

# Daily Digest

## HIGHLIGHTS

House committees ordered reported nine sundry measures, including the VA, HUD and Independent Agencies Appropriations for Fiscal Year 2003.

## Senate

### Chamber Action

*Routine Proceedings, pages S10137–S10232*

**Measures Introduced:** Six bills and two resolutions were introduced, as follows: S. 3083–3088, S. Res. 337, and S. Con. Res. 151. **Pages S10222–23**

#### Measures Reported:

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. (S. Rept. No. 107–307)

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, with an amendment. (S. Rept. No. 107–308)

**Page S10222**

#### Measures Passed:

**Sudan Peace Act:** Senate passed H.R. 5531, to facilitate famine relief efforts and a comprehensive solution to the war in Sudan, clearing the measure for the President. **Page S10232**

**Printing Authority:** Senate agreed to S. Res. 337, authorizing the printing with illustrations of a document entitled “Committee on Appropriations, United States Senate, 135th Anniversary, 1867–2002”. **Page S10232**

**Further Resolution on Iraq:** Senate continued consideration of S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq, taking action on the following amendments proposed thereto: **Pages S10145–62, S10164–S10217**

#### Rejected:

Graham Amendment No. 4857 (to Amendment No. 4856), in the nature of a substitute. (By 88 yeas to 10 nays (Vote No. 231), Senate tabled the amendment. **Pages S10145–10162**

#### Pending:

Lieberman/Warner Modified Amendment No. 4856, in the nature of a substitute. **Pages S10145, S10164–S10217**

Byrd Amendment No. 4868 (to Amendment No. 4856, as modified), to provide statutory construction that constitutional authorities remain unaffected and that no additional grant of authority is made to the President not directly related to the existing threat posed by Iraq. **Pages S10167–S10217**

Levin Amendment No. 4862 (to Amendment No. 4856), in the nature of a substitute. **Pages S10191–S10217**

A unanimous-consent-time agreement was reached providing that immediately following the pledge tomorrow morning following the 9:15 a.m. convening, Senator Byrd be recognized to offer Amendment No. 4869; that there be a time limitation of 20 minutes; following the use, or yielding back of that time, Senate vote on the amendment; that following disposition of that amendment there be 45 minutes for debate on the motion to invoke cloture; that upon the completion of that time, Senate vote on cloture on Lieberman/Warner Modified Amendment No. 4856 (listed above); that following that vote, there be a time limitation of 60 minutes on Byrd Amendment Number 4868 (listed above); that upon the use, or yielding back of that time, Senate vote on Byrd Amendment No. 4868; further, that no second degree amendments be in order to either of the above listed amendments. **Pages S10190–91**

A unanimous-consent-time agreement was reached providing further that following disposition of Byrd Amendment No. 4868 (listed above), Senate resume consideration of Levin Amendment No. 4862 (listed above); that the amendment be in order notwithstanding the provisions of Rule 22; that there be 50 minutes under Senator Levin’s control and 45 minutes in opposition; that upon the use or yielding back of time, Senate vote on Levin Amendment No. 4862; that following disposition of that amendment, Senator Durbin be recognized to offer Amendment No. 4865; that Senator Durbin control 40 minutes for debate and 10 minutes for Senator Biden, and 15 minutes for Senators Warner and McCain in opposition; that upon the use, or yielding back of that time, Senate vote on Durbin Amendment No. 4865;

that no second degree amendments be in order to either of the above listed amendments.

Pages S10191–S10217

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9:15 a.m., on Thursday, October 10, 2002.

Page S10232

**Election Reform Conference Report—Agreement:** A unanimous-consent-time agreement was reached providing that, notwithstanding Rule 22, when the Senate considers the conference report on H.R. 3295, to require States and localities to meet uniform and nondiscriminatory election technology and administration requirements applicable to Federal elections, to establish grant programs to provide assistance to States and localities to meet those requirements and to improve election technology and the administration of Federal elections, to establish the Election Administration Commission, it be considered under a 2 hour time limitation; that upon the use or yielding back of time, Senate proceed to vote on adoption of the conference report.

