

# Daily Digest

## HIGHLIGHTS

At 3:40 p.m. the House recognized the anniversary of the July 24, 1998 tragedy in which Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

Pursuant to Article I, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., was expelled from the House of Representatives.

The House passed H.R. 5120, Treasury and Postal Operations Appropriations

The House passed H.R. 4965, Partial-Birth Abortion Ban.

The House passed H.R. 4628, Intelligence Authorization Act.

House Committees ordered reported 129 sundry measures.

Senate agreed to the Conference Report on H.R. 4775, 2002 Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States, clearing the measure for the President.

## Senate

### Chamber Action

*Routine Proceedings, pages S7243–S7322*

**Measures Introduced:** Thirteen bills were introduced, as follows: S. 2777–2789. **Page S7308**

#### Measures Reported:

S. 2778, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003. (S. Rept. No. 107–218)

S. 2779, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2003. (S. Rept. No. 107–219)

S. 2784, making appropriations for energy and water development for the fiscal year ending September 30, 2003. (S. Rept. No. 107–220)

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#### Measures Passed:

*Yankton Sioux Tribe and Santee Sioux Tribe Equitable Compensation Act:* Senate passed S. 434, to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux

Tribe of Nebraska for the loss of value of certain lands, after agreeing to committee amendments.

**Pages S7319–21**

*Vicksburg National Military Park Boundary Modification Act:* Senate passed S. 1175, to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, after agreeing to a committee amendment in the nature of a substitute.

**Page S7321**

*Honoring Lindy Boggs:* Senate agreed to H. Con. Res. 439, honoring Corinne "Lindy" Claiborne Boggs on the occasion of the 25th anniversary of the founding of the Congressional Women's Caucus.

**Pages S7321–22**

*Greater Access to Affordable Pharmaceuticals Act:* Senate continued consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, taking action on the following amendments proposed thereto:

**Pages S7249–63, S7282–91, S7292–99**

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada.

Page S7249

Rockefeller Amendment No. 4316 (to Amendment No. 4299), to provide temporary State fiscal relief.

Pages S7284–91, S7292–99

Gramm point of order that the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above, violates section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution.

Page S7299

Reid motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above.

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During consideration of this measure today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. 189), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to waive the Congressional Budget Act of 1974 with respect to Hagel Amendment No. 4315 (to Amendment No. 4299, as amended), to provide Medicare beneficiaries with a drug discount card that ensures access to affordable outpatient prescription drugs. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 for spending in excess of allocation, was sustained, and the amendment thus fell.

Pages S7249–63, S7282–83

A motion was entered to close further debate on Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, July 26, 2002.

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A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, July 25, 2002, with 1 hour of debate in relation to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above; to be followed by a vote on the motion to waive.

Page S7303

**Supplemental Appropriations Conference Report:** By 92 yeas to 7 nays (Vote No. 188), Senate agreed to the conference report on H.R. 4775, making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, clearing the measure for the President.

Pages S7263–82

**Conferring Honorary Citizenship:** Senate concurred in the amendment of the House, amendment to the preamble, and the amendment to the title to S.J. Res. 13, conferring honorary citizenship of the United States posthumously on Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de Lafayette.

Pages S7302–03

**Defense and Legislative Branch Appropriations—Agreement:** A unanimous-consent agreement was reached providing that the Majority Leader, following consultation with the Republican Leader, may proceed to the consideration of H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003; that debate on the bill and committee amendment be limited to 30 minutes; that immediately after the bill is reported, the text of the Senate committee reported bill, S. 2720, be inserted in the appropriate place in the House bill; that certain first degree amendments be proposed thereto, under a time limitation, with certain exceptions; that upon disposition of these amendments; the bill be read a third time, and the Senate vote on passage of the bill, as amended; that upon passage, Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate, without further intervening action or debate; provided further that the Senate proceed to consideration of H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, no later than Wednesday, July 31, 2002.

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**Appointment:**

**Congressional Hunger Fellows Program:** The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–171, announced the appointment of the following individuals to serve as members of the Board of Trustees of the Congressional Hunger Fellows Program: Senator Harkin and Representative Clayton.

Page S7319

**Executive Session:** Senate agreed to the motion to proceed to executive session to consider the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

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**Nomination—Cloture Motion Filed:** A motion was entered to close debate on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote on the nomination will occur on Friday, July 26, 2002.

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**Nominations Received:** Senate received the following nominations:

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2002.

