

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report on H.R. 1, Elementary and Secondary Education Act Authorization.

Senate

Chamber Action

Routine Proceedings, pages S13365–S13645

Measures Introduced: Thirteen bills were introduced, as follows: S. 1835–1847. **Pages S13464–65**

Measures Reported:

Report to accompany H.R. 2559, to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance. (S. Rept. No. 107–128)

S. 1379, to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, with an amendment in the nature of a substitute. (S. Rept. No. 107–129) **Page S13464**

Measures Passed:

Bill Enrollment Corrections: Senate agreed to H. Con. Res. 289, directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 1, Elementary and Secondary Education Act Authorization, after agreeing to the following amendment proposed thereto: **Page S13422**

Daschle (for Kennedy/Gregg) Amendment No. 2640, in the nature of a substitute. **Page S13422**

African Elephant Conservation: Senate passed H.R. 643, to reauthorize the African Elephant Conservation Act, clearing the measure for the President. **Page S13641**

Rhinoceros and Tiger Conservation: Senate passed H.R. 645, to reauthorize the Rhinoceros and Tiger Conservation Act of 1994, clearing the measure for the President. **Page S13641**

Asian Elephant Conservation: Senate passed H.R. 700, to reauthorize the Asian Elephant Conservation Act of 1997, after agreeing to a committee amendment. **Pages S13641–42**

Federal Water Pollution Control Anniversary: Senate agreed to S. Con. Res. 80, expressing the sense of Congress regarding the 30th anniversary of the enactment of the Federal Water Pollution Control Act. **Page S13642**

Honoring the Marquis de Lafayette: Senate passed S.J. Res. 13, conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette. **Pages S13642–43**

Year of the Rose: Senate passed S.J. Res. 8, designating 2002 as the “Year of the Rose”. **Page S13643**

Elementary and Secondary Education Act Authorization Conference Report: By 87 yeas to 10 nays (Vote No. 371), Senate agreed to the conference report on H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind, clearing the measure for the President. **Pages S13365–S13422**

Federal Farm Bill: Senate continued consideration of S. 1731, to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, taking action on the following amendments proposed thereto: **Pages S13422–13456**

Rejected:

Lugar (for McCain) Amendment No. 2603 (to Amendment No. 2471), to provide for the market name for catfish. (By 68 yeas to 27 nays (Vote No. 373), Senate tabled the Amendment.) **Pages S13423, S13426–41**

Cochran/Roberts Amendment No. 2671 (to Amendment No. 2471), in the nature of a substitute. (By 55 yeas to 40 nays (Vote No. 374), Senate tabled the amendment.) **Page S13441**

Smith (NH) Amendment No. 2596 (to Amendment No. 2471), to provide for Presidential certification that the government of Cuba is not involved in the support for acts of international terrorism as a condition precedent to agricultural trade with Cuba. (By 61 yeas to 33 nays (Vote No. 375), Senate tabled the amendment.) **Pages S13423, S13455–56**

Pending:

Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute. **Pages S13423–65**

Wellstone Amendment No. 2602 (to Amendment No. 2471), to insert in the environmental quality incentives program provisions relating to confined livestock feeding operations and to a payment limitation. **Page S13423**

Harkin Modified Amendment No. 2604 (to Amendment No. 2471), to apply the Packers and Stockyards Act, 1921, to livestock production contracts and to provide parties to the contract the right to discuss the contract with certain individuals. **Page S13423**

Burns Amendment No. 2607 (to Amendment No. 2471), to establish a per-farm limitation on land enrolled in the conservation reserve program. **Page S13423**

Burns Amendment No. 2608 (to Amendment No. 2471), to direct the Secretary of Agriculture to establish certain per-acre values for payments for different categories of land enrolled in the conservation reserve program. **Page S13423**

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

Motion to proceed to the Daschle motion to reconsider the vote (Vote 368) by which the motion to close further debate on Daschle (for Harkin) Amendment No. 2471 (listed above) failed on December 13, 2001, was agreed to, and the motion to reconsider was then agreed to. **Page S13423**

By 54 yeas to 43 nays (Vote No. 372), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to close further debate on Daschle (for Harkin) Amendment No. 2471, listed above. **Page S13423**

Torricelli Amendment No. 2597 (to Amendment No. 2596), to provide for Presidential certification that all convicted felons who are living as fugitives in Cuba have been returned to the United States prior to the amendments relating to agricultural trade with Cuba becoming effective, fell when Smith (NH) Amendment No. 2596 (to Amendment No. 2471), listed above, was tabled. **Page S13423, S13456**

A unanimous-consent agreement was reached providing for further consideration of the bill on Wednesday, December 19, 2001, with a vote on the motion to close further debate on the pending Daschle (for Harkin) Amendment No. 2471 (listed above), to occur at 1:15 p.m. **Page S13643**

Nominations Received: Senate received the following nominations:

Nancy Dorn, of Texas, to be Deputy Director of the Office of Management and Budget.

