

Daily Digest

HIGHLIGHTS

- Senate agreed to the conference report on H.R. 4546, Department of Defense Authorization Act.
- The House passed H.R. 5710, to establish the Department of Homeland Security.
- The House passed H.J. Res. 124, Making Further Continuing Appropriations Through January 11.

Senate

Chamber Action

Routine Proceedings, pages S10849–S10971

Measures Introduced: Six bills and four resolutions were introduced, as follows: S. 3150–3155, S.J. Res. 52, S. Res. 355, and S. Con. Res. 156–157.

Page S10888

Measures Reported:

S. 2928, to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, with amendments. (S. Rept. No. 107–339)

H.R. 1989, to reauthorize various fishing conservation management programs, with an amendment in the nature of a substitute. (S. Rept. No. 107–340)

Page S10887

Measures Passed:

Senate National Security Working Group: Senate agreed to S. Res. 355, extending the authorities relating to the Senate National Security Working Group.

Page S10959

Thrift Savings Plan Contributions: Senate passed H.R. 3340, to amend title 5, United States Code, to allow certain catch-up contributions to the Thrift Savings Plan to be made by participants age 50 or over, and to reauthorize the Merit Systems Protection Board and the Office of Special Counsel, clearing the measure for the President.

Pages S10959–60

Court Services and Offender Supervision Agency Interstate Supervision Act: Senate passed 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.

Page S10960

Boys and Girls Club/Missouri Land Conveyance: Senate passed H.R. 5349, to facilitate the use of a portion of the former O'Reilly General Hospital in Springfield, Missouri, by the local Boys and Girls Club through the release of the reversionary interest and other interests retained by the United States in 1955 when the land was conveyed to the State of Missouri, clearing the measure for the President.

Page S10960

Western Shoshone Claims Distribution Act: Senate passed S. 958, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326–A–1, 326–A–3, 326–K, after agreeing to a committee amendment in the nature of a substitute.

Pages S10960–62

Victims of Terrorism Relief: Committee on the Judiciary was discharged from further consideration of S. 2845, to extend for one year procedural relief provided under the USA PATRIOT Act for individuals who were or are victims or survivors of victims of a terrorist attack on the United States on September 11, 2001, and the bill was then passed.

Page S10962

Microenterprise Assistance: Senate passed H.R. 4073, to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, after agreeing to a committee amendment in the nature of a substitute.

Pages S10962–64

Dot Kids Implementation and Efficiency Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 3833, to facilitate the creation of a new, second-level Internet domain within the United States country code domain that will be a haven for material that promotes positive experiences for children and families using the Internet, provides a safe on-line environment for children, and helps to prevent children from being exposed to harmful material on the Internet, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S10964–66**

Durbin (for Dorgan) Amendment No. 4903, in the nature of a substitute. **Page S10966**

Pipeline Infrastructure Protection To Enhance Security and Safety Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 3609, to amend title 49, United States Code, to enhance the security and safety of pipelines, after agreeing to the following amendment proposed thereto: **Pages S10966–67**

Durbin (for McCain/Hollings) Amendment No. 4904, in the nature of a substitute. **Page S10967**

Government Information Security Reform Act: Committee on Governmental Affairs was discharged from further consideration of S. 3067, to amend title 44, United States Code, to extend certain Government information security reform for one year, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S10967–68**

Durbin (for Thompson) Amendment No. 4905, in the nature of a substitute. **Pages S10967–68**

Homeland Security Act: Senate resumed consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

Pages S10856–58, S10874–75

Rejected:

Lieberman Amendment No. 4471, in the nature of a substitute. (By 50 yeas to 47 nays (Vote No. 241), Senate tabled the amendment.) **Page S10856**

Feingold Amendment No. 4900, to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2003 (By 58 yeas to 36 nays (Vote No. 242), Senate tabled the amendment.) **Pages S10857–58**

Pending:

Thompson (for Gramm) Amendment No. 4901, in the nature of a substitute. **Pages S10874–75**

Lieberman/McCain Amendment No. 4902 (to Amendment No. 4901), to establish within the legislative branch the National Commission on Terrorist Attacks Upon the United States. **Pages S10874–75**

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

Pursuant to the order of November 12, 2002, Senate agreed to the motion to proceed to the motion to reconsider the vote by which the Senate failed to invoke cloture on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), listed above; following which, Senate then agreed to the motion to reconsider.

