



The Daily Whip

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WEDNESDAY, OCTOBER 6, 2004

| House Meets At... | Last Vote Predicted At... |
|---|---------------------------|
| 10:00 a.m.: Legislative Business Unlimited "One Minutes" | 5:00 – 6:00 p.m. |

DEMOCRATS ARE URGED TO SIGN THE FOLLOWING IMPORTANT DEMOCRATIC DISCHARGE PETITIONS:

- ** BISHOP (NY) DISCHARGE PETITION (#15) TO INCREASE EDUCATION FUNDING.**
- ** EDWARDS DISCHARGE PETITION (#14) TO INCREASE VETERANS HEALTH FUNDING.**
- ** EDWARDS DISCHARGE PETITION (#13) ON THE PATIENTS BILL OF RIGHTS.**
- ** LEE-SANDERS-CAPUANO DISCHARGE PETITION (#11) TO PROVIDE AFFORDABLE HOUSING.**

FLOOR SCHEDULE AND BILL SUMMARY

H.R. 5107 - Justice for All Act of 2004 (Rep. Sensenbrenner – Judiciary) (Subject to a Rule). This bill combines a bill adopted by the House under Suspension of the Rules in November 2003 (H.R.3214), which has stalled in the Senate, and a bipartisan victims' rights bill. H.R. 5107 enumerates new rights for crime victims and authorizes \$155 million over the next 5 years for victims' assistance programs. This bill would increase the authorized funding levels for the DNA Analysis Backlog Elimination program to \$151 million per year for the next 5 years --- this will help eliminate the large backlog of DNA evidence that has not been analyzed and provides resources to remedy the lack of training, equipment, technology, and standards for handling DNA and other forensic evidence. This bill also authorizes funding for training for law enforcement, correctional, court, and medical personnel on the use of DNA evidence; authorizes grant programs to reduce other forensic science backlogs, research new DNA technology, and promote the use of DNA technology to identify missing persons; and provides funds to the FBI for the administration of its DNA programs. H.R. 5107 establishes rules for post-conviction DNA testing of Federal prison inmates and requires the preservation of biological evidence in Federal criminal cases while the defendant remains incarcerated. This bill also authorizes funding to help States provide competent legal services for both the prosecution and the defense in death penalty cases and provides funds for post-conviction DNA testing.

The Rules Committee has recommended a restrictive rule that provides one hour of general debate and allows a motion to recommit with or without instructions. The Rule also makes in order one amendment:

- **Sensenbrenner Manager's Amendment (20 minutes):** Among other provisions, this amendment allows a victim a right to bring a motion to enforce the right to be heard in plea and sentence; allows for a five year time period to file a motion for a DNA test; and changes the standard for getting a new trial from a "preponderance of the evidence" standard to a "compelling evidence" standard.

Conference Report on H.R. 4850 - District of Columbia Appropriations Act for FY05 (Rep. Frelinghuysen / Appropriations) (Subject to a Rule). The conference report provides \$560 million in federal funds for FY05 including: \$190.8 million for D.C. Courts; \$180 million for D.C. Court Services and Offender Supervision; \$38.5 million for Defender Services in D.C. Courts; and \$25.6 million for resident tuition support. In addition, the conference report includes \$40 million in federal funds for the School Voucher/Public School Improvement Program.

The Rules Committee has recommended a Rule that waives all points of order against the conference report and against its consideration and provides that the conference be considered as read.

H.R. 5212 - Making Further Supplemental Appropriations for Disaster Relief (Rep. Young (FL) / Appropriations Committee) (Subject to a Rule). This bill provides \$11 billion in emergency funds to assist recovery efforts in response to Hurricanes Charley, Frances, Ivan and Jeanne. These funds include: \$6.5 billion for FEMA, \$1.1 billion for the Defense Department, \$929 million for the SBA.