Emmy B. Simmons, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development. (New Position)

Brian Michael Ennis, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

Chester Martin Keely, of Alabama, to be United States Marshal for the Northern District of Alabama for the term of four years.

John William Loyd, of Oklahoma, to be United States Marshal for the Eastern District of Oklahoma for the term of four years.

William Smith Taylor, of Alabama, to be United States Marshal for the Southern District of Alabama for the term of four years.

David Donald Viles, of Maine, to be United States Marshal for the District of Maine for the term of four years.

14 Marine Corps nominations in the rank of general.

A routine list in the Army.

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Messages From the House: **Pages S13462–63**

Executive Communications: **Pages S13463–64**

Executive Reports of Committees: **Page S13464**

Additional Cosponsors: **Page S13465**

Statements on Introduced Bills/Resolutions:
Pages S13465–69

Additional Statements: **Pages S13460–62**

Amendments Submitted: **Pages S13469–S13641**

Authority for Committees to Meet: **Page S13641**

Privilege of the Floor: **Page S13641**

Record Votes: Five record votes were taken today. (Total—375)

Pages S13422, S13423, S13440–41, S13455, S13456

Recess: Senate met at 9:30 a.m., and recessed at 9:36 p.m., until 11:30 a.m. on Wednesday, December 19, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13643.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Everet Beckner, of New Mexico, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, and 66 military nominations in the Army and Air Force.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Vickers B. Meadows, of Virginia, to be Assistant Secretary for Administration, and Diane Leneghan Tomb, of Virginia, to be Assistant Secretary for Public Affairs, both of the Department of Housing and Urban Development, after the nominees testified and answered questions in their own behalf. Ms. Tomb was introduced by Representative Portman.

ENRON CORPORATION COLLAPSE

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine issues surrounding the collapse of Enron Corporation, focusing on relevant auditing and accounting issues, the influence of U.S. capital market system's internal controls and alleged conflicts of interest, Enron stock marketing practices, and the financial devastation caused by the collapse, after receiving testimony from C.E. Andrews, Arthur Andersen, Scott Cleland, Precursor Group, and Damon Silvers, AFL-CIO, all of Washington, D.C.; John C. Coffee, Jr., Columbia University School of Law, New York, New York; Bill Mann, Motley Fool, Alexandria, Virginia; Robert Vigil, Portland General Electric, Madras, Oregon; Donald Eri, Gresham, Oregon; Janice Farmer, Orlando, Florida; Mary Bain Pearson, Houston, Texas; and Charles Prestwood, Conroe, Texas.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

H.R. 3005, to extend trade authorities procedures with respect to reciprocal trade agreements, with an amendment in the nature of a substitute; and

The nominations of Richard Clarida, of Connecticut, to be Assistant Secretary for Economic Policy, Kenneth Lawson, of Florida, to be Assistant Secretary for Enforcement, and B. John Williams, Jr., of Virginia, to be Chief Counsel for the Internal

Revenue Service and Assistant General Counsel, all of the Department of the Treasury, Janet Hale, of Virginia, to be Assistant Secretary for Management and Budget, and Joan E. Ohl, of West Virginia, to be Commissioner on Children, Youth, and Families, both of the Department of Health and Human Services, and James B. Lockhart III, of Connecticut, to be Deputy Commissioner of Social Security, and Harold Daub, of Nebraska, to be a Member of the Social Security Advisory Board, both of the Social Security Administration.

GLOBAL OUTREACH OF AL-QAEDA

Committee on Foreign Relations: Subcommittee on International Operations and Terrorism concluded hearings to examine the global outreach of Al-Qaeda International, focusing on ties to other terrorist organizations, the fatwah's of Al-Qaeda (rulings on Islamic law), and how U.S. military actions might affect Al-Qaeda, after receiving testimony from J. T. Caruso, Acting Assistant Director, Counterterrorism Division, and Thomas Wilshere, Deputy Section Chief, International Terrorism Operational Section, both of the Federal Bureau of Investigation, Department of Justice; Larry C. Johnson, BERG Associates, LLC, Washington, D.C., former Deputy Director, Office of Counterterrorism, Department of State; and Michelle Flournoy, Center for Strategic and International Studies, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 15 public bills, H.R. 3507–3521; and 2 resolutions, H. Con. Res. 290–291, were introduced. **Page H10355**

Reports Filed: Reports were filed today as follows:

H.R. 3343, to amend title X of the Energy Policy Act of 1992, amended (H. Rept. 107–341).

