

# Daily Digest

## HIGHLIGHTS

- Senate passed VA–HUD and Independent Agencies Appropriations Act.
- House Committee ordered reported the Budget Responsibility and Efficiency Act.
- The House passed H.R. 2563, Bipartisan Patient Protection Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S8629–S8848*

**Measures Introduced:** Forty-six bills and three resolutions were introduced, as follows: S. 1302–1347, and S. Res. 147–149. **Pages S8703–05**

#### Measures Reported:

H.R. 93, to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 364, to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the “Marjory Williams Scrivens Post Office”.

H.R. 821, to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the “W. Joe Trogdon Post Office Building”.

H.R. 1183, to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the “G. Elliot Hagan Post Office Building”.

H.R. 1753, to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the “M. Caldwell Butler Post Office Building”.

H.R. 2043, to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the “Elwood Haynes ‘Bud’ Hillis Post Office Building”.

H.R. 2133, to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*, with amendments.

S. Res. 138, designating the month of September as “National Prostate Cancer Awareness Month”, with amendments.

S. Res. 143, expressing the sense of the Senate regarding the development of educational programs on veterans’ contributions to the country and the designation of the week of November 11 through November 17, 2001, as “National Veterans Awareness Week”.

S. Res. 145, recognizing the 4,500,000 immigrants helped by the Hebrew Immigrant Aid Society.

S. Res. 146, designating August 4, 2001, as “Louis Armstrong Day”.

S. 271, to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

S. 356, to establish a National Commission on the Bicentennial of the Louisiana Purchase, with an amendment in the nature of a substitute.

S. 737, to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the “Joseph E. Dini, Jr. Post Office”.

S. 970, to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the “Horatio King Post Office Building.”

S. 985, to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the “G. Elliot Hagan Post Office Building”.

S. 1026, to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the “Pat King Post Office Building”.

S. 1046, to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*, with amendments.

S. 1144, to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program.

S. 1181, to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Elwood Haynes 'Bud' Hillis Post Office Building".

S. 1198, to reauthorize Franchise Fund Pilot Programs.

S.J. Res. 19, providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 20, providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

Pages S8702-03

#### Measures Passed:

**VA-HUD and Independent Agencies Appropriations Act:** By 94 yeas to 5 nays (Vote No. 269), Senate passed H.R. 2620, 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, 2002, after taking action on the following amendments proposed thereto:

Pages S8629-76

##### Adopted:

Nelson (FL.) Amendment No. 1228 (to Amendment No. 1214), to direct the Administrator of the Environmental Protection Agency to report to Congress on the safety of children's playground equipment.

Pages S8630-33

Mikulski/Bond Amendment No. 1338 (to Amendment No. 1214), to make certain revisions and improvements to the bill.

Pages S8665-66

Mikulski/Bond Amendment No. 1214, in the nature of a substitute.

Pages S8629-66

##### Rejected:

Kyl Modified Amendment No. 1229 (to Amendment No. 1214), to specify the manner of allocation of funds made available for grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure. (By 58 yeas to 41 nays (Vote No. 266), Senate tabled the amendment.)

Pages S8635-43, S8645-46, S8653-55

Schumer Amendment No. 1231 (to Amendment No. 1214), to make drug elimination grants for low-income housing available for the BuyBack America

program. (By 65 yeas to 33 nays (Vote No. 267), Senate tabled the amendment.)

Pages S8643-45, S8647-53, S8655-56

McCain Modified Amendment No. 1226 (to Amendment No. 1214), to reduce by \$5,000,000 amounts available for certain projects funded by the Community Development Fund of the Department of Housing and Urban Development and make the amount available for veterans claims adjudication. (By 69 yeas to 30 nays (Vote No. 268), Senate tabled the amendment.)

Pages S8646-47, S8656-65

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint conferees on the part of the Senate: Senators Mikulski, Leahy, Harkin, Byrd, Kohl, Johnson, Hollings, Inouye, Bond, Burns, Shelby, Craig, Domenici, DeWine, and Stevens.

Page S8676

**Election of Senate Sergeant at Arms:** Senate agreed to S. Res. 149, providing for the election of Alfonso E. Lenhardt as the Sergeant at Arms and Doorkeeper of the Senate, effective September 4, 2001.