By 89 yeas to 8 nays (Vote No. 240), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to invoke cloture on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), of a perfecting nature. **Page S10856**

The following motion to commit and amendment Nos. 4742 and 4743 fell when cloture was invoked on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), listed above:

Daschle motion to commit the bill to the Committee on Governmental Affairs and that it be reported back forthwith with the pending Lieberman Amendment No. 4471, listed above, as amended. **Page S10856**

Daschle Amendment No. 4742 (to the instructions of the motion to commit H.R. 5005 to the Committee on Governmental Affairs), of a perfecting nature, to prevent terrorist attacks within the United States. **Page S10856**

Daschle Amendment No. 4743 (to Amendment No. 4742), to modify certain personnel provisions. **Page S10856**

The following amendment Nos. 4738 and 4740 fell when Lieberman Amendment No. 4471, listed above, was tabled:

Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), of a perfecting nature, to prevent terrorist attacks within the United States. **Page S10856**

Nelson (NE.) Amendment No. 4740 (to Amendment No. 4738, to modify certain personnel provisions. **Page S10856**

A motion was entered to close further debate on Thompson (for Gramm) Amendment No. 4901, 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, November 15, 2002. **Page S10875**

A motion was entered to close further debate on the bill H.R. 5005 and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, November 15, 2002. **Page S10875**

Department of Defense Authorization—Conference Report: Senate agreed to the conference report on 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, clearing the measure for the President.

Pages S10858–74

Port and Maritime Security Act—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report on S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, at 9:30 a.m., on Thursday, November 14, 2002, with a vote on adoption of the conference report to occur at approximately 10:30 a.m; following which, Senator Santorum will be recognized to propound a unanimous consent agreement relating to the Care Act.

Page S10959

Nominations Confirmed: Senate confirmed the following nominations on November 12, 2002:

Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

Samuel E. Ebbesen, of the Virgin Islands, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2003.

Charles S. Abell, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness. (New Position)

Steven J. Simmons, of Connecticut, to be Member of the Broadcasting Board of Governors for the remainder of the term expiring August 13, 2003.

Ned L. Siegel, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2003.

Alberto Faustino Trevino, of California, to be an Assistant Secretary of Housing and Urban Development.

John R. Dawson, of the District of Columbia, to be Ambassador to the Republic of Peru.

Gene B. Christy, of Texas, to be Ambassador to Brunei Darussalam.

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2002.

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2005. (Reappointment)

Deborah Doyle McWhinney, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2004.

Carolyn Y. Peoples, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

Charles Aaron Ray, of Texas, to be Ambassador to the Kingdom of Cambodia.

David L. Lyon, of California, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador of the United States of America to the Republic of Nauru, Ambassador to the Kingdom of Tonga, and Ambassador to Tuvalu.

Linda Ellen Watt, of Florida, to be Ambassador to the Republic of Panama.

Richard Allan Roth, of Michigan, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau.

John M. Reich, of Virginia, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

Antonio O. Garza, Jr., of Texas, to be Ambassador to Mexico.

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

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.

Nancy P. Jacklin, of New York, to be United States Executive Director of the International Monetary Fund for a term of two years.

D. Jeffrey Hirschberg, of Wisconsin, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004.

Joseph Huggins, of the District of Columbia, to be Ambassador to the Republic of Botswana.

Seth Cropsey, of the District of Columbia, to be Director of the International Broadcasting Bureau, Broadcasting Board of Governors. (New Position)

Wendy Jean Chamberlin, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Ruth Y. Goldway, of California, to be a Commissioner of the Postal Rate Commission for the term expiring November 22, 2008. (Reappointment)

Carol Chien-Hua Lam, of California, to be United States Attorney for the Southern District of California for the term of four years.

Joseph R. Guccione, of New York, to be United States Marshal for the Southern District of New York for the term of four years.

Rafael Cuellar, of New Jersey, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

Michael Scott, of North Carolina, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

Francis X. Taylor, of Maryland, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Francis X. Taylor, of Maryland, to be an Assistant Secretary of State (Diplomatic Security).

Grover Joseph Rees, of Louisiana, to be Ambassador to the Democratic Republic of East Timor.

Robin Renee Sanders, of New York, to be Ambassador to the Republic of Congo.

Glenn T. Suddaby, of New York, to be United States Attorney for the Northern District of New York for the term of four years.