Filed on Dec. 19, 2001, Legislative Day of Dec. 18, conference report on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002 (H. Rept. 107–342);

Filed on Dec. 19, 2001, Legislative Day of Dec. 18, H. Res. 318, 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. 107–343); and

Filed on Dec. 19, 2001, Legislative Day of Dec. 18, H. Res. 319, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of cer-

tain resolutions reported from the Committee on Rules (H. Rept. 107–344);

Pages H10237, H10239–H10353, H10354

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

Page H10175

Recess: The House recessed at 1:08 p.m. and reconvened at 2 p.m. on Tuesday, Dec. 18. **Page H10179**

Private Calendar: Agreed to dispense with the call of the Private Calendar of Dec. 18. **Page H10179**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Receipts from Mineral Leasing Activities on Naval Oil Shale Reserves: H.R. 2187, amended, to amend title 10, United States Code, to make receipts collected from mineral leasing activities on certain naval oil shale reserves available to cover environmental restoration, waste management, and environmental compliance costs incurred by the United States with respect to the reserves; **Pages H10179–81**

Cold War Interpretive Study Act: H.R. 107, amended, to require that the Secretary of the Interior conduct a study to identify sites and resources and to recommend alternatives for commemorating and interpreting the Cold War; **Page H10181**

Richard J. Guadagno Headquarters and Visitors Center Humboldt Bay National Wildlife Refuge, California: H.R. 3334, to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California; **Pages H10181–83**

National Motivation and Inspiration Day: H. Res. 308, amended, expressing the sense of the House of Representatives regarding the establishment of a National Motivation and Inspiration Day. Agreed to amend the title so as to read: Resolution supporting the goals of a National Motivation and Inspiration Day; **Pages H10183–84**

Vernon Tarlton Post Office Building, Forest City, North Carolina: H.R. 3072, to designate the facility of the United States Postal Service located at 125 Main Street in Forest City, North Carolina, as the “Vernon Tarlton Post Office Building;” **Pages H10184–85**

Raymond M. Downey Post Office Building, Deer Park, New York: H.R. 3379, to designate the facility of the United States Postal Service located at 375 Carlls Path in Deer Park, New York, as the “Raymond M. Downey Post Office Building” (agreed to by a yea-and-nay vote of 393 yeas with none voting “nay,” Roll No. 499); **Pages H10185–86, S10212–13**

Water Infrastructure Security and Research Development: H.R. 3178, to authorize the Environmental Protection Agency to provide funding to support research, development, and demonstration projects for the security of water infrastructure. Agreed to amend the title so as to read: A bill to authorize the Environmental Protection Agency to provide funding to support research and development projects for the security of water infrastructure; **Pages H10186–93**

True American Heroes Act: H.R. 3054, amended, to award congressional gold medals on behalf of the officers, emergency workers, and other employees of the Federal Government and any State or local government, including any interstate governmental entity, who responded to the attacks on the World Trade Center in New York City and perished in the tragic events of September 11, 2001 (agreed to by a yea-and-nay vote of 392 yeas to 2 nays, Roll No. 500). Agreed to amend the title so as to read: A bill to award congressional gold medals on behalf of government workers who responded to the attacks on the World Trade Center and perished and on behalf of people aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash. **Pages H10193–97, S10213–14**

Energy Policy Act of 1992: H.R. 3343, amended, to amend title X of the Energy Policy Act of 1992; **Pages H10197–H10200**

Best Pharmaceuticals for Children: S. 1789, to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children—clearing the measure for the President; **Pages H10200–12**

Homestake Mine Lead, South Dakota Property Conveyance: S. 1389, to provide for the conveyance of certain real property in South Dakota to the State of South Dakota with indemnification by the United States government—clearing the measure for the President; and **Pages H10214–19**

Special Relationship For More Than 100 Years Between the United States and the Republic of the Philippines: H. Con. Res. 273, reaffirming the relationship between the United States and the Philippines; **Pages H10219–25**

Recess: The House recessed at 4:10 p.m. and reconvened at 6:35 p.m. **Page H10212**

Late Report—Labor, HHS, and Education Appropriations Conference Report: Agreed that the managers on the part of the House have until 6 a.m., December 19, 2001, to file a conference report on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002. **Page H10214**

Order of Business—Labor, HHS, Education Appropriations: Agreed that it be in order at any time after 1 p.m. on Wednesday, December 19, 2001 to consider the conference report on H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002; that all points of order against the conference report and against its consideration be waived, and that it be considered as read. **Page H10214**

