

Daily Digest

HIGHLIGHTS

Senate and House agreed to the Conference Report on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act.

Senate passed H.R. 3210, Terrorism Risk Protection Act.

Senate passed H.R. 5121, Legislative Branch Appropriations Act.

The House agreed to H. Con. Res. 448 and H. Con. Res. 449, providing for a special meeting of the Congress in New York, on Friday, September 6, 2002, in remembrance of the victims and the heroes of September 11, 2001 and in recognition of the courage and spirit of the City of New York.

Senate

Chamber Action

Routine Proceedings, pages S7323–S7389

Measures Introduced: Twelve bills and four resolutions were introduced, as follows: S. 2790–2801, S.J. Res. 42, S. Res. 305–306, and S. Con. Res. 131.

Page S7372

Measures Reported:

H.R. 4737, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, with an amendment in the nature of a substitute. (S. Rept. No. 107–221)

S. 2797, 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. (S. Rept. No. 107–222)

S. 2801, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003. (S. Rept. No. 107–223)

S. Res. 300, encouraging the peace process in Sri Lanka, with an amendment and with an amended preamble.

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Measures Passed:

Terrorism Risk Protection Act: Senate passed H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism,

after striking all after the enacting clause and inserting in lieu thereof the text of S. 2600, Senate companion measure, as passed the Senate on June 18, 2002.

Page S7332

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Sarbanes, Dodd, Reed, Schumer, Gramm, Shelby, and Enzi.

Page S7332

Legislative Branch Appropriations: By 85 yeas to 14 nays (Vote No. 191), Senate passed H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, after inserting the text of S. 2720, Senate committee-reported bill, and after taking action on the following amendments proposed thereto:

Pages S7336–42, S7350

Adopted:

Durbin/Bennett Amendment No. 4319, making certain technical corrections.

Page S7337

Durbin/Bennett Amendment No. 4320, to modify provisions relating to the Capitol Police

Page S7339

Durbin (for Landrieu/Durbin) Amendment No. 4321, to set aside funds for activities relating to the Louisiana Purchase Bicentennial Celebration.

Page S7339

Durbin (for Cochran/Durbin/Bennett) Amendment No. 4322, to provide funding for the Congressional Award Act.

Page S7339

Durbin (for Specter/Durbin) Amendment No. 4323, to provide for a pilot program for mailings to town meetings. **Pages S7339–41**

Durbin (for Dodd) Amendment No. 4324, providing public safety exception to inscriptions requirement on mobile offices. **Page S7341**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Durbin, Johnson, Reed, Byrd, Bennett, Stevens, and Cochran.

Page S7350

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 S7327–36, S7350**

Adopted:

Rockefeller Amendment No. 4316 (to Amendment No. 4299), to provide temporary State fiscal relief. (Subsequently, the pending cloture motion on the amendment was withdrawn. **Pages S7327–36, S7350**)

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada. **Pages S7327–36**

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

By 75 yeas to 24 nays (Vote No. 190), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above. Subsequently, the point of order that the emergency designation in Section C of the amendment, violates section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, was not sustained. **Pages S7327–36**

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, July 26, 2002, with Senator Gregg or his designee being recognized to offer a second degree amendment. **Page S7365**

Corporate and Auditing Accountability, Responsibility, and Transparency Act Conference Report: By a unanimous vote of 99 yeas (Vote No. 192), Senate agreed to the conference report on H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, clearing the measure for the President. **Pages S7350–65**

Nomination/Greater Access to Affordable Pharmaceuticals Act—Agreement: A unanimous-con-

sent agreement was reached providing that immediately after the cloture vote on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, all time post cloture be considered used, and that on Monday, July 29, at 5:30 p.m., the Senate proceed to Executive Session to vote on the nomination, that upon confirmation, the President be immediately notified of the Senate's action, and the Senate return to Legislative Session; further that on Friday, July 26, immediately following the cloture vote on the nomination, the Senate return to Legislative Session and resume consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, and Senator Gregg or his designee be recognized to offer a second degree amendment; that during Friday's session, there be up to 3 hours for debate with respect to the amendment, with the time equally divided and controlled between Senators Kennedy and Gregg or their designees; that whenever the Senate resumes consideration of S. 812, the Gregg or designee amendment remain debatable. **Page S7365**