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**Treaties Approved:** The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

1997 Amendment to Montreal Protocol Treaty Doc. 106–10.

Amendment to Montreal Protocol (“Beijing Amendment”) Treaty Doc. 106–32. Pages S10231–32

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report entitled “Continued Production of the Naval Petroleum Reserves Beyond April 5, 2003”; to the Committee on Armed Services. (PM–115)

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**Messages From the House:**

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**Measures Read First Time:**

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**Executive Reports of Committees:**

Page S10222

**Additional Cosponsors:**

Pages S10223–24

**Statements on Introduced Bills/Resolutions:**

Pages S10224–25

**Additional Statements:**

Pages S10221–22

**Amendments Submitted:**

Page S10225–30

**Notices of Hearings/Meetings:**

Page S10230

**Authority for Committees to Meet:**

Pages S10230–31

**Privilege of the Floor:**

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**Record Votes:** One record vote was taken today. (Total—231)

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**Adjournment:** Senate met at 9:30 a.m., and adjourned at 11:17 p.m., until 9:15 a.m., on Thursday, October 10, 2002. (For Senate’s program, see the re-

marks of the Acting Majority Leader in today’s Record on page S10232).

## Committee Meetings

(Committees not listed did not meet)

### AFFORDABLE HOUSING PRESERVATION

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing and Transportation held oversight hearings on the need to preserve affordable housing, focusing on the existing privately-owned affordable housing stock currently supported with public funds under a variety of federal housing insurance, subsidy and assistance programs, receiving testimony from John C. Weicher, Assistant Secretary for Housing/Federal Housing Commissioner, and Robert Kension, Associate General Counsel, Office of Assisted Housing and Community Development, both of the Department of Housing and Urban Development; Katherine G. Hadley, Minnesota Housing Finance Agency, St. Paul, on behalf of the National Council of State Housing Agencies; James R. Grow, National Housing Law Project, Oakland, California; Thomas Slemmer, National Church Residences, Columbus, Ohio, on behalf of the American Association of Homes and Services for the Aging; and Louise Sanchez, National Alliance of HUD Tenants, New York, New York.

Hearing recessed subject to the call.

### FINANCIAL WAR ON TERRORISM

*Committee on Finance:* Committee concluded hearings on the financial war on terrorism, focusing on certain Federal agency measures to identify, disrupt, and dismantle terrorist financial networks, after receiving testimony from James Gurule, Under Secretary of the Treasury for Enforcement; Michael Chertoff, Assistant Attorney General, Criminal Division, Department of Justice; and Alan Larson, Under Secretary of State for Economic, Business and Agricultural Affairs.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings to examine the nominations of John Randle Hamilton, of North Carolina, to be Ambassador to the Republic of Guatemala, John F. Keane, of Virginia, to be Ambassador to the Republic of Paraguay, and David N. Greenlee, of Maryland to be Ambassador to the Republic of Bolivia, after the nominees testified and answered questions in their own behalf.

### G–8 GLOBAL PARTNERSHIP

*Committee on Foreign Relations:* Committee held hearings to examine the G8 global partnership against the spread of weapons and materials of mass destruction (10+10 Over 10), and nonproliferation and threat reduction cooperation programs with Russia and other Republics of the Former Soviet Union, after receiving testimony from John R. Bolton,

Under Secretary for Arms Control and International Security, and John S. Wolf, Assistant Secretary for Nonproliferation, both of the Department of State; Lisa Bronson, Deputy Under Secretary of Defense for Technology Security and Counter-Proliferation; Linton Brooks, Acting Administrator, National Nuclear Security Administration, Department of Energy; Kenneth N. Luongo, Russian-American Nuclear Security Advisory Council, Princeton, New Jersey; and Laura S. H. Holgate, Nuclear Threat Initiative, Washington, DC.