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2005. (Reappointment)

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring June 5, 2006. (Reappointment)

Juanita Alicia Vasquez-Gardner, of Texas, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2003.

Robert Maynard Grubbs, of Michigan, to be United States Marshal for the Eastern District of Michigan for the term of four years.

Johnny Mack Brown, of South Carolina, to be United States Marshal for the District of South Carolina for the term of four years.

Denny Wade King, of Tennessee, to be United States Marshal for the Middle District of Tennessee for the term of four years.

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**Messages From the House:** **Page S7308**

**Measures Placed on Calendar:** **Page S7308**

**Additional Cosponsors:** **Pages S7308–10**

**Statements on Introduced Bills/Resolutions:**  
**Pages S7310–16**

**Additional Statements:** **Pages S7307–08**

**Amendments Submitted:** **Pages S7316–18**

**Authority for Committees to Meet:** **Pages S7318–19**

**Privilege of the Floor:** **Page S7319**

**Record Votes:** Two record votes were taken today. (Total—189) **Pages S7282, S7283**

**Adjournment:** Senate met at 10 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Thursday, July 25, 2002.

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING—ENERGY AND WATER APPROPRIATIONS

*Committee on Appropriations:* Committee ordered favorably reported an original bill (S. 2784) making appropriations for energy and water development for the fiscal year ending September 30, 2003.

### BUSINESS MEETING—TRANSPORTATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation approved for full committee consideration an original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003.

### HUD MANAGEMENT

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing and Transportation held oversight hearings to examine management challenges of the Department of Housing and Urban Development (HUD), focusing on staffing, acquisition management, information systems, assessing HUD's management environment, and formulating viable strategies and plans to address the major management challenges, receiving testimony from Alphonso Jackson, Chief Operating Officer/Deputy Secretary of Housing and Urban Development; Stanley J. Czerwinski, Director, Physical Infrastructure, General Accounting Office; and Carolyn Federoff, American Federation of Government Employees Council of HUD Locals, Boston, Massachusetts.

Hearings recessed subject to call.

### WOMEN IN SCIENCE AND TECHNOLOGY

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science, Technology, and Space concluded hearings to examine barriers to the involvement and advancement of women in math, science and technology, including under representation of women at the college level and above, and what can be done to lower these barriers and encourage more girls and women in the area science, after receiving testimony from Senator Boxer; Kristina M. Johnson, Duke University Pratt School of Engineering, Durham, North Carolina; Kay Koplovitz, Koplovitz and Company, New York, New York; Nancy Stueber, Oregon Museum of Science and Industry, Portland; and Ana Maria Boitel, Women in Technology, Alexandria, Virginia.

### FEDERAL ENERGY REGULATORY COMMISSION

*Committee on Energy and Natural Resources:* Committee concluded hearings to examine issues surrounding the Federal Energy Regulatory Commission, focusing on electric and natural gas infrastructure generation and transmission and the demand the power in the future, after receiving testimony from Pat Wood III, Chairman, Federal Energy Regulatory Commission, Department of Energy; Stephen Ward, Maine Public Advocate, Augusta, on behalf of the National Association of State Utility Consumer Advocates; M. Carol Coale, Prudential Financial, Houston, Texas; Lawrence J. Makovich, Cambridge Energy Research

Associates, Cambridge, Massachusetts; Pete Landriou, Public Service Enterprise Group, Newark, New Jersey; and David R. Nevius, North American Electric Reliability Council, Princeton, New Jersey.

#### ENVIRONMENTAL TREATIES IMPLEMENTATION

*Committee on Environment and Public Works:* Committee concluded joint hearings with the Committee on Foreign Relations to examine implementation of certain environmental treaties to which the United States is a party, and the United States' international environmental agreements and commitments, after receiving testimony from John F. Turner, Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs; James L. Connaughton, Chairman, White House Council on Environmental Quality; Maurice F. Strong, Earth Council Institute Canada, Toronto, Ontario; John C. Dernbach, Widener University Law School, Harrisburg, Pennsylvania; and Christopher C. Horner, Competitive Enterprise Institute, Washington, D.C.

#### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings on the nominations of Kristie Anne Kenney, of Maryland, to be Ambassador to the Republic of Ecuador, Larry Leon Palmer, of Georgia, to be Ambassador to the Republic of Honduras, and Barbara Calandra Moore, of Maryland, to be Ambassador to the Republic of Nicaragua, all of the Department of State, after the nominees testified and answered questions in their own behalf.

