

Lott Amendment No. 3028 (to Amendment No. 2917), to provide for the fair treatment of Presidential judicial nominees. **Pages S1917–21**

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

By 60 yeas to 40 nays (Vote No. 49), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive the Congressional Budget Act of 1974 with respect to Thomas/Murkowski Amendment No. 3012 (to Amendment No. 2917), to establish an organization to enforce reliability standards with respect to electricity. Subsequently, the point of order, that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, failed. **Page S1897**

Senate will continue consideration of the bill on Friday, March 15, 2002.

Campaign Finance Reform—Agreement: A unanimous-consent agreement was reached providing for consideration of H.R. 2356, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, at 3 p.m., on Monday, March 18, 2002, and that the pending cloture motion on the motion to proceed to consideration of the bill be vitiated. **Pages S1914–15**

District of Columbia College Access Improvement Act: Senate concurred in the amendment of the House to Senate amendments to H.R. 1499, to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically black colleges and universities nationwide to participate in the tuition assistance programs under such Act. **Pages S1953–54**

Tʻur Shur Bein Preservation Trust Area Act—Joint Referral Agreement: A unanimous-consent agreement was reached providing that S. 2018, the Tʻuf Shur Bein Preservation Trust Area Act be jointly referred to the Committees on Energy and Natural Resources and Indian Affairs. **Page S1953**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of David C. Bury, to be United States District Judge for the District of Arizona, at 9:15 a.m., on Friday, March 15, 2002, with a vote to occur thereon. **Page S1957**

Nominations Received: Senate received the following nominations:

Phyllis K. Fong, of Maryland, to be Inspector General, Department of Agriculture.

Steven Robert Blust, of Florida, to be a Federal Maritime Commissioner for a term expiring June 30, 2006.

W. Roy Grizzard, of Virginia, to be an Assistant Secretary of Labor.

Evelyn Dee Potter Rose, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2006.

Celeste Colgan, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Wilfred M. McClay, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006. **Page S1957**

Messages From the House: **Page S1934**

Measures Referred: **Pages S1934–35**

Measures Placed on Calendar: **Page S1935**

Executive Communications: **Page S1935**

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Additional Cosponsors: **Pages S1935–36**

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Additional Statements: **Pages S1933–34**

Amendments Submitted: **Pages S1941–52**

Authority for Committees to Meet: **Pages S1952–53**

Privilege of the Floor: **Page S1953**

Record Votes: Two record votes were taken today. (Total—50) **Pages S1897, S1914**

Adjournment: Senate met at 9:30 a.m., and adjourned at 8:23 p.m., until 9:15 a.m., on Friday, March 15, 2002. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S1957).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Agriculture, focusing on the Farm and Foreign Agricultural Services, Natural Resources Conservation Services, Rural Development Mission Area, Research, Education, and Economics, Department Administration, National Appeals Division, Office of the Chief Financial Officer, Working Capital Fund, and Office of the Inspector General, after receiving testimony from Keith Collins, Chief Economist, J.B. Penn, Under Secretary for Farm and Foreign Services, Mark E.

Rey, Under Secretary for Natural Resources and Environment, Michael E. Neruda, Deputy Under Secretary for Rural Development, Joseph J. Jen, Under Secretary for Research, Education and Economics, and Dennis Kaplan, Director, Office of Budget and Program Analysis, all of the Department of Agriculture.

REGIONAL EMERGENCY PLANNING

Committee on Appropriations: Subcommittee on District of Columbia concluded hearings to examine the accountability of funds appropriated last year for regional emergency planning for the Nation's Capital, in order to implement a seamless emergency response plan, a rigorous training program, and a public education plan, after receiving testimony from Deputy Mayor for Public Safety and Justice Margret Nedelkoff Kellems, and Peter G. LaPorte, Emergency Management Agency, both of the Government of the District of Columbia, Richard A. White, Washington Metropolitan Area Transit Authority, and Michael C. Rogers, Metropolitan Washington Council of Governments, all of Washington, D.C.

APPROPRIATIONS—EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Education, after receiving testimony from Roderick Paige, Secretary of Education.

APPROPRIATIONS—TREASURY

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of the Treasury, after receiving testimony from Paul H. O'Neill, Secretary of the Treasury.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded 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, after receiving testimony from Spencer Abraham, Secretary, Everett Beckner, Deputy Administrator for Defense Programs, and Linton F. Brooks, Deputy Administrator for Defense Nuclear Nonproliferation, both of the National Nuclear Security Administration, all of the Department of Energy.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Airland concluded hearings to examine proposed legislation authorizing funds for fiscal year 2003 for the De-

partment of Defense, focusing on Army modernization and transformation, after receiving testimony from Les Brownlee, Under Secretary of the Army; and Gen. John M. Keane, USA, Vice Chief of Staff, United States Army.

ACCOUNTING AND INVESTOR PROTECTION

Committee on Banking, Housing, and Urban Affairs: Committee resumed oversight hearings to examine accounting and investor protection issues raised by Enron and other public companies, including oversight of the accounting profession, audit quality and independence, and formulation of accounting principles, receiving testimony from James G. Castellano, Rubin, Brown, Gornstein and Company, James E. Copeland, Deloitte and Touche, William E. Balhoff, Poslethwaite and Netterville, Olivia A. Kirtley, ResCare, Inc., and James S. Gerson, PricewaterhouseCoopers, all of New York, New York, on behalf of the American Institute of Certified Public Accountants; and Peter J. Wallison, American Enterprise Institute Project on Financial Market Deregulation, and Robert E. Litan, Brookings Institution Economic Studies Program, both of Washington, D.C.

