

107–370, was considered as an original bill for the purpose of amendment. **Page H857**

Agreed To:

Nadler amendment No. 2, printed in H. Rept. 107–375, as modified, that prohibits any order, opinion, or record of the court from being sealed or subjected to a protective order unless the court finds that the sealing or protective order is narrowly tailored, consistent with the protection of public health and safety, and is in the public interest;

Pages H859–60

Keller amendment No. 4, printed in H. Rept. 107–375, as modified, that requires courts with jurisdiction over a plaintiff class action to disclose their fees to each plaintiff if there is a settlement or judgment for the plaintiffs; and **Page H863**

Hart amendment No. 9, printed in H. Rept. 107–375, as modified, that directs the Judicial Conference of the United States with the assistance of the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts to prepare and transmit to the Committees on the Judiciary of the Senate and House of Representatives a report on class action settlements in the Federal courts, within 12 months after the date of enactment. **Pages H879–82**

Rejected:

Waters amendment No. 3, printed in H. Rept. 107–375, as modified, that sought to deem a party in a class action suit as admitting any fact with respect to which a discovery order was issued when that party withholds or destroys material subject to the order (rejected by a recorded vote of 174 ayes to 251 noes, Roll No. 56); **Page H872**

Lofgren amendment No. 5, printed in H. Rept. 107–375, as modified, that sought to strike the provision that deems a civil action to be a class action if the plaintiff acts for the interests of its members (who are not named parties to the action) or for the interests of the general public, seeks a remedy of damages, restitution, disgorgement, or any other form of monetary relief, and is not a State attorney general (rejected by a recorded vote of 194 ayes to 231 noes, Roll No.57); **Pages H872–73**

Conyers amendment No. 6, printed in H. Rept. 107–375, as modified, that sought to treat a foreign corporation which acquires a domestic corporation as being incorporated in the State where the domestic corporation was organized (rejected by a recorded vote of 202 ayes to 223 noes, Roll No.58);

Pages H873–74

Jackson-Lee amendment No. 7, printed in H. Rept. 107–375, as modified, that sought to prohibit a party from removing a class action to a district court if the party has been found by a court to have knowingly altered, destroyed, or misrepresented

records or documents (rejected by a recorded vote of 177 ayes to 248 noes, Roll No. 59); and

Pages H882–83

Frank amendment No. 8, printed in H. Rept. 107–375, as modified, that sought to require Federal courts which refuse to certify a class action under rule 23 of the Federal rules of Civil Procedure to remand all aspects of the action to the State court from which it was removed (rejected by a recorded vote of 191 ayes to 234 noes, Roll No. 60).

Pages H883–84

H. Res. 367, the rule that provided for consideration of the bill was agreed to by voice vote. Earlier, agreed to order the previous question by a yea-and-nay vote of 221 yeas to 198 nays, Roll No. 55.

Page H846

Discharge Petition: Pursuant to Clause 2 of Rule XV, Representative Israel filed a motion to discharge the Committee on Rules from the consideration of H. Res. 352, providing for consideration of H.R. 3341, to provide a short-term enhanced safety net for Americans losing their jobs and to provide our Nation's economy with a necessary boost.

Quorum Calls—Votes: Three yea-and-nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H837–38, H846, H872, H872–73, H873–74, H882–83, H883–84, H885, and H885–86. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:12 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, AND FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Farm and Foreign Agricultural Services. Testimony was heard from the following officials of the USDA: Stephen B. Dewhurst, Budget Officer; J. B. Penn, Under Secretary, Farm and Foreign Agricultural Services; James Little, Administrator, Farm Service Agency; Ross Davidson, Administrator, Risk Management Agency; Ellen Terpstra, Administrator, Foreign Agricultural Service; and Mary Chambliss, Acting General Sales Manager.

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on

Supreme Court, and on Small Business Administration. Testimony was heard from the following Associate Justices of the Supreme Court: Anthony M. Kennedy; and Clarence Thomas; and Hector V. Barreto, Administrator, SBA.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Defense Transformation. Testimony was heard from the following officials of the Department of Defense: E. C. Aldridge, Under Secretary, Defense; and Vice Adm. Arthur Cebrowski, (Ret.) Director, Force Transformation.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Department of Energy-Science, Nuclear Energy and Renewable Energy. Testimony was heard from Robert Card, Under Secretary, Energy, Science and Environment, Department of Energy.

FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on Administrator of Agency for International Development. Testimony was heard from Andrew S. Natsios, Administrator, AID, Department of State.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on Forest Service. Testimony was heard from Dale N. Bosworth, Chief, Forest Service, USDA.

