

ensure consumers abundant food and fiber, taking action on the following amendments proposed thereto: **Pages S12989–96, S13000–41**

**Adopted:**

Domenici Modified Amendment No. 2502 (to Amendment No. 2471), to require the Secretary of Agriculture to obtain written consent from each State's Governor prior to implementation of the water conservation program. **Pages S13020–34**

**Rejected:**

Lugar/Domenici Amendment No. 2473 (to Amendment No. 2471), of a perfecting nature. (By 70 yeas to 30 nays (Vote No. 363), Senate tabled the Amendment.) **Pages S12990–95**

Gregg/Lugar Amendment No. 2466 (to Amendment No. 2471), to phase out the sugar program and use any resulting savings to improve nutrition assistance. (By 71 yeas to 29 nays (Vote No. 364), Senate tabled the Amendment.) **Pages S13001–20**

**Withdrawn:**

Daschle/Lugar Amendment No. 2511, to direct the Secretary of Agriculture to establish within the Department of Agriculture the position of Assistant Secretary of Agriculture for Civil Rights. **Pages S13037–38**

Subsequently, Craig Amendment No. 2512 (to Amendment No. 2511), to add provisions regarding nominations, fell when Daschle Amendment No. 2511 (listed above) was withdrawn. **Pages S13038**

**Pending:**

Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute. **Pages S12990–96, S13000–41**

Bond Amendment No. 2513 (to Amendment No. 2471), to authorize the Secretary of Agriculture to review Federal agency actions affecting agricultural producers. **Page S13039**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, December 13, 2001, with a vote in relation to Bond Amendment No. 2513 (to Amendment No. 2471) (listed above) to occur at approximately 11 a.m. **Page S13039**

A motion was entered to close further debate on Daschle (for Harkin) Amendment No. 2471 (listed above), in accordance with Rule XXII of the Standing Rules of the Senate. **Pages S13039–40**

**Messages From the House:** **Pages S13046–47**

**Measures Referred:** **Pages S13047–48**

**Executive Communications:** **Page S13048**

**Executive Reports of Committees:** **Pages S13049–51**

**Additional Cosponsors:** **Pages S13051–52**

**Statements on Introduced Bills/Resolutions:** **Pages S13052–57**

**Additional Statements:** **Pages S13045–46**

**Amendments Submitted:** **Pages S13057–69**

**Authority for Committees to Meet:** **Pages S13069–70**

**Privilege of the Floor:** **Page S13070**

**Record Votes:** Two record votes were taken today. (Total—364) **Pages S12995, S13020**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 7:51 p.m., until 9:30 a.m., on Thursday, December 13, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13078.)

## Committee Meetings

(Committees not listed did not meet)

### MILITARY COMMISSIONS' NON-CITIZEN TREATMENT

*Committee on Armed Services:* Committee held hearings to examine the Department of Defense implementation of the President's Military Order on the detention, treatment, and trial by military commissions of certain non-citizens in the war on terrorism, receiving testimony from Paul D. Wolfowitz, Deputy Secretary, and William J. Haynes II, General Counsel, both of the Department of Defense.

Hearing recessed subject to call.

### NOMINATIONS

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the nominations of Harold Craig Manson, of California, to be Assistant Secretary for Fish and Wildlife, Kathleen Burton Clarke, of Utah, to be Director of the Bureau of Land Management, Jeffrey D. Jarrett, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement, and Rebecca W. Watson, of Montana, to be Assistant Secretary for Land and Minerals Management, all of the Department of the Interior, and Michael Smith, of Oklahoma, to be Assistant Secretary for Fossil Energy, Margaret S.Y. Chu, of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, and Beverly Cook, of Idaho, to be Assistant Secretary for Environment, Safety and Health, all of the Department of Energy.

### BUSINESS MEETING

*Committee on Finance:* Committee began markup of H.R. 3005 to extend trade authorities procedures with respect to reciprocal trade agreements, but did not complete action thereon, and will meet again tomorrow.

