

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3763, Accounting Reform.

Senate

Chamber Action

Routine Proceedings, pages S6729–S6812

Measures Introduced: Three bills were introduced, as follows: S. 2 and S. 2728–2729. **Page S6808**

Measures Reported:

Report to accompany S. 2487, to provide for global pathogen surveillance and response. (S. Rept. No. 107–210) **Page S6808**

Measures Passed:

Public Company Accounting Reform and Investor Protection Act: By a unanimous vote of 97 yeas (Vote No. 176), Senate passed S. 2673, to improve quality and transparency in financial reporting and independent audits and accounting services for public companies, to create a Public Company Accounting Oversight Board, to enhance the standard setting process for accounting practices, to strengthen the independence of firms that audit public companies, to increase corporate responsibility and the usefulness of corporate financial disclosure, to protect the objectivity and independence of securities analysts, to improve Securities and Exchange Commission resources and oversight, after taking action on the following amendments proposed thereto: **Pages S6734–79**

Adopted:

Sarbanes (for Shelby) Modified Amendment No. 4261, to require the SEC to conduct a study and submit a report to the Congress on aider and abettor violations of the Federal securities laws. **Page S6777**

By a unanimous vote of 97 yeas (Vote No. 174), Reid (for Carnahan) Modified Amendment No. 4286 (to Amendment No. 4187), to require timely and public disclosure of transactions involving management and principal stockholders.

Pages S6735–77, S6777–78

By a unanimous vote of 97 yeas (Vote No. 175), Edwards Modified Amendment No. 4187, to address rules of professional responsibility for attorneys.

Pages S6735, S6778

By unanimous consent, passage of S. 2673 was subsequently vitiated, and the bill was then returned to the Senate calendar.

Corporate and Auditing Accountability, Responsibility, and Transparency Act: By unanimous consent, Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2673, Senate companion measure, as passed (listed above).

Pages S6779–93

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate.

Page S6793

Subsequently, by further unanimous consent, passage of S. 2673 (listed above) was vitiated, and the bill was then returned to the Senate calendar.

Greater Access to Affordable Pharmaceuticals Act: Senate began consideration of the motion to proceed to consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals.

Pages S6797–S6801

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Wednesday, July 17, 2002. **Page S6798**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 10:30 a.m., on Tuesday, July 16, 2002.

Page S6811

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Treaty with Sweden on Mutual Legal Assistance in Criminal Matters (Treaty Doc. No. 107–12); and

Treaty with Belize on Mutual Legal Assistance in Criminal Matters (Treaty Doc. No. 107-13).

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

Pages S6810-11

Nominations Confirmed: Senate confirmed the following nomination:

Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit.

Pages S6794-97, S6812

Prior to this action, by 94 yeas to 3 nays (Vote No. 177), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination of Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit.

Pages S6793-94

Nominations Received: Senate received the following nominations:

Glenn Bernard Anderson, of Arkansas, to be a Member of the National Council on Disability for a term expiring September 17, 2002.

Glenn Bernard Anderson, of Arkansas, to be a Member of the National Council on Disability for a term expiring September 17, 2005. (Reappointment)

Milton Aponte, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2003.

Barbara Gillcrist, of New Mexico, to be a Member of the National Council on Disability for a term expiring September 17, 2002.

Barbara Gillcrist, of New Mexico, to be a Member of the National Council on Disability for a term expiring September 17, 2005. (Reappointment)

Graham Hill, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2002.

Graham Hill, of Virginia, to be a Member of the National Council on Disability for a term expiring September 17, 2005. (Reappointment)

Joel Kahn, of Ohio, to be a Member of the National Council on Disability for a term expiring September 17, 2004.

Patricia Pound, of Texas, to be a Member of the National Council on Disability for a term expiring September 17, 2005. (Reappointment)

Marco A. Rodriguez, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2002.

Marco A. Rodriguez, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2005. (Reappointment)

David Wenzel, of Pennsylvania, to be a Member of the National Council on Disability for a term expiring September 17, 2004.

Linda Wetters, of Ohio, to be a Member of the National Council on Disability for a term expiring September 17, 2003.