Nomination—Agreement: A unanimous-consent agreement was reached providing for the consideration of the nomination of Christopher C. Conner, to be United States District Judge for the Middle District of Pennsylvania, The Judiciary, on Friday, July 26, 2002, with a vote to occur thereon, following the cloture vote on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit. **Pages S7366, S7384**

Appointments:

Congressional Hunger Fellows Program: The Chair, on behalf of the Republican Leader, pursuant to Public Law 107–171, announced the appointment of Mr. Robert H. Forney, of Indiana, to serve as a member of the Board of Trustees of the Congressional Hunger Fellows Program. **Page S7384**

National Skill Standards Board: The Chair, on behalf of the President pro tempore, pursuant to Public Law 103–227, appointed the following individual to the National Skill Standards Board for a term of four years: Upon the recommendation of the Republican Leader: Betty W. DeVinney of Tennessee, Representative of Business. **Page S7384**

Nominations Confirmed: Senate confirmed the following nominations: Paul A. Quander, Jr., of the District of Columbia, to be Director of the District of Columbia Offender Supervision, Defender, and Courts Services Agency for a term of six years. (New Position)

Paul S. Atkins, of Virginia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2003.

Cynthia A. Glassman, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2006.

Roslynn R. Mauskopf, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

Todd Walther Dillard, of Maryland, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years. (Reappointment)

Robert R. Rigsby, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Harold D. Stratton, of New Mexico, to be Chairman of the Consumer Product Safety Commission.

Harold D. Stratton, of New Mexico, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2006.

Anthony Lowe, of Washington, to be Federal Insurance Administrator, Federal Emergency Management Agency.

David William Thomas, of Delaware, to be United States Marshal for the District of Delaware for the term of four years.

Thomas M. Fitzgerald, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

G. Wayne Pike, of Virginia, to be United States Marshal for the Western District of Virginia for the term of four years.

Steven D. Deatherage, of Illinois, to be United States Marshal for the Central District of Illinois for the term of four years.

Harvey Jerome Goldschmid, of New York, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2004.

Roel C. Campos, of Texas, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2005. **Pages S7383–84, S7389**

Nominations Received: Senate received the following nominations:

Jeffrey S. White, of California, to be United States District Judge for the Northern District of California.

Kent A. Jordan, of Delaware, to be United States District Judge for the District of Delaware.

Sandra J. Feuerstein, of New York, to be United States District Judge for the Eastern District of New York.

1 Air Force nomination in the rank of general.

34 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Navy.

Pages S7384–89

Messages From the House: **Pages S7370–71**

Measures Referred: **Page S7371**

Measures Placed on Calendar: **Page S7371**

Measures Read First Time: **Page S7371**

Executive Reports of Committees: **Pages S7371–72**

Additional Cosponsors: **Pages S7372–73**

Statements on Introduced Bills/Resolutions:
Pages S7373–80

Additional Statements: **Page S7370**

Amendments Submitted: **Pages S7380–82**

Notices of Hearings/Meetings: **Page S7282**

Authority for Committees to Meet: **Pages S7382–83**

Record Votes: Three record votes were taken today. (Total—192) **Pages S7336, S7350, S7365**

Adjournment: Senate met at 9:30 a.m., and adjourned at 6:59 p.m., until 9:55 a.m., on Friday, July 26, 2002.

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 2797) 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;

An original bill (S. 2801) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003;

An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003; and

An original bill 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.