#### BUSINESS MEETING

*Committee on Governmental Affairs:* Committee ordered favorably reported the nominations of James E. Boasberg, to be an Associate Judge of the Superior Court of the District of Columbia, Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency, and Mark W. Everson, of Texas, to be Deputy Director for Management, Office of Management and Budget.

Also, Committee met and reconsidered their action of May 22, 2002, when the committee ordered favorably reported, with amendments, S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism (pending on Senate calendar), but did not take any final action thereon, and will meet again tomorrow.

#### BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee met and discussed certain committee matters, but did not take any action thereon, and recessed subject to the call.

#### NATIVE AMERICAN COMMERCIAL DRIVING

*Committee on Indian Affairs:* Committee concluded hearings on S. 1344, to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers, after receiving testimony from James E. Shanley, Fort Peck Community College, Poplar, Montana, on behalf of the American Indian Higher Education Consortium; David Fluke, Fed Ex Freight West, Citris Heights, California, on behalf of the American Trucking Associations, Inc.; and Andra Rush, Rush Trucking, Wayne, Michigan.

#### CORPORATE RESPONSIBILITY

*Committee on the Judiciary:* Subcommittee on Crime and Drugs resumed hearings to examine whether the use of criminal sanctions will help deter corporate wrong doing and ensure responsibility, receiving testimony from G. William Miller, G. William Miller and Company, former Secretary of the Treasury and former Chairman, Federal Reserve Board, Roderick M. Hills, Hills Enterprises, former Chairman, Securities and Exchange Commission, and James R. Doty, Baker Botts, former General Counsel, Securities and Exchange Commission, all of Washington, D.C.

Hearings recessed subject to call.

#### BUSINESS MEETING

*Committee on Small Business and Entrepreneurship:* Committee ordered favorably reported the following bills:

S. 2335, to establish the Office of Native American Affairs within the Small Business Administration, and to create the Native American Small Business Development Program, with an amendment;

S. 2483, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns;

S. 2466, to modify the contract consolidation requirements in the Small Business Act;

S. 2734, to provide emergency assistance to non-farm small business concerns that have suffered substantial economic harm from the devastating effects of drought, with an amendment in the nature of a substitute;

S. 1994, to establish a priority preference among certain small business concerns for purposes of Federal contracts, with an amendment;

S. 2753, to provide for a Small and Disadvantaged Business Ombudsman for Procurement in the Small Business Administration, with an amendment in the nature of a substitute; and

H.R. 2666, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program.

### VA MENTAL HEALTH CARE

*Committee on Veterans' Affairs:* Committee concluded hearings to examine Veterans Administration mental health care issues, including clinical care services, special emphasis programs, Mental Health Intensive Case Management program, homeless veterans, post-traumatic stress disorder, and substance abuse, after receiving testimony from Robert H. Roswell, Under Secretary of Veterans Affairs for Health; Miklos Losonczy, Robert Wood Johnson School of Medicine

Department of Psychiatry/New Jersey Health Care System, Piscataway, on behalf of the Committee on Care of Veterans with Serious Mental Illness; Ralph Ibson, National Mental Health Association, Alexandria, Virginia; Renato D. Alarcon, Emory University School of Medicine Department of Psychiatry, Atlanta, Georgia, on behalf of the American Psychiatric Association; Colleen Evans, VA Pittsburgh Health Care System, Pittsburgh, Pennsylvania, on behalf of the American Federation of Government Employees, AFL-CIO; and Frederick Frese, Northeastern Ohio Universities College of Medicine, Akron, and Moe Armstrong, Vinfen Corporation, Cambridge, Massachusetts, both on behalf of the National Alliance for the Mentally Ill.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** Measures introduced will appear in the next issue of the Record.

**Reports Filed:** Reports were filed today as follows:

Conference report on H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws (H. Rept. 107-610); **Pages H5393-H5411**

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

**Page H5317**

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rev. Samer Youssef, Pastor, Antiochian Orthodox Church of the Redeemer, Los Altos Hills, California.

**Page H5317**

**Moment of Silence In The Memory of Officer Jacob J. Chestnut and Detective John M. Gibson:**

At 3:40 p.m. the Chair recognized the anniversary of July 24, 1998 tragedy in which Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

**Page H5352**

**Treasury and Postal Operations Appropriations:** The House passed 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 by a yea-and-nay vote of 308 yeas to 121 nays, Roll No. 341.