Pages S8844-45

**Emergency Agriculture Assistance Act:** A unanimous-consent agreement was reached providing that the vote on the cloture motion on S. 1246, to respond to the continuing economic crisis adversely affecting American agricultural producers, occur at 9:30 a.m., on Friday, August 3, 2001, and that all second-degree amendments to the bill be filed prior to 10 a.m.

Page S8845

**Authority to Make Appointments:** A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S8847

**Permanent Standing Order/Referral of the Nomination of the Assistant Secretary of the Army for Civil Works:** A unanimous-consent agreement was reached providing that the order that was submitted to the Senate today, be considered a permanent standing order with respect to the referral of the nomination of the Assistant Secretary of the Army for Civil Works for the 107th Congress.

Pages S8847-48

**Nominations Confirmed:** Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. EX. 270), William J. Riley, of Nebraska, to be United States Circuit Judge for the Eighth Circuit.

**Pages S8678–80, S8707**

By unanimous vote of 98 yeas (Vote No. EX. 271), Sarah V. Hart, of Pennsylvania, to be Director of the National Institute of Justice.

**Pages S8680, S8707**

By unanimous vote of 98 yeas (Vote No. EX. 272), Robert S. Mueller III, of California, to be Director of the Federal Bureau of Investigation for the term of ten years.

**Pages S8680–91, S8707**

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

Terrence L. O'Brien, of Wyoming, to be United States Circuit Judge for the Tenth Circuit.

Jeffrey R. Howard, of New Hampshire, to be United States Circuit Judge for the First Circuit.

M. Christina Armijo, of New Mexico, to be United States District Judge for the District of New Mexico.

Karon O. Bowdre, of Alabama, to be United States District Judge for the Northern District of Alabama.

David L. Bunning, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Karen K. Caldwell, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Claire V. Eagan, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

Kurt D. Engelhardt, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Stephen P. Friot, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Callie V. Granade, of Alabama, to be United States District Judge for the Southern District of Alabama.

Joe L. Heaton, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Larry R. Hicks, of Nevada, to be United States District Judge for the District of Nevada.

William P. Johnson, of New Mexico, to be United States District Judge for the District of New Mexico.

James H. Payne, of Oklahoma, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma.

Danny C. Reeves, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Roscoe Conklin Howard, Jr., of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

David Claudio Iglesias, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

Matthew Hansen Mead, of Wyoming, to be United States Attorney for the District of Wyoming for the term of four years.

Michael J. Sullivan, of Massachusetts, to be United States Attorney for the District of Massachusetts for the term of four years.

Drew Howard Wrigley, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

Colm F. Connolly, of Delaware, to be United States Attorney for the District of Delaware for the term of four years.

Susan W. Brooks, of Indiana, to be United States Attorney for the Southern District of Indiana for the term of four years.

Leura Garrett Canary, of Alabama, to be United States Attorney for the Middle District of Alabama for the term of four years.

Thomas C. Gean, of Arkansas, to be United States Attorney for the Western District of Arkansas for the term of four years.

Raymond W. Gruender, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Joseph S. Van Bokkelen, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years.

Charles W. Larson, Sr., of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years.

Lawrence J. Block, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

4 Air Force nominations in the rank of general.

**Pages S8706–07**

**Executive Communications: Pages S8701–02**

**Petitions and Memorials: Page S8702**

**Executive Reports of Committees: Page S8703**

**Measures Referred: Page S8700**

**Messages From the House: Page S8700**

**Measures Placed on Calendar: Pages S8700–01**

**Measures Read First Time: Page S8701**

**Statements on Introduced Bills: Pages S8709–70**

**Additional Cosponsors: Pages S8705–06**

**Amendments Submitted: Pages S8772–S8834**

**Additional Statements: Pages S8697–S8700**

Text of H.R. 2299, as Previously Passed:

Pages S8835–44

Authority for Committees:

Pages S8834–35

Privilege of the Floor:

Page S8835

Record Votes: Seven record votes were taken today. (Total—272)

Pages S8655, S8656, S8665, S8676, S8679–80, S8680, S8691

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 8:00 p.m., until 9:30 a.m., on Friday, August 3, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8706.)