Hearings continue on Tuesday, March 19.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of JoAnn Johnson, of Iowa, and Deborah Matz, of New York, each to be a Member of the National Credit Union Administration Board, after the nominees testified and answered questions in their own behalf. Ms. Johnson was introduced by Senator Grassley.

NATIONAL DEFENSE RAIL ACT

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 1991, to establish a national rail passenger transportation system, reauthorize Amtrak, and improve security and service on Amtrak, after receiving testimony from Senators Biden and Carper; Michael P. Jackson, Deputy Secretary, and Kenneth M. Mead, Inspector General, both of the Department of Transportation; George D. Warrington, President/CEO, Amtrak (National Railroad Passenger Corporation); New Orleans Mayor Marc Morial, New Orleans, Louisiana, on behalf of the U.S. Conference of Mayors; David D. King, North Carolina Deputy Department of Transportation, Raleigh, on behalf of the States for Passenger Rail Coalition; Edward Hamberger, Association of American Railroads, Gilbert E. Carmichael, Amtrak Reform Council, and Charles F. Moneyenny, Transport Workers Union of America,

all of Washington, D.C.; and William J. Rennie, Mercer Management Consulting, Inc., Lexington, Massachusetts.

PRESCRIPTION DRUGS

Committee on Finance: Committee held hearings to examine reimbursement and access to prescription drugs under Medicare Part B, focusing on payment systems, physician practice costs, and recent settlements, receiving testimony from Thomas A. Scully, Administrator, Centers for Medicare and Medicaid Services, and Janet Rehnquist, Inspector General, both of the Department of Health and Human Services; Laura A. Dummit, Director, Health Care-Medicare Payment Issues, General Accounting Office; Larry Norton, Memorial Sloan-Kettering Cancer Center, New York, New York, on behalf of the American Society of Clinical Oncology; Ellen Stovall, National Coalition for Cancer Survivorship, Silver Spring, Maryland; and Lisa M. Getson, Apria Healthcare, Lake Forest, California.

Hearings recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nomination of Richard Monroe Miles, of South Carolina, to be Ambassador to Georgia, James W. Pardew, of Arkansas, to be Ambassador to the Republic of Bulgaria, Peter Terpeluk, Jr., of Pennsylvania, to be Ambassador to Luxembourg, and Lawrence E. Butler, of Maine, to be Ambassador to The Former Yugoslav Republic of Macedonia, after the nominees testified and answered questions in their own behalf. Mr. Miles was introduced by Senator Hollings, Mr. Terpeluk was introduced by Senators Specter and Santorum, and Mr. Butler was introduced by Senator Collins.

AMERICAN STEEL

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine the future of American steel, focusing on ensuring the viability of the industry and the health care and retirement security for workers, after receiving testimony from Robert S. Miller, Jr., Bethlehem Steel Corporation, Bethlehem, Pennsylvania; Leo W. Gerard, United Steelworkers of America, Pittsburgh, Pennsylvania; Jerry Fallos, United Steelworker of America Local 4108, Aurora, Minnesota; Jeffrey Mikula, Bethlehem

Steel's Sparrows Point mill, and Gertrude Misterka, both of Baltimore, Maryland; and McCall White, Ellicott City, Maryland.

INDIAN PROGRAMS BUDGET

Committee on Indian Affairs: Committee concluded oversight hearings on the President's proposed budget request for fiscal year 2003 for Indian programs, including those provided by the Department of Interior's Bureau of Indian Affairs, National Indian Gaming Commission, and the Environmental Protection Agency, after receiving testimony from Neal A. McCaleb, Assistant Secretary of the Interior, Bureau of Indian Affairs; Diane C. Regas, Acting Assistant Administrator for Water, Environmental Protection Agency; and Montie R. Deer, National Indian Gaming Commission, Washington, D.C.

NOMINATIONS

Committee on Veterans' Affairs: Committee concluded hearings on the nominations of Robert H. Roswell, of Florida, to be Under Secretary for Health, and Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits, both of the Department of Veterans Affairs, after the nominees testified and answered questions in their own behalf. Mr. Roswell was introduced by Senators Graham and Nelson (FL).

SENIOR HEALTH CARE AND THE ECONOMY

Special Committee on Aging: Committee concluded hearings to examine the current economy and its impact on seniors, focusing on funds for, and services provided by, Medicaid, health, and senior services, after receiving testimony from Gail R. Wilensky, Project HOPE, Bethesda, Maryland, former Administrator, Health Care Financing Administration; Idaho Lt. Governor Jack Riggs, on behalf of the Council of State Governments Health Capacity Task Force, and Karl B. Kurtz, Idaho Department of Health and Welfare, both of Boise; Joan W. Lawrence, Ohio Department of Aging, Columbus; Barbara Lyons, Kaiser Commission on Medicaid and the Uninsured, Washington, D.C.; Vernon K. Smith, Health Management Associates, Lansing, Michigan; Barry Donenfeld, Mid-Willamette Valley Senior Services Agency, Salem, Oregon, on behalf of the National Association of Area Agencies on Aging.