

Thursday, December 20, 2001

Daily Digest

HIGHLIGHTS

- Senate and House passed H.J. Res. 79, Continuing Appropriations.
- Senate and House passed H.J. Res. 80, Convening of the Second Session of the 107th Congress.
- Senate agreed to the Conference Report on H.R. 3061, Labor/HHS/Education Appropriations Act.
- Senate agreed to the Conference Report on H.R. 2506, Foreign Operations Appropriations Act.
- The House and Senate agreed to the conference report on H.R. 3338, DOD Appropriations.
- The House and Senate agreed to H. Con. Res. 295, providing for the sine die adjournment of the first session of the One Hundred Seventh Congress.

Senate

Chamber Action

Routine Proceedings, pages S13773–S14084

Measures Introduced: Thirty-two bills and six resolutions were introduced, as follows: S. 1860–1891, S.J. Res. 30, and S. Res. 194–198. **Pages S13943–44**

Measures Reported:

S. 950, to amend the Clean Air Act to address problems concerning methyl tertiary butyl ether, with amendments. (S. Rept. No. 107–131)

S. 1206, to reauthorize the Appalachian Regional Development Act of 1965, with an amendment in the nature of a substitute. (S. Rept. No. 107–132)

Pages S13942–43

Measures Passed:

Investor and Capital Markets Fee Relief Act: Senate passed H.R. 1088, to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, clearing the measure for the President. **Page S13830**

Adjournment Resolution: By 56 yeas to 40 nays (Vote No. 379), Senate agreed to H. Con. Res. 295, providing for the sine die adjournment of the first session of the One Hundred Seventh Congress.

Pages S13830–31

Port and Maritime Security Act: Senate passed S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, after agreeing to the following amendment proposed thereto: **Pages S13871–84**
Hollings/McCain/Graham Amendment No. 2690, in the nature of a substitute. **Page S13884**

Unemployment Assistance Extension: Senate passed S. 1622, to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001. **Page S13893**

Televising Zacarias Moussaoui Trial: Committee on the Judiciary was discharged from further consideration of S. 1858, to permit the closed circuit televising of the criminal trial of Zacarias Moussaoui for the victims of September 11th, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S13893–94**

Reid (for Allen) Amendment No. 2691, to clarify the requirements of the trial court. **Pages S13893–94**

Bioterrorism Response Act: Senate passed H.R. 3448, to improve the ability of the United States to prevent, prepare for, and respond to bioterrorism and

other public health emergencies, after agreeing to the following amendment proposed thereto:

Pages S13902–11

Reid (for Frist/Kennedy/Gregg) Amendment No. 2692, in the nature of a substitute. **Page S13911**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Kennedy, Dodd, Harkin, Mikulski, Jeffords, Gregg, Frist, Enzi, and Hutchinson. **Page S13911**

Continuing Appropriations: Senate passed H.J. Res. 79, making further continuing appropriations for the fiscal year 2002, clearing the measure for the President. **Page S14029**

Convening of the Second Session: Senate passed H.J. Res. 80, appointing the day for the convening of the second session of the One Hundred Seventh Congress (January 23, 2002 at 12 noon), clearing the measure for the President. **Page S14029**

United States Vice President Appreciations: Senate agreed to S. Res. 195, tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate. **Page S14049**

United States President Appreciation: Senate agreed to S. Res. 196, tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate. **Page S14049**

Senate Majority Leader Commendation: Senate agreed to S. Res. 197, a resolution to commend the exemplary leadership of the Majority Leader. **Page S14049**

Senate Republican Leader Commendation: Senate agreed to S. Res. 198, to commend the exemplary leadership of the Republican Leader. **Page S14049**

Basic Pilot Extension Act: Senate passed H.R. 3030, to extend the basic pilot program for employment eligibility verification, clearing the measure for the President. **Page S14050**

Reuniting Korean Families: Senate agreed to 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. **Page S14050**

International Emergency Management Assistance Understanding: Senate passed S.J. Res. 12, granting the consent of Congress to the International

Emergency Management Assistance Memorandum of Understanding. **Pages S14050–52**

Radio Free Europe/Radio Liberty Recognition: Senate agreed to S. Con. Res. 92, recognizing Radio Free Europe/Radio Liberty's success in promoting democracy and its continuing contribution to United States national interests. **Page S14052**