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on National Institutes of Health Fiscal Year 2003 Budget Overview. Testimony was heard from Ruth L. Kirschstein, M.D., Acting Director, NIH, Department of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Housing Privatization. Testimony was heard from the following officials of the Department of Defense: Ray Dubois, Deputy Under Secretary, Installations and Environment; Geoffrey Prosch, Principal Deputy Assistant Secretary, Department of the Army; H.T. Johnson, Assistant Secretary, Installations and Environment; and Jimmy Dishner, Deputy Secretary, Installations, both with the Department of the Navy.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on FAA. Testimony was heard from the following officials of the Department of Transportation: Kenneth M. Mead, Inspector General; and Jane F. Garvey, Administrator, FAA.

TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service and General Government held a hearing on GSA, and on U.S. Postal Service. Testimony was heard from Stephen A. Perry, Administrator, GSA; and John E. Potter, Postmaster General and CEO, U.S. Postal Service.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Veterans' Affairs, Housing and Urban Development, and Independent Agencies held a hearing on Office of Science Technology Policy, and on Department of Defense—Civil, Cemeterial Expenses, Army. Testimony was heard from John H. Marburger III, Director, Office of Science and Technology Policy; and Les Brownlee, Under Secretary, Department of the Army.

ENERGY DEPARTMENT BUDGET REQUEST

Committee on Armed Services: Held a hearing on the fiscal year 2003 Department of Energy budget request. Testimony was heard from Spencer Abraham, Secretary of Energy.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the fiscal year 2002 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of Defense: David S. Chu, Under Secretary, Personnel and Readiness; Lt. Gen. John M. LeMoyné, USA, Deputy Chief of Staff, U.S. Army; Vice Adm. Norbert R. Ryan, Jr., USN, Chief of Naval Personnel; and Lt. Gen. Garry L. Parks, USMC, Deputy Commandant, Manpower and Reserve Affairs, U.S. Marine Corps, both with the Department of the Navy; Lt. Gen. Richard E. Brown III, USAF, Deputy Chief of Staff, Personnel, US Air Force; Craig W. Duehring, Principal Deputy Assistant Secretary (Reserve Affairs); Lt. Gen. Russell C. Davis, USAF, Chief National Guard Bureau; Lt. Gen. Thomas J. Plewes, Chief, U.S. Army Reserve; Vice Adm. John B. Totushek, Chief, Naval Reserve; Lt. Gen. James E. Sherrard III, Chief, Air Force Reserve; Maj. Gen. Dennis M. McCarthy, Commander, Marine Forces Reserve; Lt. Gen. Roger C. Schultz,

Director, Army National Guard; Brig. Gen. David A. Brubaker, Deputy Director, Air National Guard; and representatives of veterans organizations.

COMPETITIVE SOURCING

Committee on Armed Services: Subcommittee on Military Readiness held a hearing on competitive sourcing/outscouring/A-76 and strategic sourcing. Testimony was heard from Angela B. Styles, Administrator, Federal Procurement Policy, OMB; and the following officials of the Department of Defense: Michael M. Wynne, Principal Deputy Under Secretary (Acquisition, Technology and Logistics); Mario P. Fiori, Assistant Secretary (Installations and Environment), Department of the Army; H.T. Johnson, Assistant Secretary (Installations and Environment), Department of the Navy; and Michael Dominguez, Assistant Secretary (Manpower and Reserve Affairs), Department of the Air Force.

BUDGET RESOLUTION FISCAL YEAR 2003

Committee on the Budget: Began markup of the Fiscal Year 2003 Budget Resolution.

EDUCATION SCIENCES REFORM ACT

Committee on Education and the Workforce: Subcommittee on Education Reform approved for full Committee action, as amended, H.R. 3801, Education Sciences Reform Act of 2002.

ASSESSING MENTAL HEALTH PARITY

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on "Assessing Mental Health Parity: Implications for Patients and Employers." Testimony was heard from Representatives Roukema and Kennedy of Rhode Island, and public witnesses.

HHS HEALTH CARE PRIORITIES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "The 2003 Budget: A Review of the HHS Health Care Priorities." Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT

Committee on Financial Services: Held a hearing on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act of 2002. Testimony was heard from Roderick M. Hills, former Chairman, SEC; and public witnesses.

Hearings continue March 20.