STRATEGIC OFFENSIVE REDUCTION TREATY

Committee on Armed Services: Committee held hearings to examine the national security implications of the Strategic Offensive Reductions Treaty, also known as the Moscow Treaty (Treaty Doc. 107–8), receiving

testimony from Donald H. Rumsfeld, Secretary of Defense; and Gen. Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

Hearings will resume on Thursday, August 1.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported 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.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee held hearings to examine the Transportation Security Administration and aviation security transition, focusing on the deployment of baggage screening equipment, cockpit security, and air cargo security, receiving testimony from Senators Bob Smith and Murkowski; Norman Y. Mineta, Secretary of Transportation, who was accompanied by several of his associates; Gerald Dillingham, Director, Physical Infrastructure Issues, General Accounting Office; Richard D. Stephens, Boeing Company, Seal Beach, California; Craig Coy, Massachusetts Port Authority, East Boston; Stephen Luckey, National Flight Security Committee, Washington, D.C.; and Ed Davidson, Northwest Airlines, Inc., St. Paul, Minnesota.

Hearings recessed subject to call.

NATIONAL FOREST SYSTEMS RESTORATION PROJECTS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded hearings on S. 2672, to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, after receiving testimony from Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Thomas J. Mills, Deputy Chief, Business Operations, Forest Service, Department of Agriculture; Joyce Dearstyne, Framing Our Community, Elk City, Idaho; Maia Enzer, Sustainable Northwest, Portland, Oregon; and Steve Holmer, American Lands Alliance, Washington, D.C.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1602, to help protect the public against the threat of chemical attack, with an amendment in the nature of a substitute;

S. 1746, to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to

strengthen security at sensitive nuclear facilities, with an amendment in the nature of a substitute;

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, and to provide sufficient resources for such compliance and cleanup, with an amendment in the nature of a substitute;

S. 2771, to amend the John F. Kennedy Center Act to authorize the Secretary of Transportation to carry out a project for construction of a plaza adjacent to the John F. Kennedy Center for the Performing Arts; 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, Environmental Protection Agency.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993 (Treaty Doc. 105-32), with one declaration;

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. 300, encouraging the peace process in Sri Lanka, with an amendment; and

The nominations of Randolph Bell, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues, James Irvin Gadsden, of Maryland, to be Ambassador to the Republic of Iceland, James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania, Michael Klosson, of Maryland, to be Ambassador to the Republic of Cyprus, Norman J. Pattiz, of California, to be a Member of the Broadcasting Board of Governors, Paul William Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador, Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development, and Kenneth Y. Tomlinson, of Virginia, to be a Member and Chairman of the Broadcasting Board of Governors.

Also, committee began consideration of 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), but did not complete action thereon, and will meet again on Tuesday, July 30.

BUSINESS MEETING

Committee on Governmental Affairs: Committee approved the motion to authorize the Chairman to withdraw the committee amendments to S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism, as approved by the committee on May 22, 2002, when the committee ordered the bill favorably reported, and today, approved a floor amendment in the nature of a substitute to S. 2452 (pending on Senate calendar).

VIOLENCE AGAINST WOMEN IN THE WORKPLACE

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine violence against women in the workplace, focusing on coordinated community response partnerships with employers, to educate them about the dangers of domestic violence, sexual assault, and stalking, and assist them in establishing effective policies and programs; after receiving testimony from Diane Stuart, Director, Violence Against Women Office, Office of Justice Programs, Department of Justice; Kathy Evsich, Women Against Domestic Violence, Swannanoa, North Carolina; Sidney Harman, Har-

man International Industries, Inc., Washington, D.C.; and Kathy Rodgers, NOW-Legal Defense and Education Fund, New York, New York.

INDIAN MONEY ACCOUNTS

Committee on Indian Affairs: Committee concluded hearings to examine the July 2, 2002 Report of the Department of the Interior to Congress on historical accounting of Individual Indian Money Accounts, after receiving testimony, after receiving testimony from McCoy Williams, Director, Financial Management and Assurance, General Accounting Office; James Cason, Associate Deputy Secretary, Bert Edwards, Executive Director, Office of Historical Trust Accounting, and Tom Slonaker, Special Trustee for American Indians, all of the Department of the Interior; and William F. Causey, Nixon Peabody, LLP, Washington, D.C.

