture to sell or exchange certain land in the Ozark-St. Francis and Ouachita National Forests: S.33, to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; and **Pages H8139–40**

Providing for the use by the State of North Carolina of the Oxford Research Station in Granville County, North Carolina: H.R. 2119, amended, to provide for the use by the State of North Carolina of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina. **Pages H8140–41**

Agreed to amend the title so as to read: to provide for the conveyance of Federal lands, improvements, equipment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina. **Page H9141**

Suspension Failed: The House failed to agree to suspend the rules and pass the following bill:

Requiring that all young persons in the U.S. perform a period of military service or civilian service: H.R. 163, to provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, by a 2/3 yeas-and-nays vote of 2 yeas to 402 nays, Roll No. 494. **Pages H8117–30**

Discharge Petitions: Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 788, providing for the consideration of H.R. 4423, making appropriations for the Department of Veterans Affairs for the fiscal year ending September 30, 2004 (Discharge Petition No. 14).

Representative Bishop of New York moved to discharge the Committee on Rules from the consideration of H. Res. 790, providing for consideration of H.R. 4473, making appropriations for the Department of Education for the fiscal year ending September 30, 2005 (Discharge Petition No. 15).

Senate Message: Message received from the Senate today appears on page H8048.

Quorum Calls—Votes: Four yeas-and-nays votes and three recorded votes developed during the proceedings of today. There were no quorum calls.

Pages H8046–47, H8047, H8061, H8062–63, H8129–30, H8130–31, H8131

Amendments: Amendments ordered printed pursuant to the rule appear on pages H8169–70.

Adjournment: The House met at 9 a.m. and adjourned at 7:50 a.m. on Thursday, October 6.

Committee Meetings

FLU VACCINE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Influenza Vaccine. Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; William Egan, M.D., Acting Director, Office of Vaccines Research and Review, Center for Biologics Evaluation and Research, FDA; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and public witnesses.

U.N. OIL FOR FOOD PROGRAM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “The U.N. Oil for Food Program: Cash Cow Meets Paper Tiger.” Testimony was heard from Ambassador Patrick F. Kennedy, U.S. Representative to the United Nations, U.N. Management and Reform, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Res. 726, amended, Congratulating the people of Serbia and government of Serbia for conducting a democratic, free and fair presidential election and for reaffirming Serbia’s commitment to peace, democracy and the rule of law; H.R. 733, Calling on the Government of Libya to review the legal actions taken against several Bulgarian medical workers; H. Res. 341, amended, Urging the