**Pages H5322-46, H5352**

Agreed To:

Moran of Virginia amendment No. 21 printed in the Congressional Record of July 21 that prohibits any funding to be used to establish or enforce any numerical goal or quota for subjecting the employees of an agency to public-private competitions or converting the employees or the work they perform to private contractor performance under OMB circular A-76 or any other administrative regulation, directive, or policy (agreed to by a recorded vote of 261 ayes to 166 noes, Roll No. 336);

**Pages H5322-28, H5341-42**

Sanders amendment No. 7 printed in the Congressional Record of July 15 that prohibits any funding to be used by the Internal Revenue Service for activities that contravene current tax, Employee Retirement Income Security Act (ERISA) pension or age discrimination statutes (agreed to by a recorded vote of 308 ayes to 121 noes, Roll No. 339); and

**Pages H5333-36, H5343-44**

Barr amendment No. 23 printed in the Congressional Record of July 23 that prohibits the use of national anti-drug media campaign funding to pay any amounts pursuant to a specific contract.

**Pages H5336-41**

Rejected:

Hefley amendment that sought to reduce funding for the Allowances and Office Staff for former Presidents by \$339,000 (rejected by a recorded vote of 165 ayes to 265 noes, Roll No. 337);

**Pages H5328-30, H5342-43**

Hefley amendment No. 16 printed in the Congressional Record of July 17 that sought to reduce

each amount appropriated or otherwise made available by 1 percent (rejected by a recorded vote of 147 ayes to 282 noes, Roll No. 338);

**Pages H5330–32, H5343**

Withdrawn:

Kucinich amendment No. 18 printed in the Congressional Record of July 17 was offered but subsequently withdrawn that sought to prohibit any funding to be used to enforce or implement discounts for the statistical value of a human life estimated during regulatory reviews through implementation of OMB Circular A–94 Guidelines and Discount Rates for Benefit Cost Analysis of Federal programs or any guidance having the same substance; **Page H5330**

Jackson-Lee amendment No. 12 printed in the Congressional Record of July 16 was offered but subsequently withdrawn that sought to prohibit any funding to be used to prevent the rehabilitation of urban and rural post offices; **Page H5332**

Flake amendment No. 2 printed in the Congressional Record of July 15 was offered but subsequently withdrawn that sought to prohibit any funding to be used by entities unless specifically identified by name as a recipient in the Act;

**Pages H5332–33**

Wynn amendment No. 8 printed in the Congressional Record of July 15 was offered but subsequently withdrawn that sought to establish a centralized reporting system to enable agencies to generate reports on efforts regarding both contracting out and contracting in; and

**Pages H5344–45**

Hoyer amendment was offered but subsequently withdrawn that sought to prohibit any funding to be used by the Customs Service to require reports on repairs to U.S. flag vessels on the high seas.

**Pages H5345–46**

The House agreed to H. Res. 488, the rule that is providing for consideration of the bill on July 18.

**Partial-Birth Abortion Ban:** The House passed H.R. 4965, to prohibit the procedure commonly known as partial-birth abortion by a recorded vote of 274 ayes to 151 noes with 1 voting “present”, Roll No. 343.

**Pages H5352–74**

Rejected the Baldwin motion that sought to recommit the bill to the Committee on the Judiciary with instructions to report it back to the House forthwith with an amendment that inserts language that states that the prohibition does not apply to a partial-birth abortion where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother by a recorded vote of 187 ayes to 241 noes, Roll No. 342. **Pages H5371–73**

Agreed to H. Res. 498, the rule that provided for consideration of the bill by a yea-and-nay vote of 248 yeas to 177 nays, Roll No. 340. **Pages H5346–52**

**In the Matter of James A. Traficant, Jr.,** The House agreed to H. Res. 495, in the matter of James A. Traficant, Jr. by a 2/3 recorded vote of 420 ayes to 1 no, with 9 voting “present”, Roll No. 346. The text of the resolution is as follows: Resolved, that, pursuant to Article I, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., be, and he hereby is, expelled from the House of Representatives. Earlier, rejected the LaTourette motion to postpone consideration of the resolution until Sept. 4, 2002 by a recorded vote of 146 ayes to 285 noes, Roll No. 345. **Pages H5375–93**

**Intelligence Authorization:** The House completed debate and began considering amendments to H.R. 4628, to authorize appropriations for fiscal year 2003 for intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. **(See next issue.)**

Pursuant to the rule, the Permanent Select Committee on Intelligence amendment in the nature of a substitute now printed in the bill (H. Rept. 107–592) was considered as an original bill for the purpose of amendment. **(See next issue.)**

Agreed To:

Smith of New Jersey amendment to the Roemer amendment No. 9 printed in the Congressional Record of July 23 that includes representation of family members of victims of terrorist attacks on the National Commission on Terrorist Attacks;

**(See next issue.)**

Roemer amendment No. 9 printed in the Congressional Record of July 23, as amended, that creates a National Commission on Terrorist Attacks Upon the United States (agreed to by a recorded vote of 219 ayes to 188 noes, Roll No. 347).