Bill Court Referral: Committee on the Judiciary was discharged from further consideration of S. Res. 83, referring S. 846 entitled "A bill for the relief of J.L. Simmons Company, Inc., of Champaign, Illinois" to the chief judge of the United States Court of Federal Claims for a report thereon, and the resolution was then agreed to. **Page S14052**

Higher Education Reporting Requirement Simplification: Senate passed H.R. 3346, to amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses, clearing the measure for the President. **Page S14052**

Guadagno Visitors Center Designation: Senate passed H.R. 3334, to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California, clearing the measure for the President. **Page S14053**

Todd Beamer Post Office Designation: Committee on Governmental Affairs was discharged from further consideration of H.R. 3248, to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the "Todd Beamer Post Office Building", and the bill was then passed, clearing the measure for the President. **Page S14053**

Commending Daw Aung San Suu Kyi: Senate agreed to 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, after agreeing to a committee amendment in the nature of a substitute. **Pages S14053–54**

Republic of Kazakhstan Congratulations: Committee on Foreign Relations was discharged from further consideration of S. Res. 194, congratulating the people and government of Kazakhstan on the tenth anniversary of the independence of the Republic of Kazakhstan, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S14054**

Reid (for Brownback) Amendment No. 2693, to recognize Kazakhstan for their efforts in combating international terrorism. **Page S14054**

American Wildlife Enhancement Act: Senate passed S. 990, to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S14054–59**

Reid (for Smith (NH)) Amendment No. 2694, to make certain modifications to the bill. **Page S14059**

National Foreign Affairs Training Center: Committee on Foreign Affairs was discharged from further consideration of H.R. 3348, to designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center, and the bill was then passed, clearing the measure for the President. **Pages S14059–60**

Security Assistance Act: Senate passed S. 1803, to authorize appropriations under the Arms Export Control Act and the Foreign Assistance Act of 1961 for security assistance for fiscal years 2002 and 2003, after agreeing to the following amendment proposed thereto: **Pages S14060–61**

Reid (for Biden/Helms) Amendment No. 2695, to make certain managers' amendments to the bill.

Pages S14060–61

Water and Wastewater Facilities: Senate passed S. 1608, to establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs, after agreeing to a committee amendment in the nature of a substitute.

Pages S14061–62

Authorizing Emergency Funds: Senate passed S. 1637, to waive certain limitations in the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001, after agreeing to the following amendment proposed thereto: **Page S14062**

Reid (for Clinton) Amendment No. 2696, to make certain modifications to the bill. **Page S14062**

Federal Judiciary Protection Act: Senate passed S. 1099, to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants. **Pages S14062–63**

Authorizing Nonimmigrant Spouses: Senate passed H.R. 2278, to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States, clearing the measure for the President. **Page S14063**

Treaty Traders/Investors: Senate passed H.R. 2277, to provide for work authorization for non-immigrant spouses of treaty traders and treaty investors, clearing the measure for the President.

Page S14063

Small Business Liability Relief and Brownfields Revitalization Act: Senate passed H.R. 2869, to provide certain relief for small businesses from liability under the Comprehension Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, clearing the measure for the President. **Pages S14063–64**

Family Sponsor Immigration Act: Senate passed H.R. 1892, to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked, after agreeing to a committee amendment.

Pages S14064–65

Nurse Corps Recruitment: Senate passed S. 1864, to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage. **Page S14065**

Gen. Shelton Congressional Gold Medal Act: Senate passed H.R. 2751, to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public, clearing the measure for the President. **Page S14065**

Department of Justice Authorization: Senate passed H.R. 2215, to authorize appropriations for the Department of Justice for fiscal year 2002, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S14065–75**

Reid (for Leahy/Hatch) Amendment No. 2697, to provide for the establishment of additional Boys and Girls Clubs of America. **Page S14075**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Leahy, Kennedy, and Hatch. **Page S14075**

Department of Veterans Affairs Health Care Programs Enhancement Act: Senate passed H.R. 3447, 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, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, clearing the measure for the President. **Pages S14075–80**

Private Relief: Committee on the Judiciary was discharged from further consideration of S. 1834, for the relief of retired Sergeant First Class James D. Benoit and Wan Sook Benoit, and the bill was then passed. **Pages S14080–81**

Technical Correction: Senate passed S. 1888, to amend title 18 of the United States Code to correct a technical error in the codification of title 36 of the United States Code. **Page S14081**