Page S6812

Messages From the House: Pages S6806-07

Measures Placed on Calendar: Page S6807

Measures Read First Time: Page S6807

Executive Communications: Pages S6807-08

Additional Cosponsors: Pages S6808-10

Additional Statements: Page S6806

Notices of Hearings/Meetings: Page S6810

Privilege of the Floor: Page S6810

Record Votes: Four record votes were taken today. (Total—177) Pages S6778, S6779, S6794

Adjournment: Senate met at 12 noon, and adjourned at 8:12 p.m., until 9:30 a.m., on Tuesday, July 16, 2002.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 11 public bills, H.R. 5115-5119, 5122-5127; and 4 resolutions, H. Con. Res. 441 and H. Res. 484-486, were introduced.

Pages H4604-05

Reports Filed: Reports were filed today as follows:

H.R. 4946, to amend the Internal Revenue Code to provide health care incentives related to long-term care, amended (H. Rept. 107-572);

H.R. 3048, to resolve the claims of Cook Inlet Region, Inc., to lands adjacent to the Russian River in the State of Alaska, amended (H. Rept. 107-573);

H.R. 3401, to provide for the conveyance of Forest Service facilities and lands comprising the Five

Mile Regional Learning Center in the State of California to the Clovis Unified School District, to authorize a new special use permit regarding the continued use of unconveyed lands comprising the Center, amended (H. Rept. 107–574);

H.R. 5120, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003 (H. Rept. 107–575);

H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003 (H. Rept. 107–576); and

H. Res. 483, providing for consideration of H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003 (H. Rept. 107–577).

Page H4604

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

Page H4577

Recess: The House recessed at 12:48 p.m. and reconvened at 2 p.m.

Page H4579

Presidential Message—District of Columbia FY 2003 Budget Request Act: Read a message from the President wherein he transmitted the District of Columbia's Fiscal Year 2003 Budget Request Act with estimates of revenues and expenditures totaling \$5.7 billion—referred to the Committee on Appropriations and ordered printed (H. Doc. 107–242).

Page H4580

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

Cyber Security Enhancement Act of 2002: H.R. 3482, amended, to provide greater cybersecurity (agreed to by a yea-and-nay vote of 385 yeas to 3 nays, Roll No. 296);

Pages H4580–84 (continued next issue)

American Legion Amendments Act: H.R. 3988, to amend title 36, United States Code, to clarify the requirements for eligibility in the American Legion;

Pages H4585–86

AMVETS Charter Amendment Act: H.R. 3214, to amend the charter of the AMVETS organization;

Pages H4586–87

Veterans of Foreign Wars Charter Amendment Act: H.R. 3838, to amend the charter of the Veterans of Foreign Wars of the United States organization to make members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger eligible for membership in the organization;

Pages H4587–89

100th anniversary of Dr. Carrier's Invention of Air Conditioning: H. Con. Res. 413, honoring the invention of modern air-conditioning by Dr. Willis H. Carrier on the occasion of its 100th anniversary;

Pages H4589–91

Clarence Miller Post Office, Lancaster, Ohio: H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio, as the "Clarence Miller Post Office Building" (agreed to by a yea-and-nay vote of 389 yeas with none voting "nay," Roll No. 297);

Pages H4591–92 (continued next issue)

Blackwater National Wildlife Refuge Expansion, H.R. 4807, to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Susquehanna National Wildlife Refuge. Agreed to amend the title so as to read: "A bill to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge."; and

Pages H4596–97

Honoring the American Zoo and Aquarium Association: H. Con. Res. 408, honoring the American Zoo and Aquarium Association and its accredited member institutions for their continued service to animal welfare, conservation education, conservation research, and wildlife conservation programs.

Page H4598

Suspension Failed—Expansion of Aviation Capacity in the Chicago Area: The House failed to agree to suspend the rules and pass H.R. 3479, to expand aviation capacity in the Chicago area, by a yea-and-nay vote of 247 yeas to 143 nays, Roll No. 298.

(See next issue.)