**BUSINESS MEETING**

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

Treaty between the Government of the United States of America and the Russian Federation on Mutual Legal Assistance in Criminal Matters, signed at Moscow on June 17, 1999, (Treaty Doc. 106–22) with three conditions;

S. 1779, to authorize the establishment of “Radio Free Afghanistan”, with an amendment;

H. R. 3167, to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996;

S. Con. Res. 86, expressing the sense of Congress that women from all ethnic groups in Afghanistan should participate in the economic and political reconstruction of Afghanistan;

S. Con. Res. 90, expressing the sense of the Congress regarding the efforts of people of the United States of Korean ancestry to reunite with their family members in North Korea;

S. Con. Res. 92, recognizing Radio Free Europe/Radio Liberty’s success in promoting democracy and its continuing contribution to United States national interests;

H. Con. Res. 211, commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma, with an amendment in the nature of a substitute; and

The nominations of William R. Brownfield, of Texas, to be Ambassador to the Republic of Chile, John V. Hanford III, of Virginia, to be Ambassador at Large for International Religious Freedom, Donna Jean Hrinak, of Virginia, to be Ambassador to the Federative Republic of Brazil, James David McGee, of Florida, to be Ambassador to the Kingdom of Swaziland, Kenneth P. Moorefield, of Florida, to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe and the Gabonese Republic,

John D. Ong, of Ohio, to be Ambassador to Norway, Earl Norfleet Phillips, Jr., of North Carolina, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, John Price, of Utah, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Federal and Islamic Republic of The Comoros and Ambassador to the Republic of Seychelles, Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to the Republic of the Philippines and to serve concurrently and without additional compensation as Ambassador to the Republic of Palau, Charles S. Shapiro, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela, Arthur E. Dewey, of Maryland, to be Assistant Secretary of State for Population, Refugees, and Migration, Adolfo A. Franco, of Virginia, to be Assistant Administrator for Latin America and the Caribbean, Frederick W. Schieck, of Virginia, to be Deputy Administrator, and Roger P. Winter, of Maryland, to be Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, all of the United States Agency for International Development, Gaddi H. Vasquez, of California, to be Director, and Josephine K. Olsen, of Maryland, to be Deputy Director, both of the Peace Corps, Jorge L. Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, and certain Foreign Service Officer promotion lists.

**MICROSOFT SETTLEMENT**

*Committee on the Judiciary:* Committee held hearings to examine the status of the still-pending antitrust enforcement action against the Microsoft Corporation by the Department of Justice, eighteen States, and the District of Columbia, and the negotiations and proposed final judgment embodying the settlement, receiving testimony from Charles A. James, Assistant Attorney General, Antitrust Division, Department of Justice.

Hearings recessed subject to call.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** 15 public bills, H.R. 3461–3475; and 3 resolutions, H.J. Res. 78; H. Con. Res. 287, and H. Res. 313, were introduced.

**Pages H9772, H10054–55**

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

Conference report on S. 1438, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces (H. Rept. 107–333).

Conference report on H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (H. Rept. 107–334);

H. Res. 314, providing for the consideration of motions to suspend the rules (H. Rept. 107–335);

H. Res. 315, waiving points of order against the conference report to accompany H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (H. Rept. 107–336); and

H. Res. 316, waiving points of order against the conference report to accompany the bill (S. 1438) to authorize appropriations for fiscal year 2002 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 (H. Rept. 107–337).

**Pages H9333–H9751, H9772, H9773–H10052, H10054**

**Guest Chaplain:** The prayer was offered by Rabbi Peter J. Rubinstein, Central Synagogue of New York City.

**Page H9241**

**Journal:** Agreed to the Speaker's approval of the Journal of Dec. 11 by a yea-and-nay vote of 356 yeas to 44 nays with 1 voting "present", Roll No. 486.

**Pages H9241, H9242**

**United States Military Academy Board of Visitors:** The Chair announced the Speaker's appointment of Representative Hinchey to the Board of Visitors of the United States Military Academy.

**Page H9246**

**Intelligence Authorization Conference Report:** The House agreed to the conference report on H.R. 2883, to authorize appropriations for fiscal year 2002

for intelligence and intelligence-related activities of the United States Government, the Community Management Account and the Central Intelligence Agency Retirement and Disability System.

**Pages H9247–54**

Earlier the House agreed to H. Res. 312, the rule that waived points of order against the conference report by voice vote.

**Pages H9246–47**

**Help America Vote Act:** The House passed H.R. 3295, to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections by a yea-and-nay vote of 362 yeas to 63 nays, Roll No. 489.

**Pages H9264–H9308**

Rejected the Menendez motion to recommit the bill to the Committee on House Administration with instructions to report it back with amendments that deal with voter eligibility, provisions for individuals with disabilities, alternative language accessibility, ballot verification, and enforcement by the Attorney General by a yea-and-nay vote of 197 yeas to 226 nays, Roll No. 488.

**Pages H9302–08**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill, H. Rept. 107–329, Part I, and modified by the amendment printed in the report to accompany the rule, H. Rept. 107–331, were considered as adopted.