Recessed subject to the call.

## BUSINESS MEETING

*Committee on Governmental Affairs:* Committee ordered favorably reported the following business items:

S. 1651, to establish the United States Consensus Council to provide for a consensus building process in addressing national public policy issues, with an amendment in the nature of a substitute;

S. 3054, to provide for full voting representation in Congress for the citizens of the District of Columbia;

S. 2936, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percent relating to periods of receiving disability payments, with an amendment;

S. 2527, to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation;

S. 3070, to authorize appropriations for the Merit Systems Protection Board and the Office of Special Counsel;

S. 3044, to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release;

H.R. 4878, to provide for estimates and reports of improper payments by Federal agencies, with an amendment in the nature of a substitute;

S. 2644, to amend chapter 35 of title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements, with an amendment in the nature of a substitute;

S. 2829, to redesignate the facility of the United States Postal Service located at 6910 South Yorktown Avenue in Tulsa, Oklahoma, as the "Robert Wayne Jenkins Station";

S. 2840/H.R. 4102, bills to designate the facility of the United States Postal Service located at 120 North Main Street in Fallon, Nevada, as the "Rollan D. Melton Post Office Building";

S. 2918/H.R. 5336, bills to designate the facility of the United States Postal Service located at 380 Main Street in Farmingdale, New York, as the "Peter J. Ganci, Jr. Post Office Building";

S. 2929/H.R. 4797, bills to designate the facility of the United States Postal Service located at 265 South Western Avenue, Los Angeles, California as the "Nat King Cole Post Office";

S. 2931, to designate the facility of the United States Postal Service located at 5805 White Oak Avenue in Encino, California, as the "Francis Dayle 'Chick' Hearn Post Office";

H.R. 3034, to designate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the "Frank Sinatra Post Office Building";

H.R. 3738, to designate the facility of the United States Postal Service located at 1299 North 7th Street in Philadelphia, Pennsylvania, as the "Herbert Arlene Post Office Building";

H.R. 3739, to designate the facility of the United States Postal Service located at 6150 North Broad Street in Philadelphia, Pennsylvania, as the "Rev. Leon Sullivan Post Office Building";

H.R. 3740, to designate the facility of the United States Postal Service located at 925 Dickinson Street in Philadelphia, Pennsylvania, as the "William A Cibotti Post Office Building";

H.R. 4717, to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the "Jim Fonteno Post Office Building";

H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio as the "Clarence Miller Post Office Building";

H.R. 4794, to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the "Ronald C. Packard Post Office Building";

H.R. 5308, to designate the facility of the United States Postal Service located at 301 South Howes Street in Fort Collins, Colorado, as the "Barney Apodaca Post Office";

H.R. 5333, to designate the facility of the United States Postal Service located at 4 East Central Street in Worcester, Massachusetts, as the "Joseph D. Early Post Office Building"; and

The nominations of Ruth Y. Goldway, of California, and Tony Hammond, of Virginia, each to be a Commissioner of the Postal Rate Commission.

## BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nomination of Mark B. McClellan, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

## THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT

*Committee on Indian Affairs:* Committee concluded hearings on S. 2694, to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi

Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe, after receiving testimony from Senators Allen and Warner; Michael R. Smith, Director, Office of Tribal Services, Bureau of Indian Affairs, and Lee Fleming, Chief, Branch of Acknowledgement Recognition, both of Department of the Interior; Kenneth Adams, Upper Mattaponi Indian Tribe, King William, Virginia; Stephen R. Adkins, Chickahominy Indian Tribe, Providence Forge, Virginia; Jonathan M. Barton, Virginia Council of Churches, Richmond; Danielle Moretti-Langholtz, College of William and Mary American Indian Resource Center, Williamsburg, Virginia; and Helen Roundtree, Old Dominion University, Norfolk, Virginia.