Suspensions—Proceedings Postponed: The House completed debate on the following motions to suspend the rules. Further proceedings were postponed until Tuesday, July 16:

Honoring Ted Williams: H. Res. 482, honoring Ted Williams and extending the condolences of the House of Representatives on his death;

Pages H4592–94

Congratulating the Detroit Red Wings on its Stanley Cup Championship: H. Res. 452, congratulating the Detroit Red Wings for winning the 2002 Stanley Cup Championship; and

Pages H4594–96

50th Anniversary of the Constitution of the Commonwealth of Puerto Rico: H. Con. Res. 395, amended, celebrating the 50th anniversary of the constitution of the Commonwealth of Puerto Rico.

Pages H4598–H4601

Meeting Hour—Tuesday, July 16: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, July 16 for morning-hour debate. (See next issue.)

Senate Messages: Message received from the Senate today appears on page H4577.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4606–08.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and will appear in the next issue. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:34 p.m.

Committee Meetings

TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule on H.R. 5093, making appropriations for the Department of the Treasury, Postal Service and General Government for the fiscal year ending September 30, 2003, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that amendments printed in the Rules Committee report accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The rule waives points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule provides that the bill shall be considered for amendment by paragraph. The rule waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriations bill containing an emergency designation). The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Skeen, Dicks, and Kildee.

IN THE MATTER OF REPRESENTATIVE JAMES A. TRAFICANT, JR.

Committee on Standards of Official Conduct: Adjudicatory Subcommittee held a hearing in the Matter of Representative James A. Traficant, Jr., to determine

whether any counts in the Statement of Alleged Violations have been proven by clear and convincing evidence. Testimony was heard from Representative Traficant, and the following Counsels of the House Committee on Standards of Official Conduct: Bernadette Sargeant; Kenneth Kellner, and Paul Lewis.

Hearings continue tomorrow.

HOMELAND SECURITY ACT

Select Committee on Homeland Security: Held a hearing on H.R. 5005, Homeland Security Act of 2002. Testimony was heard from Tom Ridge, Assistant to the President, Office of Homeland Security Advisor.

Hearings continue tomorrow.

COMMITTEE MEETINGS FOR TUESDAY, JULY 16, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine livestock packer ownership issues, 10 a.m., SD-562.

Committee on Appropriations: Subcommittee on Defense, business meeting to mark up H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, 10 a.m., SD-192.

Full Committee, business meeting to mark up proposed legislation making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, 2 p.m., S-128, Capitol.

Subcommittee on Commerce, Justice, State, and the Judiciary, business meeting to mark up proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003, 3 p.m., S-128, Capitol.

Subcommittee on Foreign Operations, business meeting to mark up proposed legislation making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2003, 5:15 p.m., SD-116.

Subcommittee on Labor, Health and Human Services, and Education, business meeting to mark up proposed legislation making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2003, 5:30 p.m., SD-124.

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings to examine the Semi-Annual Report on Monetary Policy of the Federal Reserve, 10 a.m., SH-216.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: to hold hearings to examine the Administration's plans to request additional funds for wildland firefighting and forest restoration as well as ongoing implementation of the National Fire Plan, 2:30 p.m., SD-366.

Committee on Environment and Public Works: with the Committee on the Judiciary, to hold joint hearings to examine new source review policy, regulations, and enforcement activities, with respect to clean air, 10 a.m., SD-106.

Committee on Finance: to hold hearings to examine homeland security and international trade issues, 10 a.m., SD-215.

Full Committee, business meeting to consider S. 2221, to temporarily increase the Federal medical assistance percentage for the Medicaid program, 2 p.m., SD-215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the proposed Department of Homeland Security issues, 10 a.m., SD-430.

Select Committee on Intelligence: to hold a joint closed briefing with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Committee on the Judiciary: with the Committee on Environment and Public Works, to hold joint hearings to examine new source review policy, regulations, and enforcement activities, with respect to clean air, 10 a.m., SD-106.

Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine the Federal Bureau of Investigations computer hardware problems from 1992 to 2002, 2 p.m., SD-226.

House

Committee on Armed Services, Merchant Marine Panel, hearing on U.S. ownership and control of vessels operating in the Maritime Security Program, 1 p.m., 2212 Rayburn.

Committee on the Budget, hearing on Mid-Session Review, 10:30 a.m., 210 Cannon.