GOVERNMENT PURCHASE CARDS—USE AND ABUSE

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Affairs held a hearing on "The Use and Abuse of Government Purchase Cards." Testimony was heard from Senator Grassley; Gregory D. Kutz, Director, Financial Management and Assurance, GAO; and the following officials of the Department of Defense: Tina Jones, Deputy Under Secretary, Financial Management; Deidre A. Lee, Director, Defense Procurement, Office of the Under Secretary, Acquisition, Technology and Logistics; Capt. Patricia Miller, USN, Commanding Officer, Space and Naval Warfare Systems Center; and Capt. James Barrett; USN, Commanding Officer, Navy Public Works Center, both in San Diego, California; and a public witness.

TRANSATLANTIC RELATIONS

Committee on International Relations: Subcommittee on Europe held a hearing on U.S. and Europe: The Bush Administration and Transatlantic Relations. Testimony was heard from A. Elizabeth Jones, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

OVERSIGHT—KLAMATH RIVER BASIN THREATENED FISHES

Committee on Resources: Held an oversight hearing on the National Academy of Science Interim Report on Endangered and Threatened Fishes in the Klamath River Basin. Testimony was heard from Sue Ellen Wooldridge, Deputy Chief of Staff, Department of the Interior; William T. Hogarth, Assistant Administrator, Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; and a public witness.

ENERGY PIPELINE RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT

Committee on Science: Subcommittee on Energy held a hearing on the Energy Pipeline Research, Development, and Demonstration Act. Testimony was heard from public witnesses.

NSF BUDGET

Committee on Science: Subcommittee on Research held a hearing on the NSF Budget: How Should We Determine Future Levels? Testimony was from public witnesses.

SUBSIDY RATE CALCULATION

Committee on Small Business: Held a hearing on “Subsidy Rate Calculation: Unfair Tax on Small Business.” Testimony was heard from Nancy Dorn, Deputy Director, OMB; Hector V. Barreto, Jr., Administrator, SBA; and public witnesses.

OVERSIGHT—PORT SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Port Security: Shipping Containers. Testimony was heard from Capt. Anthony Regalbuto, USCG, Chief, Port Security, U.S. Coast Guard, Department of Transportation; Richard Larrabee, Director, Port Commerce, Port Authority of New York and New Jersey; and public witnesses.

WATER QUALITY FINANCING ACT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on the Water Quality Financing Act of 2002. Testimony was heard from Benjamin H. Grumbles, Deputy Assistant Administrator, Water, EPA; and public witnesses.

DVA INFORMATION PROGRAM

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the Department of Veterans Affairs Information program, with a review of VA's integrated systems architecture plan, Veterans Benefits Administration's VETSNET program, information security, Veterans Health Administration's Decision Support Systems, and the Government Computer-Based Patient Record Program. Testimony was heard from David L. McClure, Director, Accounting and Information Management Issues, GAO; from the following officials of the Department of Veterans Affairs: Richard Griffin, Inspector General; and John A. Gauss, Assistant Secretary, Information Technology; and a public witness.

BUDGET VIEWS AND ESTIMATES

Committee on Ways and Means: Approved Committee Budget Views and Estimates for Fiscal Year 2003 for submission to the Committee on the Budget.

UNMANNED VEHICLE PROGRAMS

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Unmanned Vehicle Programs. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of March 12, 2002, p. D215)

S. 1206, to reauthorize the Appalachian Regional Development Act of 1965. Signed on March 12, 2002. (Public Law 107-149)

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. Signed on March 13, 2002. (Public Law 107-150)

H.R. 3699, to revise certain grants for continuum of care assistance for homeless individual and families. Signed on March 13, 2002. (Public Law 107-151)

**COMMITTEE MEETINGS FOR THURSDAY,
MARCH 14, 2002**

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine the current economy and its impact on seniors, focusing on funds for Medicaid, health, and senior services, 9:30 a.m., SD-628.

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine farm economy and rural sector issues, 10 a.m., SD-138.

Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of the Treasury, 2 p.m., SD-138.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Education, 2:30 p.m., SD-124.

Subcommittee on District of Columbia, to hold hearings to examine regional emergency planning for the Nation's Capital, 2:30 p.m., SD-192.

Committee on Armed Services: to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on the atomic energy defense activities of the Department of Energy, 9:30 a.m., SH-216.

Subcommittee on Airland, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on Army modernization and transformation, 2:30 p.m., SR-222.

Committee on Banking, Housing, and Urban Affairs: to resume oversight hearings to examine accounting and investor protection issues raised by the Enron situation, and other public companies, focusing on the accounting profession, audit quality and independence, and formulation of accounting principles, 10 a.m., SD-538.