#### NOMINATION

*Select Committee on Intelligence:* Committee concluded hearings to examine the nomination of Scott W. Muller, of Maryland, to be General Counsel of the Central Intelligence Agency, after the nominee, who was introduced by Senator Bond, testified and answered questions in his own behalf.

#### COUNTERTERRORISM PROGRAM

*Committee on the Judiciary:* Subcommittee on Technology, Terrorism, and Government Information concluded oversight hearings to examine the effectiveness and efficiency of the Federal Bureau of Investigation counterterrorism program, and the implementation of the USA Patriot Act (Public Law 107-56), and the Enhanced Border Security and Visa Entry Reform Act (Public Law 107-173), after receiving testimony from Glenn A. Fine, Inspector General, Alice Fisher, Deputy Assistant Attorney General, Criminal Division, Dennis Lormel, Chief, Terrorist Financing Operations Section, Counterterrorism Division, Federal Bureau of Investigation, and Scott Hastings, Associate Commissioner for Information Resources Management and Deputy Chief Information Officer, and Michael Crolnin, Assistant Commissioner for Inspections, both of the Immigration and Naturalization Service, all of the Department of Justice; Stephen A. Edson, Acting Deputy Assistant Secretary of State for Visa Services, Bureau of Consular Affairs; and Ben Wu, Deputy Under Secretary of Commerce for Technology.

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## House of Representatives

### Chamber Action

**Measures Introduced:** 13 public bills, H.R. 5583-5595; and 3 resolutions, H.J. Res. 120; H. Con. Res. 507, and H. Res. 576, were introduced.

**Pages H7737-38**

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

Conference report on H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003 (H. Rept. 107-731);

Conference report on H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 (H. Rept. 107-732);

H.R. 5558, to amend the Internal Revenue Code of 1986 to accelerate the increases in contribution limits to retirement plans and to increase the required beginning date for distributions from qualified plans, amended (H. Rept. 107-733); and

H.R. 1619, to amend the Internal Revenue Code of 1986 to increase the limitation on capital losses applicable to individuals, amended (H. Rept. 107-734).

H. Res. 577, 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. 107-735);

H. Res. 578, waiving points of order against the conference report to accompany the bill (H.R. 5010) making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 (H. Rept. 107-737); and

H. Res. 579, waiving points of order against the conference report to accompany the bill (H.R. 5010) making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 (H. Rept. 107-737).

**Pages H7345-75, H7442-H7706, H7735**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Isakson to act as Speaker pro tempore for today. **Page H7305**

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rev. Robert A. Thrift of Terre Haute, Indiana. **Page H7305**

**Suspensions:** The House agreed to suspend the rules and pass the following measures that were debated on Monday, October 7:

**Black Lung Consolidation of Administrative Responsibility:** H.R. 5542, amended, to consolidate all black lung benefit responsibility under a single official (agreed to by a 2/3 yeas-and-nays vote of 404 yeas with none voting "nay" Roll No. 448);

**Pages H7306-07**

**Citing Title IX as the Patsy T. Mink Equal Opportunity in Education Act:** H.J. Res. 113, amended, recognizing the contributions of Patsy T.

Mink (agreed to by a 2/3 ye-and-nay vote of 410 yeas with none voting "nay," Roll No. 449). Agreed to amend the title so as to read "Joint resolution recognizing the contributions of Patsy Takemoto Mink;" **Pages H7307-08**

**Medical Device Amendments:** H.R. 3580 amended, to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices (agreed to by a 2/3 ye-and-nay vote of 406 yeas to 3 nays, Roll No. 450); and **Page H7308**

**Armed Forces Tax Fairness Act:** H.R. 5557, to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and Foreign Service in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services (agreed to by a 2/3 ye-and-nay vote of 412 yeas with none voting "nay," Roll No. 451). **Pages H7308-09**