**(See next issue.)**

Chambliss amendment No. 3 printed in the Congressional Record of July 23, that establishes the Homeland Security Information Sharing Act;

**(See next issue.)**

Pelosi amendment No. 8 printed in the Congressional Record of July 23, that clarifies the use of funds for counter-drug and counterterrorism activities for Colombia;

**(See next issue.)**

Goss amendment No. 5 printed in the Congressional Record of July 23, as modified, that limits the use of the Defense Emergency Response Fund;

**(See next issue.)**

Roemer amendment No. 9 printed in the Congressional Record of July 22 that requires a report on the establishment of a Civilian Linguist Reserve Corps comprised of individuals with advanced skills in foreign languages; and **(See next issue.)**

Hastings of Florida enbloc amendment consisting of amendments No. 6 and 7 printed in the Congressional Record of July 23 that expresses the sense of Congress on diversity in the workforce of intelligence community agencies and requires an annual report on the hiring and retention of minority employees in the intelligence community.

(See next issue.)

Withdrawn:

Engel amendment No. 4 printed in the Congressional Record of July 23, was offered but subsequently withdrawn that sought to specify limitations on the assistance provided to the Palestinian Security Services.

(See next issue.)

The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill.

(See next issue.)

Agreed to H. Res. 497, the rule that provided for the consideration of the bill by voice vote.

(See next issue.)

**Order of Business—Intelligence Authorization:** Agreed that during consideration of H.R. 4628 in the Committee of the Whole pursuant to H. Res. 497, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002 except pro forma amendments offered by the Chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

(See next issue.)

**Order of Business—Corporate and Auditing Accountability, Responsibility, and Transparency Act Conference Report:** Agreed that it be in order at any time on Thursday, July 25, 2002 to consider a conference report to accompany H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act; that the conference report be considered as read; and that all points of order against the conference report and against its consideration be waived.

(See next issue.)

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

*National Defense Authorization Act for Fiscal Year 2003:* Debated on July 23, H.R. 4547, amended, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003 (agreed to by a yea-and-nay vote of 413 yeas to 3 nays, Roll No. 335); and **Page H5318**

*Condemning the Persecution of Falun Gong Practitioners by the Chinese Government:* Debated on July 22, H. Con. Res. 188, amended, expressing the sense of Congress that the Government of the People's Republic of China should cease its persecu-

tion of Falun Gong practitioners (agreed to by a yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 344).

**Pages H5374–75**

**Recess:** The House recessed at 2:45 a.m. on Thursday, July 25 and will reconvene at approximately 9 a.m. on Thursday, July 25.

**Amendments:** Amendments ordered printed pursuant to the rule will appear in the next issue of the Record.

**Quorum Calls—Votes:** Four yea-and-nay votes and nine recorded votes developed during the proceedings of the House today and appear on pages H5318, H5341–42, H5342–43, H5343, H5343–44, H5351–52, H5352, H5373, H5373–74, H5374, H5383, H5393 (continued next issue). There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 2:45 a.m. on Thursday, July 25 stands in recess.

## Committee Meetings

### CHILD LEFT BEHIND ACT IMPLEMENTATION

*Committee on Education and the Workforce:* Held a hearing on "Implementation of the No Child Left Behind Act." Testimony was heard from Gene Hickok, Under Secretary, Department of Education; William Windler, Assistant Commissioner, Department of Education, State of Colorado; and public witnesses.

### TEMPORARY WAIVER—CERTAIN REQUIREMENTS UNDER CLEAN AIR ACT—AREAS IN NEW YORK WHERE ACTS OF TERRORISM DESTROYED PLANNING OFFICES AND RESOURCES

*Committee on Energy and Air Quality:* Subcommittee on Energy and Air Quality approved for full Committee action H.R. 3880, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism.