The Rules Committee has recommended a Rule that provides one hour of general debate and provides one motion to recommit with or without instructions. The Rule also makes in order one amendment:

- **Hensarling (20 minutes):** This amendment would fully offset the cost of the supplemental with a proportional reduction of FY05 discretionary funding once enacted (funding for defense, homeland security and veterans would be specifically exempt).



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Suspensions (49 bills):

- 1) **H.R. 4518** - Satellite Home Viewer Extension and Reauthorization Act of 2004 (*Rep. Smith (TX) / Judiciary*)
- 2) **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 (*Rep. Cannon / Judiciary*)
- 3) **H.R. 4453** - Access to Rural Physicians Improvement Act of 2004 (*Rep. Moran (KS) / Judiciary*)
- 4) **S. 1194** - Mentally Ill Offender Treatment and Crime Reduction Act of 2003 (*Sen. DeWine / Judiciary*)
- 5) **S. 2742** - To extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court (*Sen. Hatch / Judiciary*)
- 6) **H.Res. 389** - Honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary (*Rep. Davis (AL) / Judiciary*)
- 7) **H.R. 4661** - Internet Spyware (I-SPY) Prevention Act of 2004 (*Rep. Goodlatte / Judiciary*)
- 8) **H.Con.Res. 500** - Honoring the goals and ideals of National Nurse Practitioners Week (*Rep. Burgess / Energy and Commerce*)
- 9) **H.R. 5204** - To amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs (*Rep. Eshoo / Energy and Commerce*)
- 10) **H.R. 5212** - Research Review Act of 2004 (*Rep. Bilirakis / Energy and Commerce*)
- 11) **H.R. 4302** - District of Columbia Civil Commitment Modernization Act of 2004 (*Rep. Tom Davis / Government Reform*)
- 12) **S. 129** - Federal Workforce Flexibility Act of 2003 (*Sen. Voinovich / Government Reform*)
- 13) **H.Res. 815** - Congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee (*Rep. Moore / Government Reform*)
- 14) **H.Con.Res. 464** - Honoring the 10 communities selected to receive the 2004 All-America City Award (*Rep. Hayes / Government Reform*)
- 15) **H.R. 5051** - Leonard C. Burch Post Office Building Designation Act (*Rep. McInnis / Government Reform*)
- 16) **H.R. 4807** - Adam G. Kinser Post Office Building Designation Act (*Rep. Ose / Government Reform*)
- 17) **S. 2415** - Robert J. Opinsky Post Office Building Designation Act (*Sen. Stevens / Government Reform*)
- 18) **H.R. 4847** - Lieutenant General James V. Edmundson Post Office Building Designation Act (*Rep. Harris / Government Reform*)
- 19) **H.R. 4968** - Bill Monroe Post Office Designation Act (*Rep. Lewis (KY) / Government Reform*)
- 20) **H.R. 5053** - Lieutenant John F. Finn Post Office Designation Act (*Rep. McNulty / Government Reform*)
- 21) **H.R. 4232** - Congressman Jack Fields Post Office Redesignation Act (*Rep. Brady (TX) / Government Reform*)
- 22) **H.R. 4829** - Irma Rangel Post Office Building Designation Act (*Rep. Hinojosa / Government Reform*)
- 23) **H.Res. 798** - Honoring former President James Earl (Jimmy) Carter on the occasion of his 80th birthday (*Rep. Lewis (GA) / Government Reform*)
- 24) **H.R. 5131** - Special Olympics Sport and Empowerment Act of 2004 (*Rep. Blunt / Education and the Workforce*)
- 25) **H.R. 5185** - To temporarily extend the programs under the Higher Education Act of 1965 (*Rep. Boehner / Education and the Workforce*)
- 26) **H.R. 5186** - To reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans (*Rep. Boehner / Education and the Workforce*)
- 27) **H.Res. 805** - Supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for youth in high-risk situations (*Rep. Porter / Education and the Workforce*)
- 28) **H.Con.Res. 131** - Expressing the sense of the Congress that student travel is a vital component of the educational process (*Rep. Norton / Education and the Workforce*)
- 29) **H.Res. 809** - Supporting the goals and ideals of "Lights On Afterschool" programs (*Rep. Kildee / Education and the Workforce*)
- 30) **H.R. 4470** - To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010 (*Rep. Vitter / Transportation and Infrastructure*)
- 31) **H.R. 4794** - To amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations (*Rep. Hunter / Transportation and Infrastructure*)