**Motion to Instruct Conferees—Bob Stump National Defense Authorization Act for Fiscal Year 2003:** Representative Taylor of Mississippi announced his intention to offer a motion that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 4546, Bob Stump National Defense Authorization Act for Fiscal Year 2003, be instructed to agree to the provisions contained in section 641 of the Senate amendment (relating to payment of retired pay and compensation to disabled military retirees). **Page H7306**

**Meeting Hour—Thursday, Oct. 10:** Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, Oct. 10. **Page H7735**

**Use of Force Against Iraq:** The House continued consideration of H.J. Res. 114, to authorize the use of United States Armed Forces against Iraq (H. Rept. 721). **Pages H7309-45, H7395-H7410, H7413-42, H7706-35**

Agreed to the Green of Wisconsin request to extend debate by 4 hours; and agreed to the Issa request to extend debate by 2 hours. **Page H7391**

H. Res. 574, the rule that is providing for the consideration of the joint resolution was agreed to on Oct. 8. **Page H7309**

**Order of Business—Help America Vote Act:** Agreed that it be in order at any time to consider the conference report to accompany H.R. 3295, Help America Vote Act, that all points of order against the conference report and against its consideration be waived; and that it be considered as read when called up. **Page H7377**

**Presidential Message—Naval Petroleum Reserve:** Read a message from the President wherein he announced his decision to extend the period of production of the Naval Petroleum Reserves for a period of 3 years from April 5, 2003 referred to the Com-

mittee on Armed Services and ordered printed (H. Doc.107-272). **Page H7735**

**Recess:** The House recessed at 12:54 a.m. on Thursday, Oct. 10 and reconvened at 7:52 a.m. on Thursday Oct. 10. **Page H7735**

**Referral:** S. 2127 was referred to the Committee on Resources. **Page H7735**

**Quorum Calls—Votes:** Four ye-and-nay votes developed during the proceedings of the House today and appear on pages H7306-07, H7307-08, H7308, and H7308-09. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 12:54 a.m. on Thursday, Oct. 10, stands in recess subject to the call of the Chair.

## Committee Meetings

### VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Ordered reported the VA, HUD and Independent Agencies appropriations for fiscal year 2003.

### OVERSIGHT—NIH

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services and Education held an oversight hearing on the National Institutes of Health. Testimony was heard from Elias A. Zerhouni, M.D., Director, NIH, Department of Health and Human Services.

### QUALITY POSTSECONDARY EDUCATION

*Committee on Education and the Workforce:* Subcommittee on 21st Century Competitiveness held a hearing on Training Tomorrow's Teachers: Ensuring a Quality Postsecondary Education. Testimony was heard from Cornelia M. Ashby, Director, Education, Workforce, and Income Security Issues, GAO; and public witnesses.

### TELECOMMUNICATIONS AND TRADE PROMOTION AUTHORITY

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Telecommunications and Trade Promotion Authority: Meaningful Market Access Goals for Telecommunications Services in International Trade Agreements." Testimony was heard from Florizelle Liser, Assistant U.S. Trade Representative, Industry and Telecommunications; and public witnesses.

### PHARMACEUTICAL MARKETPLACE COMPETITION

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing titled "Examining Issues Related to Competition in the Pharmaceutical Marketplace: A Review of the FTC Report, 'Generic Drug Entry Prior to Patent Expiration'." Testimony was heard from Lester Crawford, Acting Commissioner,

FDA, Department of Health and Human Services; Timothy J. Muris, Chairman, FTC; and public witnesses.

#### MISCELLANEOUS MEASURES; COMMITTEE REPORTS

*Committee on Government Reform:* Ordered reported the following bills: H.R. 5205, to amend the District of Columbia Retirement protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia; H.R. 5215, amended, Confidential Information Protection and Statistical Efficiency Act of 2002; H.R. 4187, amended, Presidential Records Act Amendments of 2002; and H.R. 2458, amended, E-Government Act of 2002.