DEPARTMENT OF JUSTICE

Committee on the Judiciary: Committee concluded oversight hearings to examine Department of Justice issues, including its ability to mobilize law enforcement resources and the justice system in order to prevent future terrorist attacks on the United States and its citizens, the nation's murder and crime rate, counter-terrorism efforts and budget requests, background checks, visa requirements, and Civil Rights interests, receiving testimony from John D. Ashcroft, Attorney General, Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 29 public bills, H.R. 5211–5239; and 8 resolutions, H.J. Res 108, H. Con. Res. 448–451, and H. Res 503–505, were introduced. **Pages H5789–90**

Reports Filed: Reports were filed today as follows:

H.R. 4620, to accelerate the wilderness designation process by establishing a timetable for the completion of wilderness studies on Federal lands (H. Rept. 107–613);

S. 1057, to authorize the addition of lands to Pu'uhonua o Honaunau National Historical Park in the State of Hawaii (H. Rept. 107–614);

H. Res. 502, providing for consideration of H.R. 5005, to establish the Department of Homeland Security (H. Rept. 107–615); and

H.R. 1784, to establish an Office on Women's Health within the Department of Health and Human Services, amended (H. Rept. 107–616).

Conference report on H.R. 333, to amend title 11, United States Code (H.Rept. 107-617);

H. Res. 506, waiving points of order against the conference report to accompany H.R. 333, to amend title 11, United States Code (H.Rept. 107-618);

H. Res. 507, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H.Rept. 107-619); and

H. Res. 508, providing for consideration of motions to suspend the rules (H. Rept. 107-620).

Page H5789

Corporate and Auditing Accountability, Responsibility, and Transparency Act Conference Report: The House agreed to the conference report on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act by a yeas-and-nays vote of 423 yeas to 3 nays, Roll No. 348. The conference report was considered pursuant to the order of the House of Wednesday, July 24.

Pages H5462–80

Bob Stump National Defense Authorization Act for Fiscal Year 2003: The House agreed to the Senate amendment to H.R. 4546, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, with an amendment in the nature of a substitute. The House amendment consists of the text of H.R. 4546 and the text of H.R. 4547, as passed by the House. The House then

insisted on its amendment and asked for a conference with the Senate. **Page H5480**

Appointed as conferees: From the Committee on Armed Services, for consideration of the House amendment and the Senate amendment, and modifications committed to conference: Chairman Stump and Representatives Hunter, Hansen, Weldon of Pennsylvania, Hefley, Saxton, McHugh, Everett, Bartlett of Maryland, McKeon, Watts of Oklahoma, Thornberry, Hostettler, Chambliss, Jones of North Carolina, Hilleary, Graham, Skelton, Spratt, Ortiz, Evans, Taylor of Mississippi, Abercrombie, Meehan, Underwood, Allen, Snyder, Reyes, Turner, and Tauscher. **Page H5607**

From the Permanent Select Committee on Intelligence for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Chairman Goss and Representatives Bereuter and Pelosi. **Page H5607**

From the Committee on Education and the Workforce, for consideration of secs. 341–343, and 366 of the House amendment, and secs. 331–333, 542, 656, 1064, and 1107 of the Senate amendment, and modifications committed to conference: Representatives Isakson, Wilson of South Carolina, and George Miller of California. **Page H5607**

From the Committee on Energy and Commerce, for consideration of secs. 601 and 3201 of the House amendment, and secs. 311, 312, 601, 3135, 3155, 3171–3173, and 3201 of the House amendment, and modifications committed to conference: Chairman Tauzin and Representatives Barton of Texas and Dingell. **Page H5607**

From the Committee on Government Reform, for consideration of secs. 323, 804, 805, 1003, 1004, 1101–1106, 2811, and 2813 of the House amendment, and secs. 241, 654, 817, 907, 1007–1009, 1061, 1101–1106, 2811, and 3173 of the Senate amendment, and modifications committed to conference: Chairman Burton and Representatives Weldon of Florida and Waxman. **Pages H5607–08**