### COMMUNITY CHOICE IN REAL ESTATE ACT

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3424, Community Choice in Real Estate Act. Testimony was heard from Representatives Calvert and Kanjorski; and public witnesses.

### OVERSIGHT—CYBER-TERRORISM

*Committee on Government Reform:* Subcommittee on Government Efficiency, Financial Management and

Intergovernmental Relations held an oversight hearing on “Cyber-terrorism: Is the Nation’s Critical Infrastructure Adequately Protected?” Testimony was heard from Robert F. Dacey, Director, Information Security, GAO; Ronald L. Dick, Director, National Infrastructure Protection Center, FBI, Department of Justice; John S. Tritak, Director, Critical Infrastructure Assurance Office, Department of Commerce; and public witnesses.

#### **OVERSIGHT—COMMERCIAL ACTIVITIES PANEL—REVIEW FINDINGS**

*Committee on Government Reform:* Subcommittee on Technology and Procurement Policy held a hearing entitled “An Oversight Hearing to Review the Findings of the Commercial Activities Panel.” Testimony was heard from David M. Walker, Comptroller, GAO; Angela Styles, Director, Office of Federal Procurement Policy, OMB; Joseph Sikes, Director, Competitive Sourcing and Privatization, Department of Defense; and public witnesses.

#### **“MARSHALL PLAN” FOR THE MIDDLE EAST**

*Committee on International Relations:* Held a hearing on Economic Development and Integration as a Catalyst for Peace: A “Marshall Plan” for the Middle East. Testimony was heard from former Senator George J. Mitchell, State of Maine; Rima Khalaf Hunaidi, Assistant Secretary-General, United Nations, Assistant Administrator and Regional Director, Regional Bureau for Arab States, United Nations Development Programme; and public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on International Relations:* Subcommittee on Europe approved for full Committee action, as amended, the following measures: H. Con. Res. 164, expressing the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots; H. Con. Res. 437, recognizing the Republic of Turkey for its cooperation in the campaign against global terrorism, for its commitment of forces and assistance to Operation Enduring Freedom and subsequent missions in Afghanistan, and for initiating important economic reforms to build a stable and prosperous economy in Turkey; and H. Con. Res. 327, commending the republic of Turkey and the State of Israel for the continued strengthening of their political, economic, cultural, and strategic partnership and for their actions in support of the war on terrorism.

#### **WESTERN HEMISPHERE—COFFEE CRISIS**

*Committee on International Relations:* Subcommittee on Western Hemisphere held a hearing on the Coffee

Crisis in the Western Hemisphere. Testimony was heard from Adolfo Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, AID, Department of State; Franklin Lee, Deputy Administrator, Commodity and Marketing Programs, USDA; and public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on Resources:* Ordered reported the following bills: H.R. 2099, amended, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve; H.R. 2301, amended, to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California; H.R. 2534, amended, Lower Los Angeles River and San Gabriel River Watersheds Study Act of 2001; H.R. 2748, amended, National War Permanent Tribute Historical Database Act; H.R. 3407, amended, Indian Finance Act Reform Amendment; H.R. 3434, amended, McLoughlin House National Historic Site Act; H.R. 3449, to revise the boundaries of the George Washington Birthplace National Monument; H.R. 4622, amended, Gateway Communities Cooperation Act of 2002; H.R. 4682, Allegheny Portage Railroad National Historic Site Boundary Revision Act; H.R. 4708, amended, Fremont-Madison Conveyance Act; H.R. 4917, amended, Los Padres National Forest Land Exchange Act; H.R. 4938, to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska; H.R. 4953, amended, to direct the Secretary of the Interior to grant Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road; H.R. 5039, amended, Humboldt Project Conveyance Act; and S. 1105, Grand Teton National Park Land Exchange Act.

#### **SATELLITE DATA MANAGEMENT AT NOAA**

*Committee on Science:* Subcommittee on Environment, Technology and Standards held a hearing on Satellite Data Management at NOAA. Testimony was heard from Conrad C. Lautenbacher, Jr., Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Linda D. Koontz, Director, Information Issues, GAO; and a public witness.