The Committee also approved the following Committee Reports entitled: "Making Federal Computers Secure: Overseeing Effective Information Security Management;" "How Can The Federal Government Better Assist State and Local Governments Prepare for a Biological, Chemical, or Nuclear Attack?;" "The Federal Government's Continuing Efforts to Improve Financial Management;" "Defense Security Service: The Personnel Security Investigations (PSI) Backlog Poses a Threat to National Security;" "Federal Law Enforcement at the Borders and Ports of Entry: Challenges and Solutions;" and "Problems With the Presidential Gifts System."

#### INTERNATIONAL RELIGIOUS FREEDOM REPORT EVALUATION

*Committee on International Relations:* Subcommittee on International Operations and Human Rights held a hearing on An Evaluation of the International Religious Freedom Report. Testimony was heard from John Hanford, Ambassador-at-Large for International Religious Freedom, Department of State; Felice Gaer, Chair, U.S. Commission on International Religious Freedom; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported the following bills: H.R. 2155, amended, to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry; S. 1339, Persian Gulf War POW/MIA Accountability Act of 2002; H.R. 4967, Border Commuter Student Act of 2002; and H.R. 5334, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

#### OVERSIGHT—INS'S INTERACTIONS WITH HESHAM MOHAMED AL HEDAYET; PRIVATE RELIEF BILL

*Committee on the Judiciary:* Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Immigration and Naturalization Services's (INS's) Interactions with Hesham Mohamed Al Hedayet." Testimony was heard from William R. Yates, Deputy Executive Associate Commissioner, Immigration Services Division, INS, Department of Justice and public witnesses.

The Subcommittee also considered a private relief bill.

#### SAME DAY CONSIDERATION OF RESOLUTION REPORTED BY COMMITTEE ON RULES RELATING TO CONTINUING APPROPRIATIONS

*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 Committee. The resolution applies the waiver to any special rule reported on the legislative day of Thursday, October 10, 2002, providing for the consideration or disposition of a joint resolution making further continuing appropriations for the fiscal year 2003.

#### DOD APPROPRIATIONS CONFERENCE REPORT

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 and against its consideration. The rule provides that the conference report shall be considered as read.

#### MILITARY CONSTRUCTION APPROPRIATIONS CONFERENCE REPORT

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and against its consideration. The rule provides that the conference report shall be considered as read.

#### OVERSIGHT—FEDERAL LANDS HIGHWAY PROGRAM

*Committee on Transportation and Infrastructure:* Subcommittee on Highways and Transit held an oversight hearing on Federal Lands Highway Program. Testimony was heard from Neal A. McCaleb, Assistant Secretary-Indian Affairs, Department of the Interior; Von Stokes, Director of Engineering, National Forest System, Forest Service, USDA; and public witnesses.

## PROJECT SHAD—CHEMICAL AND BIOLOGICAL TESTS CONDUCTED ON AMERICAN SERVICEMEMBERS

*Committee on Veterans' Affairs:* Subcommittee on Health held a hearing on Project SHAD (Shipboard Hazard and Defense), Regarding Secret Chemical and Biological Tests Conducted on American Servicemembers. Testimony was heard from William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs, Department of Defense; and Jonathan B. Perlin, M.D., Deputy Under Secretary, Health, Department of Veterans Affairs.

## Joint Meetings

### 9/11 INTELLIGENCE INVESTIGATION

*Joint Hearing:* Senate Select Committee on Intelligence continued joint hearings, in closed session, with the House Permanent Select Committee on Intelligence to examine activities of the United States Intelligence Community in connection with the September 11, 2001 terrorist attacks on the United States, receiving testimony from officials of the intelligence community.

Hearings continue tomorrow.

## APPROPRIATIONS—MILITARY CONSTRUCTION

*Conferees* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 5011, to authorize appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003.

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## COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 10, 2002

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* Subcommittee on Personnel, to hold hearings to examine the Department of Defense's inquiry into Project 112/Shipboard Hazard and Defense (SHAD) tests, 9:30 a.m., SR-232A.