Gerald B. H. Solomon Saratoga National Cemetery: Committee on Veterans' Affairs was discharged from further consideration of H.R. 3392, to name the national cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and the bill was then passed, clearing the measure for the President. **Page S14081**

Korean War Veterans Association Federal Charter: Committee on the Judiciary was discharged from further consideration of S. 392, to grant a Federal Charter to Korean War Veterans Association, Incorporated, and the bill was then passed. **Pages S14081–82**

Immigration Deadline Extension: Committee on the Judiciary was discharged from further consideration of S. 1400, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien, and the bill was then passed. **Page S14082**

Year of the Rose: Senate agreed to H. Con. Res. 292, supporting the goals of the Year of the Rose. **Page S14082**

Measure Indefinitely Postponed:

Transportation Appropriations Act: S. 1178, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002. **Pages S14049–50**

Labor/HHS/Education Appropriations Conference Report: By 90 yeas to 7 nays (Vote No. 378), Senate agreed to 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, clearing the measure for the President. **Pages S13773–S13830**

Victims of Terrorism Relief Act: Senate concurred in the amendment of the House to Senate amendment to H.R. 2884, to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, with a further amendment as follows: **Pages S13856–64**

Daschle (to the amendment of the House to the amendment of the Senate to the text of the bill) Amendment No. 2689, in the nature of a substitute. **Page S13864**

Department of Defense Appropriations Conference Report: By 94 yeas to 2 nays (Vote No. 380), Senate agreed to the conference report on H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, clearing the measure for the President. **Pages S13832–56, S13864–65, S13865–68, S13869–71**

Foreign Operations Appropriations Conference Report: Senate agreed to the conference report on H.R. 2506, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, after consultation between the Majority and Republican Leaders, clearing the measure for the President. **Pages S13894–S13902**

Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that the nomination of Joseph E. Schmitz to be Inspector General, Department of Defense, which was ordered reported by the Committee on Armed Services, be referred to the Committee on Governmental Affairs for not to exceed 20 calendar days, beginning on January 23, 2002, and that if the nomination is not reported after that 20-day period, the nomination be automatically discharged and placed on the Executive Calendar.

Nominations—Agreement: A unanimous-consent agreement was reached providing that all nominations received by the Senate during the 107th Congress, First Session, remain in status quo, notwithstanding the adjournment of the Senate, and the provisions of Rule XXXI, Paragraph 6, of the Standing Rules of the Senate, with the following exceptions: Otto Reich to be Assistant Secretary of State, and Col. David R. Leffarge to be Brigadier General. **Page S14049**

Sine Die Adjournment Appointments: A unanimous-consent agreement was reached providing that notwithstanding the sine die 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 S14049

Nominations Confirmed: Senate confirmed the following nominations:

Eduardo Aguirre, Jr., of Texas, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2005.

J. Joseph Grandmaison, of New Hampshire, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2005.

Michael Hammond, of Texas, to be Chairperson of the National Endowment for the Arts for a term of four years. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.)

James E. Newsome, of Mississippi, to be a Commissioner of the Commodity Futures Trading Commission for the term expiring June 19, 2006. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

James E. Newsome, of Mississippi, to be Chairman of the Commodity Futures Trading Commission. (Prior to this action, Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Claude M. Bolton, Jr., of Florida, to be an Assistant Secretary of the Army.

Kathleen Burton Clarke, of Utah, to be Director of the Bureau of Land Management.

C. Ashley Royal, of Georgia, to be United States District Judge for the Middle District of Georgia.

Harry E. Cummins III, of Arkansas, to be United States Attorney for the Eastern District of Arkansas for the term of four years.

Christopher James Christie, of New Jersey, to be United States Attorney for the District of New Jersey for the term of four years.

Sean O'Keefe, of New York, to be Administrator of the National Aeronautics and Space Administration.

34 Army nominations in the rank of general.

Pages S13830, S14047–49

Nominations Received: Senate received the following nominations:

Nancy Southard Bryson, of the District of Columbia, to be General Counsel of the Department of Agriculture.

Paul S. Atkins, of Virginia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2003.

Cynthia A. Glassman, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2006.

Linda Morrison Combs, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

Eve Slater, of New Jersey, to be an Assistant Secretary of Health and Human Services.