Order of Business—Suspensions: Pursuant to the notice requirements of H. Res. 314, Representative Royce announced that the following measures will be considered under suspension of the rules on Wednesday, December 19, 2001: H.J. Res. 75, monitoring of weapons development in Iraq; H.R. 2739, requiring a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2002 in Geneva, Switzerland; H.R. 3275, Terrorist Bombings Convention Implementation; S. 1714, Honoring Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building; Senate amendment to H.R. 2657, District of Columbia Family Court Act; Senate amendment to H.R. 2199, District of Columbia Police Coordination Amendment Act; S. 1762, Higher Education Act Amendments; S. 1793, Higher Education Relief Opportunities; H. Con. Res. 279, Commending the crew of the USS Enterprise Battle

Group; H.R. 3507, Coast Guard Authorization Act for FY 2002; and H.R. 1432, Major Lyn McIntosh Post Office Building, Valdosta, Georgia. **Page H10225**

Recess: The House recessed at 10:45 p.m. and reconvened at 8:25 a.m. on Dec. 19, 2001.

Pages H10235, H10239

Order of Business—Suspensions: Pursuant to the notice requirements of H. Res. 314, Representative Reynolds announced that S. 1202 will be considered under suspension of the rules on Wednesday, December 19, 2001.

Page H10239

Senate Message: Message received from the Senate appears on page H10193.

Referrals: S. 1271 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H10212–13 and H10213–14. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:26 a.m. on Wednesday, Dec. 19.

Committee Meetings

ELECTRIC SUPPLY AND TRANSMISSION

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality met to consider H.R. 3406, Electric Supply and Transmission Act of 2001.

SAME DAY CONSIDERATION— CONFERENCE REPORT FOREIGN OPERATIONS APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule 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 rule applies the waiver to any special rule reported on the legislative day of Wednesday, December 19, 2001, providing for the consideration or disposition of a conference report to accompany H.R. 2506, making appropriations for foreign operations, export financing and related programs for the fiscal year ending September 30, 2002.

SAME DAY CONSIDERATION—BILL PROVIDING TAX INCENTIVES FOR ECONOMIC RECOVERY

Committee on Rules: Granted, by voice vote, a rule 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 rule applies the waiver to any special rule reported on the legislative day of Wednesday, December 19, 2001, providing for the consideration or disposition of a bill to provide tax incentives for economic recovery, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

Joint Meetings

APPROPRIATIONS—DEFENSE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002.

APPROPRIATIONS—LABOR-HHS- EDUCATION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002.

COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 19, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: to hold hearings on the nomination of Edward Kingman, Jr., of Maryland, to be Assistant Secretary for Management and Budget, and Chief Financial Officer, Department of the Treasury, 10 a.m., SD-215.

House

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled "Electronic Communications Networks in the Wake of September 11th," 10 a.m., 2123 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on the Alabama-Coosa-Tallapoosa River Basin Compact and the Apalachicola-Chattahoochee and Flint River Basin Compact, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration and Claims, oversight hearing on the Release Policies of the Immigration and Naturalization Service and the Executive Office for Immigration Review, 2 p.m., 2237 Rayburn.

Next Meeting of the SENATE

11:30 a.m., Wednesday, December 19, 2001

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 1731, Federal Farm Bill, with a vote to close further debate on Daschle (for Harkin) Amendment No. 2471, in the nature of a substitute to occur at 1:15 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, December 19

House Chamber

Program for Wednesday: Consideration of Suspensions:

- (1) H.R. 3275, Terrorist Bombings Convention Implementation;
- (2) S. 1714, Honoring Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building;
- (3) H.R. 1432, Major Lyn McIntosh Post Office Building, Valdosta, Georgia.
- (4) S. 1202, Office of Government Ethics Authorization;
- (5) Senate amendment to H.R. 2657, District of Columbia Family Court Act;
- (6) Senate amendment to H.R. 2199, District of Columbia Police Coordination Act;
- (7) H. Con. Res. 279, Commending the crew of the USS Enterprise Battle Group;
- (8) H.R. 3507, FY 2002 Coast Guard Authorization Act for FY 2002;
- (9) H.J. Res. 75, Monitoring Iraqi Weapons Development;
- (10) H.R. 2739, Endorsing Observer Status for Taiwan at World Health Assembly;
- (11) S. 1762, Higher Education Act Amendments;
- (12) S. 1793, Higher Education Relief Opportunities;

Consideration of the conference report on H.R. 3061, Labor, HHS, Education Appropriations (unanimous consent);

Consideration of H.R. _____, Economic Growth and Security Act (subject to a rule) and

Possible consideration of the conference report on H.R. 2506, Foreign Operations Appropriations (rule waiving points of order).



Congressional Record

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