From the Committee on International Relations, for consideration of secs. 1201, 1202, 1204, Title XI, and sec. 3142 of the House amendment, subtitle A of Title X, secs. 1212–1216, 3136, 3151, and 3156–3161 of the Senate amendment, and modifications committed to conference: Chairman Hyde and Representatives Gilman and Lantos. **Page H5608**

From the Committee on Judiciary, for consideration of secs. 811 and 1033 of the House amendment, and secs. 1067 and 1070 of the Senate amendment, and modifications committed to conference:

Chairman Sensenbrenner and Representatives Smith of Texas and Conyers. **Page H5608**

From the Committee on Resources, for consideration of secs. 311, 312, 601, title XIV, secs. 2821, 2832, 2841, and 2863 of the House amendment, and secs. 601, 2821, 2823, 2828, and 2841 of the Senate amendment, and modifications committed to conference: Representatives Duncan, Gibbons, and Rahall. **Page H5608**

From the Committee on Science, for consideration of secs. 244, 246, 1216, 3155, and 3163 of the Senate amendment, and modifications committed to conference: chairman Boehlert, Smith of Michigan, and Hall of Texas. **Page H5608**

From the Committee on Transportation and Infrastructure, for consideration of sec. 601 of the House amendment, and secs. 601 and 1063 of the Senate amendment, and modifications committed to conference: Chairman Young of Alaska, LoBiondo, and Brown of Florida. **Page H5608**

From the Committee on Veterans' Affairs, for consideration of secs. 641, 651, 721, 723, 724, 726, 727, and 728 of the House amendment, and secs. 541 and 641 of the Senate amendment, and modifications committed to conference: Chairman Smith of New Jersey, Bilirakis, Jeff Miller of Florida, Filner, and Carson. **Page H5608**

Agreed to the Taylor of Mississippi motion to instruct conferees to insist upon the provisions of section 1551 of the House amendment (relating to the establishment of at least one Weapons of Mass Destruction Civil Support Team in each State) by a yea-and-nay vote of 419 yeas to 2 nays, Roll No. 349. **Pages H5602-07**

Agreed to close the meetings of the conference at such times as classified national security material may be broached by a recorded vote of 420 yeas to 3 noes, Roll No. 350. **Page H5608**

Suspension—Improving Access to Long-Term Care: The House agreed to suspend the rules and pass H.R. 4946, amended, to amend the Internal Revenue Code to provide health care incentives related to long-term care by a yea-and-nay vote of 362 yeas to 61 nays, Roll No. 351. Agreed to amend the title so as to read "A bill to amend the Internal Revenue Code of 1986 to provide health care incentives.". The motion was debated on July 23. **Pages H5608-09**

Special Meeting of the Congress in New York, New York: The House agreed to H. Con. Res. 448, providing for a special meeting of the Congress in New York, New York, on Friday, September 6, 2002, in remembrance of the victims and the heroes of September 11, 2001, in recognition of the courage and spirit of the City of New York, and for other

purposes. And the House agreed to H. Con. Res. 449, providing for representation by Congress at a special meeting in New York, New York on Friday, September 6, 2002. **Pages H5609-14, H5615**

Recess: The House recessed at 3:34 p.m. and reconvened at 7 p.m. **Page H5621**

Party Designation: Read a letter from Representative Goode wherein he requested that his party designation be changed to Republican on all official publications and databases of the House of Representatives, effective August 1, 2002. **Page H5621**

Homeland Security Act: The House completed general debate and began considering amendments to H.R. 5005, to establish the Department of Homeland Security. **Pages H5633-H5704**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Select Committee on Homeland Security now printed in the bill (H. Rept. 107-609, Part 1) was considered as an original bill for the purpose of amendment. **Page H5660**

Agreed To:

Young of Alaska Amendment No. 2 printed in H. Rept. 107-615 that restores FEMA as an entity and maintain its role as the lead agency for the Federal Response Plan; **Pages H5686-91**

Cox Amendment No. 4 printed in H. Rept. 107-615 that clarifies that the Department of Homeland Security is responsible for cybersecurity and protection of its infrastructure; **Pages H5691-92**