John Francis Clark, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for the remainder of the term expiring October 14, 2004.

Page S10971

Nominations Received: Senate received the following nominations on Tuesday, November 12, 2002:

Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.

Elizabeth Hoffman, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Coast Guard, Navy.

Pages S10968–71

Nominations Discharged: Senate discharged from the Committee on Foreign Relations the following nominations which were then placed on the executive calendar:

On November 12, 2002:

John Portman Higgins, of Virginia, to be Inspector General, Department of Education.

On today:

J. Cofer Black, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Irene B. Brooks, of Pennsylvania, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Blanquita Walsh Cullum, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2005.

Peter DeShazo, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during tenure of service as Deputy Permanent Representative of the United States of America to the Organization of American States.

David N. Greenlee, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bolivia.

John Randle Hamilton, of North Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Collister Johnson, Jr., of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2004.

John F. Keane, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay.

John L. Morrison, of Minnesota, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2004, vice John J. Pikarski, Jr.

Allen I. Olson, of Minnesota, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada, vice Alice Chamberlin.

Foreign Service nominations (152) beginning William Joseph Burns, and ending Michael L. Young, which nominations were received by the Senate and appeared in the Congressional Record of October 8, 2002.

Foreign Service nominations (144) beginning Jon Christopher Karber, and ending Peter Fernandez, which nominations were received by the Senate and appeared in the Congressional Record of October 8, 2002.

Pages S10887–88, S10959

Messages From the House: **Pages S10885–86**

Executive Communications: **Pages S10886–87**

Additional Cosponsors: **Pages S10888–89**

Statements on Introduced Bills/Resolutions:
Pages S10889–94

Additional Statements: **Pages S10881–85**

Amendments Submitted: **Pages S10894–S10959**

Authority for Committees to Meet: **Page S10959**

Record Votes: Three record votes were taken today. (Total—242) **Pages S10856, S10858**

Adjournment: Senate met at 11 a.m., and adjourned at 7:39 p.m. until 9:30 a.m., on Thursday, November 14, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10968).

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 5712–5727; and 11 resolutions, H. Con. Res. 516–517 and H. Res. 604–612, were introduced.

Pages H8731–32

Reports Filed: Reports were filed today as follows:

Conference report on S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports (H. Rept. 107–777);

H.R. 5215, to protect the confidentiality of information acquired from the public for statistical purposes, and to permit the exchange of business data among designated statistical agencies for statistical purposes only, amended (H. Rept. 107–778);

Conference report on H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism (H. Rept. 107–779);

H. Res. 605, waiving points of order against the conference report to accompany S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports (H. Rept. 107–780);

H. Res. 606, waiving points of order against the conference report to accompany H.R. 333, to amend title 11, United States Code (H. Rept. 107–781);

H. Res. 607, waiving points of order against the conference report to accompany H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism (H. Rept. 107–782);

H. Res. 608, 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. 107–783); and

H. Res. 609, providing for consideration of the Senate amendments to H.R. 5063, to amend the Internal Revenue Code of 1986 to provide a special

rule for members of the uniformed services 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 (H. Rept. 107–784).

Pages H8561–90, H8722–28, H8731

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

Page H8547

Guest Chaplain: The prayer was offered by the guest Chaplain, Dr. Jay Dennis, Senior Pastor, First Baptist Church at the Mall of Lakeland, Florida.

Page H8547

Motion to Adjourn: Rejected the Obey motion to adjourn by a yea-and-nay vote of 24 yeas to 338 nays, Roll No. 471.

Pages H8551–52

Making Further Continuing Appropriations Through January 11: The House passed H.J. Res. 124, making further continuing appropriations for the fiscal year 2003, by recorded vote of 270 yeas to 143 noes, Roll No. 474.

Pages H8554–61

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back to the House forth with amendments by a yea-and-nay vote of 196 yeas to 216 nays, Roll No. 473.

Pages H8559–61

Earlier, agreed to H. Res. 602, the rule that provided for consideration of the joint resolution and also for consideration of H.R. 5708, to reduce pre-existing PAYGO balances by a yea-and-nay vote of 215 yeas to 189 nays, Roll No. 472.

Pages H8552–54

Recess: The House recessed at 2:15 p.m. and reconvened at 6:33 p.m.

Page H8594

Establishment of the Department of Homeland Security: The House passed H.R. 5710, to establish