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- 32) H.R. 5163** - Norman Y. Mineta Research and Special Programs Reorganization Act (*Rep. Young (AK) / Transportation and Infrastructure*)
- 33) H.R. 2828** - Water Supply, Reliability, and Environmental Improvement Act (*Rep. Calvert / Resources*)
- 34) S. 1791** - To amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund (*Sen. Domenici / Resources*)
- 35) S. 2511** - Chimayo Water Supply System and Espanola Filtration Facility Act of 2004 (*Sen. Domenici / Resources*)
- 36) S. 211** - Northern Rio Grande National Heritage Area Act (*Sen. Bingaman / Resources*)
- 37) S. 2178** - National Park System Laws Technical Amendments Act of 2004 (*Sen. Domenici / Resources*)
- 38) S. 1721** - American Indian Probate Reform Act of 2004 (*Sen. Campbell / Resources*)
- 39) H.Res. 820** - To congratulate Mojave Aerospace Ventures for winning the privately funded \$10,000,000 Ansari X Prize and commend the X Prize Foundation for spurring this achievement (*Rep. Rohrabacher / Science*)
- 40) H.R. 3242** - Specialty Crops Competitiveness Act of 2003 (*Rep. Ose / Agriculture*)
- 41) H.Res. 796** - Recognizing and supporting all efforts to promote greater civic awareness among the people of the United States (*Rep. Hall / House Administration*)
- 42) H.R. 4248** - Homeless Veterans Assistance Reauthorization Act of 2004 (*Rep. Smith (NJ) / Veterans` Affairs*)
- 43) H.R. 4658** - Service members Legal Protection Act of 2004 (*Rep. Smith (NJ) / Veterans` Affairs*)
- 44) H.J.Res. 108** - Congratulating and commending the Veterans of Foreign Wars (*Rep. Cooper / Veterans` Affairs*)
- 45) H.Con.Res. 195** - Expressing the sense of Congress that a minute of silence should be observed annually at 11:00 a.m. on Veterans Day, November 11, in honor of the veterans of all United States wars and to memorialize those members of the Armed Forces who gave their lives in the defense of the United States (*Rep. Clay / Veterans` Affairs*)
- 46) H.R. 5061** - Comprehensive Peace in Sudan Act (*Rep. Tancredo / International Relations*)
- 47) H.Res. 818** - Celebrating the 50th anniversary of the opening of the Falcon International Dam (*Rep. Rodriguez / International Relations*)
- 48) H.Res. 821** - Condemning the abduction of Dylan Benwell from the United States and calling for his return (*Rep. Crane / International Relations*)
- 49) H.Res. 768** - Calling on the United Nations Security Council to immediately consider and take appropriate action to respond to the growing threat that the ruling State Peace and Development Council in Burma poses to the Southeast Asia region and to the people of Burma (*Rep. Gallegly / International Relations*)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: On Thursday, the House will meet at 10:00 a.m. for legislative business. The House will consider: **H.R. 10 9-11 Recommendations Implementation Act (Hastert-Intelligence)(Subject to a Rule).**

Daily Quote...

"Were there other highly partisan Speakers? Of course. [Jim] Wright was fiercely partisan on issues. When he kept a 15-minute vote open for 30 minutes, House Republicans rightly screamed bloody murder. Then-Minority Whip Dick Cheney (R-Wyo.) called Speaker Wright a 'son-of-a-bitch' after that incident – and it did not happen again. Now, hour-long votes are routine. And, sad to say, I have yet to hear any of the Republicans who went ballistic when Wright crossed the line once now saying boo about what [Speaker Dennis] Hastert has done on a regular basis."

- Norman Ornstein in *Roll Call* today