Israel Amendment No. 5 printed in H. Rept. 107-615 that establishes an advisory committee for the Under Secretary for Science and Technology; **Pages H5692-93**

Woolsey Amendment No. 7 printed in H. Rept. 107-615 that establishes a Homeland Security Institute as a research and development center; **Page H5694**

Hunter Amendment No. 9 printed in H. Rept. 107-615 that expresses the sense of Congress that the completion of the San Diego Border Fence Project should be a priority of the Department of Homeland Security; **Pages H5696-97**

Ose Amendment No. 10 printed in H. Rept. 107-615 that requires a plan within one year to consolidate and co-locate regional and field offices in each of the cities with existing offices transferred to the Department of Homeland Security; **Pages H5697-98**

Velázquez Amendment No. 11 printed in H. Rept. 107-615 that ensures that the Department of Homeland Security has procurement goals for small businesses; **Page H5698**

Hastings of Florida Amendment No. 12 printed in H. Rept. 107-615 that directs the Secretary to

comply with laws protecting equal employment opportunity and providing whistleblower protections;

Pages H5698–99

Kingston Amendment No. 13 printed in H. Rept. 107–615 that ensures that if the Federal Law Enforcement Training Center is transferred to the Department of Justice, the Department of Justice will not alter the operations of the center;

Pages H5699–H5701

Rush Amendment No. 15 printed in H. Rept. 107–615 that establishes an office for state and local government coordination; and

Pages H5702–03

Shays Amendment No. 16 printed in H. Rept. 107–615 that requires biennial reports to Congress on the status of homeland security preparedness, including an assessment for each state, and a report within one year of enactment that assesses the progress of the Department in implementing the Act to ensure that core functions of each entity transferred to the Department are maintained and strengthened and recommending any conforming changes in law necessary to the further implementation of the Act.

Pages H5703–04

Amendments Offered and Further Proceedings Postponed Until Friday, July 26:

Oberstar Amendment No. 1 printed in H. Rept. 107–615 that seeks to retain FEMA as an independent agency with responsibility for natural disaster preparedness, response, and recovery;

Pages H5683–86

Cardin Amendment No. 8 printed in H. Rept. 107–615 that preserves the Customs Service as a distinct entity within the Department of Homeland Security; and

Pages H5694–96

Rogers of Kentucky Amendment No. 14 printed in H. Rept. 107–615 that gives permissive authority to the Secretary to establish and operate a permanent Joint Interagency Homeland Security Task Force.

Pages H5701–02

Withdrawn:

Rivers Amendment No. 6 printed in H. Rept. 107–615 was offered but subsequently withdrawn that sought to establish an Office of Inquiries within the Department of Science and Technology to review proposals to develop or deploy products that would contribute to homeland security.

Pages H5693–94

Agreed to H. Res. 502, the rule that provided for consideration of the bill by voice vote. Earlier, agreed to consider the resolution by unanimous consent.

Pages H5621–31

Recess: the House recessed at 12:40 a.m. on Friday, July 26 and reconvened at 8:21 a.m. on Friday, July 26.

Page H5707

Memorial for Chaplain Ford: Representative Horn asked unanimous consent to print the remarks from

the Memorial Service held for the late Rev. Dr. James David Ford at the Capitol by members and staff of the House of Representatives. Dr. Ford was Chaplain of the House from January 15, 1979 until March 23, 2000. July 25 is the anniversary of Dr. Ford's birth.

Senate Messages: Messages received from the Senate today appear on pages H5614–15 and H5631.

Referrals: S. 434 was referred to the Committee on Resources and S. 1175 was held at the desk.

Page H5787

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appears on pages H5480, H5607, H5608, and H5609. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:24 a.m. on Friday, July 26.

Committee Meetings

DRUG REIMPORTATION

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Examining Prescription Drug Reimportation: a Review of a Proposal to Allow Third Parties to Reimport Prescription Drugs." Testimony was heard from William Hubbard, Senior Associate Commissioner, Office of Policy, Planning and Legislation, FDA, Department of Health and Human Services; and public witnesses.