William Leiding, of Virginia, to be Assistant Secretary for Management, Department of Education.

Dan Gregory Blair, of the District of Columbia, to be Deputy Director of the Office of Personnel Management.

Matthew D. Orwig, of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

Jane J. Boyle, of Texas, to be United States Attorney for the Northern District of Texas for the term of four years.

James K. Vines, of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years.

Johnny Lewis Hughes, of Maryland, to be United States Marshal for the District of Maryland for the term of four years.

Randy Merlin Johnson, of Alaska, to be United States Marshal for the District of Alaska for the term of four years.

Larry Wade Wagster, of Mississippi, to be United States Marshal for the Northern District of Mississippi for the term of four years.

Routine lists in the Air Force, Foreign Service.

Pages S14083–84

Messages From the House:

Pages S13940–41

Measures Referred:

Page S13941

Measures Placed on Calendar:

Page S13942

Measures Read First Time:

Page S13942

Enrolled Bills Presented:

Page S13942

Executive Communications:

Page S13942

Executive Reports of Committees:

Page S13943

Additional Cosponsors:

Pages S13944–45

Statements on Introduced Bills/Resolutions:

Pages S13945–82

Additional Statements:

Page S13938–40

Amendments Submitted:

Pages S13982–S14029

Authority for Committees to Meet:

Page S14029

Privilege of the Floor:

Page S14029

Record Votes: Three record votes were taken today. (Total—380)

Page S13830, S13830–31, S13864

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 295, adjourned sine die at 10:06 p.m.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Joseph E. Schmitz, of Maryland, to be Inspector General, Department of Defense, and 34 military nominations in the Army Reserve.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nomination of John Magaw, of Maryland, to be Under Secretary of Transportation for Security, after the nominee, who was introduced by Secretary of Transportation Norman Mineta, testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 58 public bills, H.R. 3552–3609; 1 private bill, H.R. 3610; and 10 resolutions, H.J. Res. 80–81; H. Con. Res. 295–298, and H. Res. 326–329, were introduced.

Pages H10963–66

Reports Filed: No Reports were filed today.

Guest Chaplain: The prayer was offered by Rev. Msgr. Peter J. Vaghi, Pastor, St. Patrick's Catholic Church of Washington, D.C.

Page H10913

DOD Appropriations Conference Report: The House agreed to the conference report on H.R. 3338, making appropriations for the Department of Defense for the fiscal year ending September 30, 2002 by a yea-and-nay vote of 408 yeas to 6 nays, Roll No. 510.

Pages H10917–34

Agreed to H. Res. 324, the rule that waived points of order against the conference report by voice vote.

Pages H10914–16

Making Further Continuing Appropriations: The House passed H.J. Res. 79, making further continuing appropriations for the fiscal year 2002.

Page H10934

Agreed to H. Res. 323, the rule that provided for consideration of the joint resolution by voice vote.

Page H10916

Sine Die Adjournment of the First Session of the One Hundred Seventh Congress: The House agreed to H. Con. Res. 295, providing for the sine die adjournment of the first session of the One Hundred Seventh Congress.

Pages H10934–35

Convening of the Second Session of the One Hundred Seventh Congress: The House passed H.J. Res. 80, appointing the day for the convening of the second session of the One Hundred Seventh Congress.

Page H10935

Agreed to H. Res. 322, the rule that provided for consideration of the joint resolution by voice vote.

Pages H10916–17

Suspensions: The House agreed to suspend the rules and pass the following measures that were debated on the legislative day of December 19. Earlier agreed to vacate the ordering of the yeas and nays on H.R. 3423, H.R. 2561, and H.R. 1432 to the end that the Chair put the question on each of those measures de novo.

Page H10935

Honoring Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building: S. 1714, to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building—clearing the measure for the President;

Page H10935

Major Lyn McIntosh Post Office Building, Valdosta, Georgia: H.R. 1432, to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the "Major Lyn McIntosh Post Office Building;"

Page H10935

Office of Government Ethics Authorization: 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—clearing the measure for the President;

Page H10935

Commending the Crew of the USS Enterprise Battle Group and Armed Forces Prosecuting the War: H. Con. Res. 279, recognizing the service of the crew members of the USS Enterprise Battle Group during its extended deployment for the war effort in Afghanistan. Agreed to amend the title so as to read: A concurrent resolution recognizing the excellent service of members of the Armed Forces