

# Daily Digest

## HIGHLIGHTS

House Committee ordered reported five sundry measures.

## Senate

### Chamber Action

*Routine Proceedings, pages S8393–S8474*

**Measures Introduced:** Six bills were introduced, as follows: S. 2917–2922. **Page S8456**

#### Measures Reported:

Report to accompany S. 1140, to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts. (S. Rept. No. 107–266) **Page S8456**

#### Measures Passed:

**AMBER Alert Communication Enhancement:** Senate passed S. 2896, to enhance the operation of the AMBER Alert communications network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, after agreeing to a committee amendment in the nature of a substitute. **Pages S8436–41**

**Flight 93 National Memorial Act:** Committee on Energy and Natural Resources was discharged from consideration of H.R. 3917, to authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and the bill was then passed, clearing the measure for the President. **Page S8472**

**Flight 93 National Memorial Act:** Committee on Energy and Natural Resources was discharged from consideration of S. 2136, to establish a memorial in the State of Pennsylvania to honor the passengers and crewmembers of Flight 93 who, on September 11, 2001, gave their lives to prevent a planned attack on the Capitol of the United States, and the bill was then passed. **Pages S8472–73**

**Bosnia/Herzegovina 10th U.S. Recognition Anniversary:** Senate agreed to S. Res. 309, expressing

the sense of the Senate that Bosnia and Herzegovina should be congratulated on the 10th anniversary of its recognition by the United States. **Pages S8473–74**

**Department of the Interior Appropriations:** Senate resumed consideration of H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, taking action on the following amendments proposed thereto: **Pages S8393–S8420**

#### Adopted:

Daschle Modified Amendment No. 4481 (to Amendment No. 4480), to provide emergency disaster assistance to agricultural producers. **Pages S8393–S8407**

Reid (for Boxer) Amendment No. 4523 (to Amendment No. 4472), to express the Sense of the Senate regarding 36 undeveloped oil and gas leases in the Southern California planning area of the outer Continental Shelf. **Page S8416**

Burns (for Bennett) Amendment No. 4524 (to Amendment No. 4472), to set aside forest legacy program funds for the Castle Rock Phase 2 project and Chalk Creek (Blonquist) project, Utah. **Pages S8416–17**

Reid (for Cleland) Amendment No. 4525 (to Amendment No. 4472), to express the sense of the Senate concerning adequate funding for the National Park Service. **Pages S8417–19**

Reid Amendment No. 4526 (to Amendment No. 4472), to make a technical correction to the conveyance of land to the city of Mesquite, Nevada. **Page S8419**

Burns (for Stevens) Amendment No. 4527 (to Amendment No. 4472), to make a technical correction. **Page S8419**

Reid Amendment No. 4528 (to Amendment No. 4472) to set aside additional funds for permitting of geothermal energy applications, the processing of wind-energy rights-of-way, and Bureau of Land Management realty and ownership management in the State of Nevada. **Page S8419**

Burns (for Thomas) Amendment No. 4529 (to Amendment No. 4472), to provide for an independent and comprehensive management, operational, performance, and financial review of Yellowstone National Park. **Pages S8419–20**

Withdrawn:

Enzi Amendment No. 4517 (to Amendment No. 4480), to provide offsets through payment limitations. **Page S8408**

Pending:

Byrd Amendment No. 4472, in the nature of a substitute. **Pages S8393–S8420**

Byrd Amendment No. 4480 (to Amendment No. 4472), to provide funds to repay accounts from which funds were borrowed for emergency wildfire suppression. **Page S8393**

Craig/Domenici Amendment No. 4518 (to Amendment No. 4480), to reduce hazardous fuels on our national forests. **Pages S8408–11 S8414–15**

Dodd Amendment No. 4522 (to Amendment No. 4472), to prohibit the expenditure of funds to recognize Indian tribes and tribal nations until the date of implementation of certain administrative procedures. **Pages S8411–14**

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

By 79 yeas to 16 nays (Vote No. 212), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 306 of the Congressional Budget Act of 1974. Subsequently, the point of order that Daschle Modified Amendment No. 4481 (to Amendment No. 4480), to provide emergency disaster assistance to agricultural producers, was in violation of section 306 of the Congressional Budget Act of 1974, was not sustained. **Page S8407**

Senate will continue consideration of the bill on Thursday, September 12, 2002.

**Homeland Security Act:** Senate continued consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

**Pages S8420–25, S8431–33**

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute. **Pages S8420–25, S8431–33**

Thompson/Warner Amendment No. 4513 (to Amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recover to counter terrorist threats. **Pages S8420, S8431**

Senate will continue consideration of the bill on Thursday, September 12, 2002.

**Nominations Received:** Senate received the following nominations:

Glenn T. Suddaby, of New York, to be United States Attorney for the Northern District of New York for the term of four years.

James M. Stephens, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2005.