U.S. NATIONAL CLIMATE CHANGE ASSESSMENT

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "The U.S. National Climate Change Assessment: Do the Climate Models Project a Useful Picture of Regional Climate?" Testimony was heard from public witnesses.

REAUTHORIZATION REQUESTS— WORLDBANK INTERNATIONAL DEVELOPMENT ASSOCIATION AND AFRICAN DEVELOPMENT FUND

Committee on Financial Services: Subcommittee on International Monetary Policy and Trade held a hearing on the expected authorization requests on the U.S. participation in the World Bank-International Development Association and the African Development Fund. Testimony was heard from John Taylor, Under Secretary, International Affairs, Department of the Treasury.

DIET, PHYSICAL ACTIVITY, AND DIETARY SUPPLEMENTS—IMPROVING HEALTH

Committee on Government Reform: Held a hearing on “Diet, Physical Activity, and Dietary Supplements—the Scientific Basis for Improving Health, Saving Money, and Preserving Personal Choice.” Testimony was heard from the following officials of the Department of Health and Human Services: Paul Coates, Director, Office of Dietary Supplements, NIH; and William Dietz, M.D., Director, Division of Nutrition and Physical Activity, Centers for Disease Control and Prevention; and public witnesses.

USING RUSSIAN DEBT TO ENHANCE SECURITY

Committee on International Relations: Held a hearing on Loose Nukes, Biological Terrorism, and Chemical Warfare: Using Russian Debt to Enhance Security. Testimony was heard from Representative Tauscher; Alan P. Larson, Under Secretary, Economic, Business, and Agricultural Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on International Operations and Human Rights approved for full Committee action, as amended, 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.

OUTER CONTINENTAL SHELF LANDS ACT AMENDMENTS

Committee on Resources: Subcommittee on Energy and Mineral Resources held a 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. Testimony was heard from Johnnie Burton, Director, Minerals Management Service, Department of the Interior; and a public witness.

MARINE MAMMAL PROTECTION ACT AMENDMENTS

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action, as amended, H.R. 4781, Marine Mammal Protection Act Amendments of 2002.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests, and Forests Health, the Subcommittee on National Parks, Recreation and Public Lands, and the Sub-

committee on Fisheries Conservation and Oceans held a 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; H.R. 5081, Property Tax Endowment Act of 2002; H.R. 5180, 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. Testimony was heard from Representatives McInnis and Radanovich; the following officials of the Department of the Interior: Sherry Barnett, Deputy Assistant Director, Renewable Resources, Bureau of Land Management; and Chris Kearney, Deputy Assistant Secretary, Policy/International Affairs; Abigail Kimbell, Associate Deputy Chief, National Forest System, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power approved for full Committee action the following bills: H.R. 4910, amended, 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.

Prior to this action, the Subcommittee held a hearing on these measures. Testimony was heard from the following officials of the Bureau of Reclamation, Department of the Interior: Mark A. Limbaugh, Director, External and Intergovernmental Affairs; and Bob Johnson, Regional Director, Lower Colorado Region; and public witnesses.

HOMELAND SECURITY ACT

Committee on Rules: Granted, by voice vote, a structured rule providing 90 minutes of debate on H.R. 5005, Homeland Security Act of 2002. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Select Committee on Homeland Security now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the bill, as amended.

The rule provides that no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the Rules Committee report accompanying the resolution and amendments en bloc described in section 3 of the

resolution. The rule provides that each amendment printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, except as specified in section 4 of the resolution.

The rule waives all points of order against the amendments printed in the report or amendments en bloc described in section 3 of the resolution. The rule provides that it shall be in order at any time for the chairman of the Select Committee on Homeland Security or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of or germane modifications of any such amendment.

The rule provides that amendments en bloc offered pursuant to the rule shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule provides that for the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

The rule provides that the Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report out of the order printed, but not sooner than one hour after the chairman of the Select Committee on Homeland Security or his designee announces from the floor a request to that effect. Finally, the rule provides one motion to recommit with or without instructions.