## Committee Meetings

(Committees not listed did not meet)

### FEDERAL FARM BILL

*Committee on Agriculture, Nutrition, and Forestry:* Committee continued hearings on the conservation provisions of the proposed Federal farm bill, focusing on rural economic issues, receiving testimony from David Kolsrud, CORN-er Stone Farmers Cooperative, Luverne, Minnesota, on behalf of the National Cooperative Business Association; Ronald L. Phillips, Coastal Enterprises, Inc., Wiscasset, Maine; Chuck Hassebrook, Center for Rural Affairs, Walthill, Nebraska; Karen Dearlove, Indiana 15 Regional Planning Commission and Indiana Association of Regional Councils, Jasper, Indiana, on behalf of the National Association of Development Organizations; Curtis Wynn, Roanoke Electric Cooperative, Rich Square, North Carolina; Deborah M. Markley, Rural Policy Research Institute, Chapel Hill, North Carolina; Steve Lane, Security Savings Bank, Gowrie, Iowa, on behalf of the Iowa Independent Bankers Association and the Independent Community Bankers of America; and Jack Cassidy, CoBank, Greenwoodville, Colorado.

Hearings recessed subject to call.

### NOMINATIONS

*Committee on Armed Services:* Committee ordered favorably reported the nominations of John P. Stenbit, of Virginia, to be Assistant Secretary for Command, Control, Communication and Intelligence, and Ronald M. Sega, of Colorado, to be Director of Defense Research and Engineering, both of the Department of Defense, Michael L. Dominguez, of Virginia, to be Assistant Secretary for Manpower and Reserve Affairs, and Nelson F. Gibbs, of California, to be Assistant Secretary for Installations and Environment, both of the Department of the Air Force, Michael Parker, of Mississippi, to be Assistant Secretary for Civil Works, and Mario P. Fiori, of Georgia, to be

Assistant Secretary for Installations and Environment, both of the Department of the Army, and H.T. Johnson, of Virginia, to be Assistant Secretary of the Navy for Installations and Environment, Gen. John P. Jumper, USAF, for reappointment to the grade of general and to be Chief of Staff, United States Air Force, and 1147 military nominations in the Army, Navy, Air Force, and Marine Corps.

### AUTHORIZATION—DEFENSE INSTALLATIONS/CONSTRUCTION/ HOUSING

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded hearings on proposed legislation authorizing funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on installation programs, military construction programs, and family housing programs, after receiving testimony from Raymond F. DuBois, Jr., Deputy Under Secretary of Defense for Installations and Environment; Maj. Gen. Robert L. Van Antwerp, Jr., USA, Assistant Chief of Staff for Installation Management, Department of the Army; Rear Adm. Michael Johnson, USN, Commander, Naval Facilities Engineering Command; Maj. Gen. Earnest O. Robbins II, USAF, The Civil Engineer, Headquarters, United States Air Force; and Lt. Gen. Gary S. McKissock, USMC, Deputy Commandant for Installations and Logistics, Headquarters, United States Marine Corps.

### DEPOSIT INSURANCE REFORM

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Financial Institutions concluded hearings to examine financial institution recommendations to strengthen and improve the Federal Deposit Insurance Corporation's deposit insurance fund system, focusing on preserving the value of FDIC protection and coverage for the future, establishing a pricing structure, smoothing out premiums to avoid wild swings caused by the hard target reserve ratio, and providing appropriate rebates of excess fund reserves, after receiving testimony from Robert I. Gullledge, Citizens Bank, Robertsdale, Alabama, on behalf of the Independent Community Bankers of America; Jeff L. Plagge, First National Bank of Waverly, Iowa, on behalf of the American Bankers Association; and Curtis L. Hage, Home Federal Bank, Sioux Falls, South Dakota, on behalf of the America's Community Bankers.

### SOCIAL SECURITY REFORM

*Committee on the Budget:* Committee concluded hearings to examine Social Security reform issues, focusing on budgetary tradeoffs and transition costs, after receiving testimony from Peter R. Orszag, Sebago

Associates, Inc., Robert Greenstein, Center on Budget and Policy Priorities, and Sylvester J. Scheiber, Watson Wyatt Worldwide, all of Washington, D.C.