*Committee on Indian Affairs:* to hold hearings to examine S. 2986, to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community, Michigan, 11 a.m., SR-485.

*Select Committee on Intelligence:* to continue joint closed hearings to examine activities of the United States intelligence community in connection with the September 11, 2001 terrorist attacks on the United States, 10 a.m., S-407, Capitol.

### House

*Committee on Armed Services,* Special Oversight Panel on Terrorism, hearing on the Security of U.S. Embassies Abroad and the Role of the Department of Defense, 8:30 a.m., 2212 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Oversight and Investigations, to continue hearings entitled "An Inquiry into the ImClone Cancer-Drug Story," 10 a.m., 2123 Rayburn.

*Committee on Government Reform,* hearing on "The Collapse of Executive Life Insurance Company and its Impact on Policyholders," 10 a.m., 2154 Rayburn.

Subcommittee on National Security, Veterans' Affairs and International Relations, hearing on Research Into Persian Gulf War Veterans' Illnesses, 9:30 a.m., 2247 Rayburn.

*Committee on International Relations,* Subcommittee on Western Hemisphere, hearing on Drug Corruption and Other Threats to Democratic Stability in Guatemala and the Dominican Republic, 10 a.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on Commercial and Administrative Law, to mark up H.R. 5429, Satellite Services Act of 2002, 3 p.m., 2141 Rayburn.

Subcommittee on the Constitution, oversight hearing on "A Judicial Diminished is Justice Denied: the Constitution, the Senate, and the Vacancy Crisis in the Federal Judiciary," 9 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing and markup of H.R. 5519, Reducing Americans' Vulnerability to Ecstasy Act of 2002, 11 a.m., 2237 Rayburn.

*Committee on Resources,* Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 5102, Wildfire Response Act of 2002; H.R. 5185, Wildlife Response Enhancement Act; and H.R. 5513, to authorize and direct the exchange of certain land in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership, 11 a.m., 1334 Longworth.

*Committee on Science,* hearing on Conducting Research During the War on Terrorism: Balancing Openness and Security, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Water Resources and Environment, oversight hearing on West Nile Virus: the Clean Water Act and Mosquito Control, 10 a.m., 2167 Rayburn.

### Joint Meetings

*Joint Meetings:* Senate Select Committee on Intelligence, to continue joint closed hearings to examine activities of the United States intelligence community in connection with the September 11, 2001 terrorist attacks on the United States, 10 a.m., S-407, Capitol.

*Commission on Security and Cooperation in Europe:* to hold hearings to examine U.S. policy toward the Organization for Security and Cooperation in Europe, 10 a.m., 334 Cannon Building.

*Next Meeting of the SENATE*

9:15 a.m., Thursday, October 10

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, October 10

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq. At approximately 9:40 a.m., Senate will vote on Byrd Modified Amendment No. 4869 (to Amendment No. 4856). Also, Senate will vote on the cloture motion on Lieberman/Warner Amendment No. 4856, followed by votes on Byrd Amendment No. 4868 (to Amendment No. 4856, as modified), Levin Amendment No. 4862 (to Amendment No. 4856), and Durbin Amendment No. 4865 (to Amendment No. 4856).

## House Chamber

**Program for Thursday:** Complete consideration of H.J. Res. 114, Authorization for the use of Military Force Against Iraq (structured rule);

Consideration of the conference report on H.R. 5010, DOD Appropriations Act (subject to a rule);

Consideration of the conference report on H.R. 5011, Military Construction Appropriations Act (subject to a rule);

Consideration of H.J. Res. 120, making further continuing appropriations for fiscal year 2003 (subject to a rule) (rule waiving points of order);

Consideration of the conference report on H.R. 3295, Help America Vote Act of 2002 (unanimous consent order); and

Consideration of the Taylor of Mississippi Motion to Instruct Conferees on H.R. 4546, Bob Stump National Defense Authorization Act for Fiscal Year 2003.



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