**Page H9276**

Agreed to H. Res. 311, the rule that provided for consideration of the bill, by a yea-and-nay vote of 223 yeas to 193 nays, Roll No. 487.

**Pages H9254–64**

**Suspensions:** The House agreed to suspend the rules and pass the following measures that were debated on Dec. 11, 2001:

**Keeping the Social Security Promise Initiative:** H. Con. Res. 282, expressing the sense of Congress that the Social Security promise should be kept. Agreed to by a yea-and-nay vote of 415 yeas to 5 nays, Roll No. 488;

**Pages H9308–09**

**Anti-Hoax Terrorism Act:** H.R. 3209, amended, to amend title 18, United States Code, with respect to false communications about certain criminal violations. Agreed to by a yea-and-nay vote of 423 yeas with none voting “nay”, Roll No. 489; and

**Pages H9309–10**

**Public Health Service and Bioterrorism Response Act:** H.R. 3448, to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and other public health emergencies. Agreed to by a yea-and-nay vote of 418 yeas to 2 nays, Roll No. 491.

**Pages H9310–11**

**Community Recognition Act of 2001—Corrections Calendar:** On the call of the corrections calendar, the House passed H.R. 1022, to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials by a yea-and-nay vote of 420 yeas with none voting “nay,” Roll No. 490. The bill was debated and amended on Tuesday, Dec. 11.

**Page H9310**

**Department of Defense Appropriations—Go to Conference:** The House disagreed with the Senate amendment to H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and agreed to a conference.

**Pages H9311–18**

Appointed as conferees for consideration of Division A of the House bill and Division A of the Senate amendment, and modifications committed in conference: Chairman Young of Florida and Representatives Lewis of California, Skeen, Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Obey, Murtha, Dicks, Sabo, Visclosky, and Moran of Virginia. For consideration of all other matters of the House bill and all other matters of the Senate amendment, and modifications committed to conference: Chairman Young of Florida and Representatives Lewis of California and Obey.

**Page H9318**

Agreed to the Obey motion to instruct conferees to insist on the maximum levels within the scope of conference for defense, homeland security, and local recovery efforts from the terrorist attacks of September 11, 2001 by a yea-and-nay vote of 370 yeas to 44 nays, Roll No. 496.

**Pages H9311–18**

Agreed to close conference committee meetings when classified national security information is under consideration by a yea-and-nay vote of 407 yeas with none voting “nay,” Roll No. 495.

**Pages H9318–19**

**Consideration of Joint Resolution Making Further Continuing Appropriations:** Agreed that it be in order at any time without intervention of any point of order to consider in the House, H.J. Res 78, making further continuing appropriations for the fiscal year 2002; that it be considered read and debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and the previous question shall be considered as ordered to final passage without intervening motion except one motion to recommit.

**Page H9326**

**Recess:** The House recessed at 10:46 p.m. and reconvened at 7 a.m. on Thursday, Dec. 13.

**Pages H9771, H9773**

**Recess:** The House recessed at 7:01 a.m. on Thursday, Dec. 13 and reconvened at 8:35 a.m. on Thursday, Dec. 13.

**Page H10052**

**Senate Message:** Messages received from the Senate appear on pages H9243 and H9319.

**Referrals:** S. 1519 was referred to the Committee on Agriculture, S. 1729 was referred to the Committee on Energy and Commerce, and S. 1789 and S. Con. Res. 55 were held at the desk.

**Page H10053**

**Quorum Calls—Votes:** Ten yea-and-nay votes developed during the proceedings of the House today and appear on pages H9242, H9263, H9307–08, H9308, H9309, H9309–10, H9310, H9310–11, H9318, and H9319. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:36 a.m. on Thursday, Dec. 13.

## Committee Meetings

### ENERGY POLICY ACT AMENDMENTS

*Committee on Energy and Commerce:* Ordered reported, as amended, H.R. 3343, to amend title X of the Energy Policy Act of 1992.

### ELECTRIC SUPPLY AND TRANSMISSION ACT

*Committee on Energy and Commerce:* Subcommittee on Energy and Air Quality held a hearing on H.R. 3406, Electric Supply and Transmission Act of 2001. Testimony was heard from the following officials of the Department of Energy: Francis Blake, Deputy Secretary; Patrick Wood, Chairman; Linda K. Breathitt, Nora Mead-Brownell, and William L. Massey, all Commissioners; and Glenn L. McCullough, Jr., Chairman TVA.