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following business items:

S. 633, to provide for the review and management of airport congestion, with an amendment in the nature of a substitute;

S. 951, to authorize appropriations for the Coast Guard, with an amendment in the nature of a substitute;

S. 980, to provide for the improvement of the safety of child restraints in passenger motor vehicles, with an amendment in the nature of a substitute;

S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports; and

The nominations of John Arthur Hammerschmidt, of Arkansas, to be a Member of the National Transportation Safety Board, Jeffrey William Runge, of North Carolina, to be Administrator, National Highway Traffic Safety Administration, and Kirk Van Tine, of Virginia, to be General Counsel, both of the Department of Transportation, and Nancy Victory, of Virginia, to be Assistant Secretary for Communications and Information, and Otto Wolff, of Virginia, to be an Assistant Secretary and Chief Financial Officer, both of the Department of Commerce.

Also, committee failed to report the nomination of Mary Sheila Gall, of Virginia, to be Chairman of the Consumer Product Safety Commission.

### CAFÉ STANDARDS

*Committee on Commerce, Science, and Transportation/Committee on Energy and Natural Resources:* Committees concluded joint hearings to examine the National Academy of Sciences report on fuel economy, focusing on the effectiveness and impact of Corporate Average Fuel Economy Standards, after receiving testimony from David L. Greene, Corporate Research Fellow, National Transportation Research Center, Oak Ridge National Laboratory, Paul R. Portney, Resources for the Future, Washington, D.C., Adrian Lund, Insurance Institute for Highway Safety, Arlington, Virginia, Philip R. Sharp, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts, and John J. Wise, Mobil Research and Development Corporation, Princeton, New Jersey, all on behalf of the Committee on the Effectiveness and Impact of Corporate Average Fuel Economy (CAFÉ) Standards of the National Research Council.

### BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the following business items:

H.R. 146, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System;

H.R. 182, to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System;

H.R. 1000, to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, and to authorize an exchange of land in connection with the historic site;

H.R. 1668, to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his legacy;

S. 423, to amend the Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon", with amendments;

S. 941, to revise the boundaries of the Golden Gate National Recreation Area in the State of California, and to extend the term of the advisory commission for the recreation area, with amendments;

S. 1057, to authorize the addition of lands to Pu'uhonua o Honaunau National Historical Park in the State of Hawaii;

S. 1097, to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park;

S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, with amendments; and

The nomination of Theresa Alvillar-Speake, of California, to be Director of the Office of Minority Economic Impact, Department of Energy.

Also, committee continued markup of S. 597, to provide for a comprehensive and balanced national energy policy, but did not complete action thereon, and recessed subject to call.

### BUSINESS MEETING

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

S. 1008, to amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at

a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, with amendments;

S. 1202, to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006;

S. 1198, to reauthorize Franchise Fund Pilot Programs;

S. 1144, to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program;

S. 271, to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers;

H.R. 93, to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers;

H.R. 1042, to prevent the elimination of certain reports;

S. 737, to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the "Joseph E. Dini, Jr. Post Office";

S. 970, to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the "Horatio King Post Office Building";

S. 985, to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the "G. Elliot Hagan Post Office Building";

H.R. 1183, to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the "G. Elliot Hagan Post Office Building";

S. 1026, to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the "Pat King Post Office Building";

S. 1181, to designate the facility of the United States Postal Service located at 2719 South Webster

Street in Kokomo, Indiana, as the "Elwood Haynes 'Bud' Hillis Post Office Building";

H.R. 2043, to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Elwood Haynes 'Bud' Hillis Post Office Building";

H.R. 364, to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the "Marjory Williams Scrivens Post Office";

H.R. 821, to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the "W. Joe Trogdon Post Office Building";

H.R. 1753, to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the "M. Caldwell Butler Post Office Building"; and

The nominations of Lynn Leibovitz, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia, and Daniel R. Levinson, of Maryland, to be Inspector General, General Services Administration.