SAME DAY CONSIDERATION OF RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Committee on Rules: Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Com-

mittee. The rule applies the waiver to any special rule reported on the legislative day of Friday, July 26, 2002, providing for the consideration or disposition of conference reports to accompany any of the following bills: H.R. 3009, H.R. 3295, H.R. 333.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a resolution providing that suspensions will be in order at any time on the legislative day of Wednesday, September 4, 2002. The resolution provides that the Speaker or his designee will consult with the Minority Leader or his designee on any suspension considered under the rule.

CONFERENCE REPORT—BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read.

DOE'S OFFICE OF SCIENCE—FUTURE DIRECTION

Committee on Science: Subcommittee on Energy held a hearing on Future Direction of the Department of Energy's Office of Science. Testimony was heard from Raymond Orbach, Director, Office of Science, Department of Energy; Gary Jones, Director, National Resources and Environment, GAO; and public witnesses.

OVERSIGHT—BETTER TRANSPORTATION SYSTEMS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held an oversight hearing on Transportation Solutions in a Community Context: the Need for Better Transportation Systems for Everyone. Testimony was heard from public witnesses.

VETERANS' LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits concluded hearings 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.

SSI PROGRAMS—FRAUD AND ABUSE

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on fraud and abuse in the Supplemental Security Income (SSI) program. Testimony was heard from the following officials of the SSA: James B. Lockhart, I, Deputy Commissioner; and James G. Huse, Jr., Inspector General; Robert Robertson, Director, Education, Workforce,

and Income Security Issues, GAO; Hal Daub, Chairman, Social Security Advisory Board; and a public witness.

Joint Meetings

9/11 INTELLIGENCE INVESTIGATION

Joint Hearing: Senate Select Committee on Intelligence held joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001.

Joint hearings recessed subject to call.

SECURING AMERICA'S FUTURE ENERGY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4, to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, but did not complete action thereon, and recessed subject to call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of July 24, 2002, p. D821)

H.R. 2362, to establish the Benjamin Franklin Tercentenary Commission. Signed on July 24, 2002. (Public Law 107-202)

H.R. 3971, to provide for an independent investigation of Forest Service firefighter deaths that are caused by wildfire entrapment or burnover. Signed on July 24, 2002. (Public Law 107-203)

COMMITTEE MEETINGS FOR FRIDAY, JULY 26, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hear and consider the nominations of Lt. Gen. James T. Hill, USA, for appointment to the grade of general and assignment as Commander in Chief, United States Southern Command; and Vice Adm. Edmund P. Giambastiani Jr., USN, for appointment to the grade of admiral and assignment as Commander in Chief, United States Joint Forces Command, 9:30 a.m., SR-222.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Children and Families, to hold hearings to examine birth defect screening, focusing on strategies for prevention and ensuring quality of life, 9:30 a.m., SD-430.

House

Committee on Energy and Commerce, hearing entitled "Oath Taking, Truth Telling, and Remedies in the Business World," 10 a.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, to mark up a report entitled "Federal Law Enforcement at the Borders and Ports of Entry: Challenges and Solutions;" followed by a hearing on "Impact of Potential Restrictions on Anti-Drug Media Campaign Contractors," 10 a.m., 2203 Rayburn.

Committee on Rules: Emergency meeting to consider the following: Conference report to accompany H.R. 333, Bankruptcy Reform; a resolution providing for same day consideration of certain measures; and a resolution making suspensions in order on Sept. 4, 2002; 8 a.m. (legislative day of Thursday, July 25), H-313 Capitol.

Next Meeting of the Senate

9:55 a.m., Friday, July 26

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, July 26

Senate Chamber

Program for Friday: Senate will vote on the motion to close further debate on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; following which, Senate will consider the nomination of Christopher C. Conner, to be United States District Judge for the Middle District of Pennsylvania, The Judiciary, with a vote to occur thereon.

Also, Senate will continue consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act.

House Chamber

Program for Friday: Complete consideration of H.R. 5005, Homeland Security Bill (structured rule).

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