#### **MISCELLANEOUS MEASURES; PROSPECTUSES**

*Committee on Transportation and Infrastructure:* Ordered reported the following measures: H. Con. Res. 442, recognizing the American Road and Transportation

Builders Associations for reaching its 100th Anniversary and for the many vital contributions of its members in the transportation construction industry to the American economy and quality of life through the multi-modal transportation infrastructure network its members have designed, built, and managed over the past century; H.R. 4727, amended, Dam Safety and Security Act of 2002; H.R. 5157, to amend section 5307 of title 49, United States Code, to allow transit systems in urbanized areas that, for the first time, exceeded 200,000 in population according to the 2000 census to retain flexibility in the use of Federal transit formula grants in fiscal year 2003; and H.R. 5169, Wastewater Treatment Works Security Act.

The Committee also approved several Army Corps of Engineers Survey resolutions and GSA Capitol Investment and Leasing Program resolutions.

### VETERANS' LEGISLATION

*Committee on Veterans' Affairs:* Subcommittee on Benefits held a hearing on the following bills: H.R. 5111, Servicemember's Civil Relief Act; and H.R. 4017, Soldiers' and Sailors' Civil Relief Equity Act. Testimony was heard from public witnesses.

Hearings continue tomorrow.

### GLOBAL HOT SPOTS

*Permanent Select Committee on Intelligence:* Met in executive session to discuss Global Hot Spots. Testimony was heard from departmental witnesses.

### FUTURE IMAGERY ARCHITECTURE

*Permanent Select Committee on Intelligence:* Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Future Imagery Architecture. Testimony was heard from departmental witnesses.

## Joint Meetings

### ECONOMIC STATISTICS

*Joint Economic Committee:* Committee concluded hearings to examine the measuring of economic change, focusing on international trade data, gross domestic product estimates, and electronic commerce, after receiving testimony from Donald L. Evans, Secretary of Commerce; and William D. Nordhaus, Yale University, New Haven, Connecticut, on behalf of the Bureau of Economic Analysis Advisory Committee.

### CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3763, to protect investors by im-

proving the accuracy and reliability of corporate disclosures made pursuant to the securities laws.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of July 8, 2002, p. D712)

H.J. Res. 87, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982. Signed on July 23, 2002. (Public Law 107-200)

S. 2594, to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins. Signed on July 23, 2002. (Public Law 107-201)

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### COMMITTEE MEETINGS FOR THURSDAY, JULY 25, 2002

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Appropriations:* business meeting to mark up proposed legislation making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003; proposed legislation making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2003; proposed legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003; and proposed legislation making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003, 2 p.m., S-128, Capitol.

*Committee on Armed Services:* to hold hearings to examine the national security implications of the Strategic Offensive Reductions Treaty, 9:30 a.m., SD-106.

*Committee on Banking, Housing, and Urban Affairs:* business meeting to consider the nominations of Paul S. Atkins, of Virginia, Harvey Jerome Goldschmid, of New York, Cynthia A. Glassman, of Virginia, and Roel C. Campos, of Texas, each to be a Member of the Securities and Exchange Commission, Time to be announced, Room to be announced.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine aviation security transition, focusing on the deployment of baggage screening equipment, cockpit security, and air cargo security, 9:30 a.m., SR-253.

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests, to hold hearings to examine

S. 2672, to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, 2:30 p.m., SD-366.

*Committee on Environment and Public Works:* business meeting to consider S. 1602, to help protect the public against the threat of chemical attack; S. 1746, to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to strengthen security at sensitive nuclear facilities; S. 1850, to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote cleanup of leaking underground storage tanks, to provide sufficient resources for such compliance and cleanup; proposed legislation authorizing funds for the John F. Kennedy Center Plaza; and the nominations of John S. Bresland, of New Jersey, to be a Member, and Carolyn W. Merritt, of Illinois, to be Chairperson and Member, each of the Chemical Safety and Hazard Investigation Board; and John Peter Suarez, of New Jersey, to be Assistant Administrator for Enforcement and Compliance of the Environmental Protection Agency, 11 a.m., SD-406.

*Committee on Foreign Relations:* business meeting to consider the Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations General Assembly on December 18, 1979, and signed on behalf of the United States of America on July 17, 1980 (Treaty Doc. 96-53); Agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993 (Treaty Doc. 105-32); Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary, signed in Wellington, May 13, 1997 (Treaty Doc. 105-53); S. Res. 296, recognizing the accomplishment of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and recognizing the 10th Anniversary of the return of his remains to Poland; S. Res. 300, encouraging the peace process in Sri Lanka; and pending nominations, 10:30 a.m., SD-419.

*Committee on Governmental Affairs:* business meeting to continue to reconsider the Committee's action of May 22, 2002, with respect to ordering favorably reported, with amendments S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism, 9:30 a.m., SD-342.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine violence against women in the workplace, focusing on the extent of the problem and government and business responses, 10 a.m., SD-430.