## NOMINATION

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings on the nomination of John Lester Henshaw, of Missouri, to be Assistant Secretary of Labor for Occupational Safety and Health, after the nominee testified and answered questions in his own behalf.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 356, to establish a National Commission on the Bicentennial of the Louisiana Purchase, with an amendment in the nature of a substitute;

S. 1046, to establish a Commission to commemorate the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*, with amendments;

H.R. 2133, to establish a Commission to commemorate the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*, with amendments;

S. Res. 143, expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week of November 11 through November 17, 2001, as "National Veterans Awareness Week";

S. Res. 145, recognizing the 4,500,000 immigrants helped by the Hebrew Immigrant Aid Society;

S. Res. 138, designating the month of September as “National Prostate Cancer Awareness Month”, with amendments;

S. Res. 146, designating August 4, 2001, as “Louis Armstrong Day”; and

The nominations of William J. Riley, of Nebraska, to be United States Circuit Judge for the Eighth Circuit, and Sarah V. Hart, of Pennsylvania, to be Director of the National Institute of Justice, and Robert S. Mueller III, of California, to be Director of the Federal Bureau of Investigation, both of the Department of Justice.

### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported the following bills:

S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections;

S.J. Res. 19, providing for the reappointment of Anne d’Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution; and

S.J. Res. 20, providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

### BUSINESS MEETING

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

S. 739, to amend title 38, United States Code, to improve programs for homeless veterans, with an amendment in the nature of a substitute;

S. 1088, to amend title 38, United States Code, to facilitate the use of educational assistance under the Montgomery GI Bill for education leading to employment in high technology industry, with an amendment in the nature of a substitute;

S. 1090, to increase, effective as of December 1, 2001, the rates of compensation for veterans with service-connected disabilities and the rates dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 1188, to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, with an amendment in the nature of a substitute; and

The nominations of John A. Gauss, of Virginia, to be Assistant Secretary of Veterans Affairs for Information and Technology, and Claude M. Kicklighter, of Georgia, to be Assistant Secretary of Veterans Affairs for Policy and Planning.

Prior to this action, committee concluded hearings on the nominations of Messrs. Gauss and Kicklighter (listed above), after the nominees testified and answered questions in their own behalf. Mr. Kicklighter was introduced by Senators Thurmond and Akaka.

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## House of Representatives

### *Chamber Action*

**Bills Introduced:** 116 public bills, H.R. 2707, 2714–2830; 1 private bill, H.R. 2831; and 21 resolutions, H. Con. Res. 208–215, and H. Res. 218, 221–232, were introduced. **Pages H5332–39**

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

H.R. 2175, to protect infants who are born alive (H. Rept. 107–186);

H.R. 2277, to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors (H. Rept. 107–187);

H.R. 2278, to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which cer-

tain intracompany transferees have to be continuously employed before applying for admission to the United States (H. Rept. 107–188);

H.R. 2048, to require a report on the operations of the State Justice Institute (H. Rept. 107–189);

H.R. 2047, to authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, amended (H. Rept. 107–190);

H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011, amended (H. Rept. 107–191, Pt. 1); and

H.R. 1408, to safeguard the public from fraud in the financial services industry, to streamline and facilitate the antifraud information-sharing efforts of Federal and State regulators, amended (H. Rept. 107–192, Pt. 1). **Page H5332**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Fossella to act as Speaker pro tempore for today. **Page H5179**

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rev. George G. McDearmon, Ballston Lake Baptist Church of Ballston Lake, New York. **Page H5179**

**Journal:** Agreed to the Speaker's approval of the Journal of August 1 by a recorded vote of 331 ayes to 76 noes with 1 voting "present," Roll No. 321. **Pages H5179, H5180**

**Motions to Adjourn:** Rejected the McNulty motions to adjourn by a recorded vote of 55 ayes to 363 noes, Roll No. 322, yea-and-nay vote of 56 yeas to 355 nays, Roll No. 323, and a recorded vote of 55 ayes to 356 noes, Roll No. 327.