Committee on Education and the Workforce, hearing on "Access to Higher Education for Low-Income Students: A Review of the Advisory Committee on Student Financial Assistance Report on College Access," 10:30 a.m., 2175 Rayburn.

Subcommittee on Workforce Protections, hearing on "Can a Consensus Be Reached to Update OSHA's Permissible Exposure Levels (PELs)," 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and Hazardous Materials and the Subcommittee on Health, joint hearing on Recent Developments in the EPA Office of the Ombudsman, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing regarding the Department of the Treasury's policy on the Government Sponsored Enterprises, 2 p.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing on EPA Cabinet Elevation: Agency and Stakeholder Views, 3 p.m., 2154 Rayburn.

Subcommittee on National Security, Veterans' Affairs and International Relations, hearing on Missile Defense: A New Organization, Evolutionary Technologies and Unrestricted Testing, 10 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to mark up the following bills: H.R. 2526, Internet Tax Fairness Act of 2001; and H.R. 3995, Housing Affordability for America Act of 2002, 5 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, hearing on "The Growing Natural Gas Supply and Demand Imbalance: the Role that Public Lands and Federal Submerged Lands could play in the Solution," 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 3434, McLoughlin House National Historic Site Act; H.R. 3449, to revise the boundaries of the George Washington Birthplace National Monument; and H.R. 4953, to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butt Road, 2 p.m., 1334 Longworth.

Committee on Small Business, Subcommittee on Workforce, Empowerment and Government Programs, hearing on Restructuring SBA, 2 p.m., 2360 Rayburn.

Committee on Standards of Official Conduct, Adjudicatory Subcommittee, to continue hearings in the Matter of Representative James A. Traficant, Jr., to determine whether any counts in the Statement of Alleged Violations have been proven by clear and convincing evidence, 10 a.m., 2118 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, oversight hearing on Problems with the FAA Organizational Structure, 2 p.m., 2167 Rayburn.

Subcommittee on Highways and Transit, hearing on Long-term Outlook on Highway Trust Fund: Are Fuel Taxes a Viable Measure? 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to mark up the following bills: H.R. 4940, Arlington National Cemetery Burial Eligibility Act; H.R. 5005, to authorize the placement in Arlington National Cemetery of a memorial honoring the World War II veterans who fought in the Battle of the Bulge; H.R. 3645, Veterans Health-Care and Procurement Improvement Act of 2002; 9:30 a.m., followed by a hearing on H.R. 4939, Veterans Medicare Payment Act of 2002, 10 a.m., 334 Cannon.

Select Committee on Homeland Security, to continue hearings on H.R. 5005, Homeland Security Act of 2002, 10 a.m., 345 Cannon.

Joint Meetings

Joint Meetings: Senate Select Committee on Intelligence, to hold a joint closed briefing with the House

Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Commission on Security and Cooperation in Europe: to hold hearings to examine the state of property restitution in Central and Eastern Europe for American claimants, 2 p.m., 334 Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Tuesday, July 16

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of the motion to proceed to consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, July 16

House Chamber

Program for Tuesday: Consideration of Suspensions:

- (1) H. Res. 448, Recognizing The First Tee;
- (2) H.R. 4866, Fed Up Higher Education Technical Amendments;
- (3) H. Res. 460, Recognizing and honoring Justin W. Dart, Jr.;
- (4) H. Res. 482, Honoring Ted Williams (rolled vote);
- (5) H. Res. 452, Congratulating the Detroit Red Wings (rolled vote); and
- (6) H. Con. Res. 395, Celebrating the 50th anniversary of the Constitution of the Commonwealth of Puerto Rico (rolled vote).

Consideration of H.R. 5093, FY 2003 Department of Interior Appropriations (open rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Boehlert, Sherwood L., N.Y., E1254
 Bonior, David E., Mich., E1258, E1259, E1260
 Conyers, John, Jr., Mich., E1255, E1257
 Crane, Philip M., Ill., E1257
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Hinchee, Maurice D., N.Y., E1253, E1254
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Paul, Ron, Tex., E1258
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 Tiahrt, Todd, Kans., E1259

(House proceedings for today will be continued in the next issue of the Record.)



Congressional Record

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