*Committee on Indian Affairs:* to hold hearings to examine the July 2, 2002 Report of the Department of the Interior to Congress on historical accounting of Individual Indian Money Accounts, 10 a.m., SR-485.

*Select Committee on Intelligence:* to hold joint closed hearings 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:* to hold oversight hearings to examine the Department of Justice, 10 a.m., SD-226.

## House

*Committee on Energy and Commerce,* Subcommittee on Health, hearing entitled "Examining Prescription Drug Reimportation: a Review of a Proposal to Allow Third Parties to Reimport Prescription Drugs," 1 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "The U.S. National Climate Change Assessment: Do the Climate Models Project a Useful Picture of Regional Climate?" 9:30 a.m., 2322 Rayburn.

*Committee on Financial Services,* Subcommittee on International Monetary Policy and Trade, hearing on the expected authorization requests on the U.S. participation in the World Bank-International Development Association and the African Development Fund, 1:30 p.m., 2128 Rayburn.

*Committee on Government Reform,* hearing on "Diet, Physical Activity, and Dietary Supplements—the Scientific Basis for Improving Health, Saving Money, and Preserving Personal Choice," 10 a.m., 2154 Rayburn.

*Committee on International Relations,* hearing on Loose Nukes, Biological Terrorism, and Chemical Warfare: Using Russian Debt to Enhance Security, 10:45 a.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, to mark up the following measures: H. Con. Res. 349, calling for an end to the sexual exploitation of refugees; and H. Con. Res. 351, expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights, 1 p.m., 2255 Rayburn.

*Committee on Resources,* Subcommittee on Energy and Mineral Resources, hearing on H.R. 5156, to amend the Outer Continental Shelf Lands Act to protect the economic and land use interests of the Federal Government in the management of outer continental shelf lands for energy-related and certain other purposes, 2 p.m., 1334 Longworth.

Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up H.R. 4781, Marine Mammal Protection Act Amendments of 2002, 2 p.m., 1324 Longworth.

Subcommittee on Forests, and Forests Health, the Subcommittee on National Parks, Recreation and Public Lands, and the Subcommittee on Fisheries Conservation and Oceans, joint hearing on the following bills: H.R. 2386, Outfitters Policy Act of 2002; H.R. 1811, PILT and Refuge Revenue Sharing Permanent Funding Act; and H.R. 5081, Property Tax Endowment Act of 2002; 10 a.m., 1334 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following: a measure to direct the Secretary of Agriculture to convey real property in the Dixie National Forest in the State of Utah; and H.R. 5032, to authorize the Secretary of Agriculture to convey National Forest System lands in the Mendocino National Forest, California, to authorize the use of the proceeds from such conveyances for National Forest purposes, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing and mark-up of the following bills: H.R. 4910, to authorize the Secretary of the Interior to revise a repayment contract

with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas; and H.R. 5123, to address certain matter related to Colorado River water management and the Salton Sea by providing funding for habitat enhancement projects at the Salton Sea, 10 a.m., 1324 Longworth.

*Committee on Science*, Subcommittee on Energy, hearing on Future Direction of the Department of Energy's Office of Science, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Highways and Transit, oversight hearing on Transportation Solutions in a Community Context: the Need for Better Transportation Systems for Everyone, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, Subcommittee on Benefits, to continue hearings on the following bills: H.R.

5111, Servicemember's Civil Relief Act; and H.R. 4017, Soldiers' and Sailors' Civil Relief Equity Act, 10 a.m., 334 Cannon.

*Committee on Ways and Means*, to mark up the following bills: the Back to School Tax Relief Act of 2002; and H.R. 4889, Patient Safety Improvement Act of 2002, 2 p.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on fraud and abuse in the Supplemental Security Income (SSI) program, 10:30 a.m., B-318 Rayburn.

### Joint Meetings

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

*Next Meeting of the SENATE*

9:30 a.m., Thursday, July 25

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, July 25

## Senate Chamber

**Program for Thursday:** After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act, with 1 hour of debate in relation to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299); to be followed by a vote on the motion to waive.

## House Chamber

**Program for Thursday:** Consideration of H.R. 5005, Homeland Security Bill (subject to a rule) and Consideration of the Conference report on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act (unanimous consent).

## Extensions of Remarks, as inserted in this issue.

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



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