**Pages H5180–81, H5184–85, H5196**

**Recess:** The House recessed at 11:17 p.m. and reconvened at 12 noon. **Page H5184**

**Bipartisan Patient Protection Act:** The House passed H.R. 2563, to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage by a yea-and-nay vote of 226 yeas to 203 nays, Roll No. 332. **Page H5196–H5315**

Rejected the Berry motion to recommit the bill to the Committee on Ways and Means, Committee on Energy and Commerce, and the Committee on Education and the Workforce with instructions to report it back to the House forthwith with an amendment in the nature of a substitute by a recorded vote of 208 ayes to 220 noes, Roll No. 331.

**Pages H5285–H5314**

**Agreed To:**

Thomas amendment No. 1 printed in H. Rept. 107–184 that adds Association Health Plans to the Employee Retirement Income Security Act (ERISA) and removes restrictions on Medical Savings Accounts (MSAs) (agreed to by a recorded vote of 236 ayes to 194 noes, Roll No. 328); and **Pages H5247–62**

Norwood amendment No. 2 printed in H. Rept. 107–184 that guarantees patients Federal remedies to hold health plans accountable for wrongful denial or delay of medical care and caps non-economic damages at \$1.5 million and punitive damages at \$1.5 million (agreed to by a recorded vote of 218 ayes to 213 noes, Roll No. 329). **Pages H5262–76**

**Rejected:**

Thomas amendment No. 3 printed in H. Rept. 107–184 that sought to reform medical malpractice laws (rejected by a recorded vote of 207 ayes to 221 noes, Roll No. 330). **Pages H5276–85**

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

**Page H5315**

Agreed to H. Res. 219, the rule that provided for consideration of the bill by a recorded vote of 222 ayes to 205 noes, Roll No. 326. Earlier, agreed to order the previous question by a recorded vote of 222 ayes to 205 noes, Roll No. 325. **Pages H5185–96**

**Late Report—Committee on Armed Services:** The Committee on Armed Services received permission to have until midnight on Tuesday, Sept. 4, to file a report on H.R. 2586, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002. **Pages H5315–16**

**Late Report—Committee on Agriculture:** The Committee on Agriculture received permission to have until 5 p.m. on Tuesday, Sept. 4, to file a supplemental report on H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011. **Page H5316**

**August District Work Period:** The House agreed to H. Con. Res. 208, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

**Page H5316**

**Possible Pro Forma Sessions of the House During the August District Work Period:** Agreed that when the House adjourns today, it shall adjourn to meet at noon on Monday, August 6, and that when the House adjourns on Monday, August 6, it shall adjourn to meet at noon on Tuesday, August 7; and when the House adjourns on Tuesday, August 7, and on each of its successive days of meeting under this order it shall stand adjourned until noon on each third successive day until it shall convene at 2 p.m. on Wednesday, September 5, 2001; unless the House sooner receives a message from the Senate transmitting its adoption of a concurrent resolution providing for the summer district work period, in which case the House, following its adoption thereof, shall stand adjourned pursuant to that concurrent resolution. **Page H5316**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, Sept. 5, 2001. **Page H5316**

**Consideration of Suspensions on Wednesday, Sept. 5:** Agreed that it be in order at any time on Wednesday, Sept. 5 for the Speaker to entertain motions to suspend the rules. **Page H5316**

**Resignations—Appointments:** Agreed that notwithstanding any adjournment of the House until Wednesday, Sept. 5, 2001 the Speaker, Majority Leader, and Minority Leader be authorized to accept

resignations and to make appointments authorized by law or by the House. **Page H5316**

**Cleaning the Mace:** The House agreed to H. Res. 223, authorizing the cleaning and repair of the mace of the House of Representatives by the Smithsonian Institution. **Page H5316**

**Neighborhood Crime Prevention:** The House agreed to H. Res. 193, requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority. **Pages H5316–17**

**Mourning the Death of Ron Sander in Ecuador:** The House agreed to H. Con. Res. 89, mourning the death of Ron Sander at the hands of terrorist kidnapers in Ecuador and welcoming the release from captivity of Arnie Alford, Steve Derry, Jason Weber, and David Bradley, and supporting efforts by the United States to combat such terrorism. **Pages H5317–19**

**Appalachian Regional Development Reauthorization:** The House passed H.R. 2501, amended, to reauthorize the Appalachian Regional Development Act of 1965. **Pages H5319–21**

**Thurgood Marshall United States Courthouse, New York City:** The House passed H.R. 988, to designate the United States courthouse located at 40 Centre Street in New York, New York, as the “Thurgood Marshall United States Courthouse.” **Pages H5321–23**

**National Health Center Week:** The House agreed to H. Con. Res. 179, expressing the sense of Congress regarding the establishment of a National Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers. **Page H5323**

**10th Anniversary of the Re-establishment of Ukraine Independence:** The House agreed to H. Res. 222, congratulating Ukraine on the tenth anniversary of re-establishment of its independence. **Pages H5323–24**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Wolf or, if he is not available, Representative Gilchrest to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 5. **Page H5324**

**Senate Messages:** Message received from the Senate today appears on page H5179.

**Referral:** S. 494 was referred to the Committees on Financial Services and International Relations. **Page H5330**

**Quorum Calls—Votes:** One quorum call (418 present, Roll No. 324), three yea-and-nay votes, and eight recorded votes developed during the proceedings of the House today and appear on pages H5180, H5180–81, H5184–85, H5194, H5194–95, H5195–96, H5196, H5262, H5275–76, H5285, H5314, and H5315.

**Adjournment:** The House met at 10 a.m. and, at midnight, pursuant to the previous order of the House of Thursday, August 2, the House stands adjourned until noon on Monday, August 6, 2001, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 208, in which case the House shall stand adjourned pursuant to that concurrent resolution for the August District Work Period and will reconvene on Wednesday, September 5 at 2 p.m.

## *Committee Meetings*

### **AIRLINE DELAYS AND AVIATION SYSTEM CAPACITY**

*Committee on Appropriations:* Subcommittee on Transportation on Airline Delays and Aviation System Capacity. Testimony was heard from the following officials of the Department of Transportation: Jane F. Garvey, Administrator, FAA; and Kenneth M. Mead, Inspector General; and public witnesses.

### **BUDGET RESPONSIBILITY AND EFFICIENCY ACT**

*Committee on the Budget:* Ordered reported, as amended, H.R. 981, Budget Responsibility and Efficiency Act of 2001.

### **RETIREMENT SECURITY ADVICE ACT**

*Committee on Education and the Workforce:* Subcommittee on Employer-Employee Relations approved for full Committee action H.R. 2269, Retirement Security Advice Act of 2001.

### **CHILD ABUSE AND NEGLECT PREVENTION**

*Committee on Education and the Workforce:* Subcommittee on Select Education held a hearing on “CAPTA: Successes and Failures at Preventing Child Abuse and Neglect.” Testimony was heard from Wade Horn, Assistant Secretary, Children and Families, Department of Health and Human Services; and public witnesses.

### **SEC'S BROKER-DEALER RULES**

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises and the Subcommittee on Financial Institutions and Consumer Credit held a joint hearing entitled “Pushing Back the Pushouts: the Securities and Exchange Commission’s Broker-Dealer Rules.”

Testimony was heard from Laura S. Under, Acting Chairwoman, SEC; Laurence H. Meyer, member, Board of Governors, Federal Reserve System; William F. Kroener, General Counsel, FDIC; Ellen Broadman, Director, Securities and Corporate Practices, Office of the Comptroller of the Currency, Department of the Treasury; and public witnesses.

### REGULATORS IN DEREGULATED ELECTRICITY MARKETS

*Committee on Government Reform:* Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on FERC: Regulators in Deregulated Electricity Markets. Testimony was heard from the following officials of the Federal Energy Regulatory Commission, Department of Energy: Kevin Madden, General Counsel; and Shelton Cannon, Deputy Director, Office of Markets, Tariffs and Rates; James E. Wells, Jr., Director, Natural Resources and Environment, GAO; and public witnesses.

### F-22 COST CONTROLS

*Committee on Government Reform:* Subcommittee on National Security, Veterans' Affairs, and International Relations held a hearing on F-22 Cost Controls: How Realistic are Production Cost Reduction Plan Estimates? Testimony was heard from the following officials of the National Security and International Affairs Division, GAO: Allen Li, Associate Director; and Donald Springman, Senior Analyst; and the following officials of the Department of Defense: Darleen A. Druyun, Principal Deputy Assistant Secretary, Air Force, Acquisition and Management, and George Schneider, Director, Strategic and Tactical Systems, both with the Department of the Air Force; and Francis P. Summers, Regional Director, Defense Contract Audit Agency.

### MISCELLANEOUS MEASURES

*Committee on International Relations:* Subcommittee on Europe approved for full Committee action the following measures: H. Res. 200, amended, relating to the transfer of Slobodan Milosevic, and other alleged war criminals, to the International Criminal Tribunal for Yugoslavia; H. Con. Res. 131, congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the tenth anniversary of the reestablishment of their full independence; and H. Con. Res. 58, amended, urging the President of Ukraine to support democratic ideals, the rights of free speech, and free assembly for Ukrainian citizens.

### INTERNET TAX NONDISCRIMINATION ACT

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Law approved for full

Committee action H.R. 1552, Internet Tax Non-discrimination Act.

### TWO STRIKES AND YOU'RE OUT CHILD PROTECTION ACT; LAW ENFORCEMENT TRIBUTE ACT

*Committee on the Judiciary:* Subcommittee on Crime approved for full Committee action the following bills: H.R. 2146, amended, Two Strikes and You're Out Child Protection Act; and H.R. 2624, Law Enforcement Tribute Act.

### OVERSIGHT—U.S. POPULATION AND IMMIGRATION

*Committee on the Judiciary:* Subcommittee on Immigration and Claims held an oversight hearing on the U.S. Population and Immigration. Testimony was heard from John F. Long, Chief, Population Division, Bureau of the Census, Department of Commerce; and public witnesses.

### FISHERIES CONSERVATION ACT; ATLANTIC HIGHLY MIGRATORY SPECIES CONSERVATION ACT

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Oceans approved for full Committee action, as amended, H.R. 1989, Fisheries Conservation Act of 2001.

The Subcommittee also held a hearing on H.R. 1367, Atlantic Highly Migratory Species Conservation Act of 2001. Testimony was heard from the following officials of the National Marine Fisheries Service, NOAA, Department of Commerce: William T. Hogarth, Acting Assistant Administrator, Fisheries; and Gerry Scott, Director, Sustainable Fisheries Division; and public witnesses.

### BRIEFING—THE TERRORIST THREAT

*Permanent Select Committee on Intelligence:* Working Group on Terrorism and Homeland Security met in executive session to receive a briefing on "CBRN 101," The Terrorist Threat. The Committee was briefed by departmental witnesses.

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## COMMITTEE MEETINGS FOR FRIDAY, AUGUST 3, 2001

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Finance:* Subcommittee on International Trade, to hold hearings on the Andean Trade Preferences Act, 10 a.m., SD-215.

*Committee on Foreign Relations:* to hold hearings on the nomination of J. Richard Blankenship, of Florida, to be Ambassador to the Commonwealth of The Bahamas; the nomination of Hans H. Hertell, of Puerto Rico, to be

Ambassador to the Dominican Republic; and the nomination of Martin J. Silverstein, of Pennsylvania, to be Ambassador to the Oriental Republic of Uruguay, 9:45 a.m., SD-419.

### House

*Committee on Energy and Commerce*, Subcommittee on Energy and Air Quality, hearing on the reauthorization of the Price-Anderson Act, 9:30 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing on "How Secure is Sensitive Commerce Department Data and Operations? A Review of the Department's Computer Security Policies and Practices," 9:30 a.m., 2123 Rayburn.

### Joint Meetings

*Joint Economic Committee*: to hold hearings to examine the employment situation for July, 2001, 9:30 a.m., 1334 Longworth Building.

*Next Meeting of the SENATE*

9:30 a.m., Friday, August 3

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Monday, August 6

## Senate Chamber

**Program for Friday:** Senate will resume consideration of S. 1246, Emergency Agriculture Assistance Act, with a vote on the motion to close further debate on the bill.

## House Chamber

**Program for Monday:** Pro forma session.



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