2 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Coast Guard nomination in the rank of admiral. **Page S8474**

**Messages From the House:** **Page S8453**

**Measures Referred:** **Pages S8453–54**

**Measures Placed on Calendar:** **Page S8454**

**Executive Communications:** **Pages S8454–56**

**Additional Cosponsors:** **Pages S8456–58**

**Statements on Introduced Bills/Resolutions:** **Pages S8458–68**

**Additional Statements:** **Pages S8452–53**

**Amendments Submitted:** **Page S8468**

**Authority for Committees to Meet:** **Page S8472**

**Privilege of the Floor:** **Page S8472**

**Record Votes:** One record vote was taken today. (Total—212) **Page S8407**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 6:57 p.m., until 11 a.m., on Wednesday, September 11, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8474).

## Committee Meetings

*(Committees not listed did not meet)*

### AVIATION SECURITY

*Committee on Commerce, Science, and Transportation:* Committee held hearings to examine the status of the newly-created Transportation Security Administration in relation to improved aviation security one year after September 11, 2001, receiving testimony from Adm. James Loy, USCG, Acting Under Secretary of Transportation for Security.

Hearings recessed subject to call.

### NO CHILD LEFT BEHIND ACT

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings to examine state and community perspectives of the implementation of Title 1 of H.R. 1, to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind (P.L. 107–110), after receiving

testimony from Belle S. Wheelan, Virginia Department of Education, Richmond; William J. Moloney, Colorado Department of Education, Denver; and Michael Casserly, Council of the Great City Schools, and Wanda Gaddis, on behalf of the National Parent/Teachers Association, both of Washington, D.C.

### USA PATRIOT ACT

*Committee on the Judiciary:* Committee concluded hearings to examine the implementation of the USA PATRIOT ACT, focusing on the expansion of the Foreign Intelligence Surveillance Act (FISA), to set up a court to review government applications to conduct secret wiretaps and searches inside the United States for the purpose of collecting foreign intelligence information, after receiving testimony from

David Kris, Associate Deputy Attorney General, Department of Justice; Kenneth C. Bass III, Sterne, Kessler, Goldstein and Fox/Georgetown University Law Center, former Counsel for Intelligence Policy, Department of Justice, and Morton H. Halperin, Open Society Institute, former Counsel for Intelligence Policy, Department of Justice, both of Washington, D.C.; and William C. Banks, Syracuse University College of Law, Syracuse, New York.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

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## House of Representatives

### Chamber Action

**Measures Introduced:** 6 public bills, H.R. 5356–5361; 2 private bills, H.R. 5362–5363; and 2 resolutions, H. Con. Res. 463, and H. Res. 520, were introduced. **Page H6171**

**Reports Filed:** No reports were filed today.

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page H6131**

**Recess:** House recessed at 9:02 a.m. and reconvened at 10 a.m. **Page H6131**

**Journal:** Agreed to the Speaker's approval of the Journal of Monday, Sept. 9 by a recorded vote of 335 ayes to 35 noes with 1 voting "present," Roll No. 380. **Pages H6131, H6139–40**

**Motion to Instruct Conferees—Terrorism Risk Protection Act:** Agreed to the Fossella motion to instruct conferees on H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism and to agree to the provisions contained in section 11 of the Senate amendment, relating to satisfaction of judgments from frozen assets of terrorists, terrorist organizations, and state sponsors of terrorism by a yea-and-nay vote of 373 yeas with none voting "nay," Roll No. 379. **Pages H6133–37, H6138–39**

**Military Construction Appropriations:** The House disagreed with the Senate amendment to H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending

September 30, 2003, and agreed to a conference. Appointed as conferees: Representative Hobson, Walsh, Dan Miller of Florida, Aderholt, Granger, Goode, Skeen, Vitter, Young of Florida, Olver, Edwards, Farr of California, Boyd, Dicks, and Obey. **Page H6137**

Agreed to the Olver motion to instruct conferees to insist on the higher of House or Senate funding levels, with regard to funding for planning, design, construction, alterations, and improvements of military facilities including environmental remediation, barracks, hospitals, childcare facilities, and family housing. **Page H6137**

**Department of Defense Appropriations:** The House disagreed with the Senate amendment to H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and agreed to a conference. Appointed as conferees: Representatives Lewis of California, Young of Florida, Skeen, Hobson, Bonilla, Nethercutt, Cunningham, Frelinghuysen, Tiahrt, Murtha, Dicks, Sabo, Visclosky, Moran of Virginia and Obey. **Pages H6137–38**

Agreed to the Olver motion to instruct conferees to insist on the higher funding levels permitted within the scope of conference with regard to chemical and biological defense programs, projects, and activities. **Pages H6137–38**

Agreed to close meetings of the conference at such times as classified national security information may be discussed providing that any sitting Member of Congress shall be entitled to attend to attend any

meeting of the conference by a yea-and-nay vote of 365 yeas with none voting “nay,” Roll No. 378.

Page H6138

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

***Historical Significance of the United States-Ireland Business Summit:*** H. Res. 513, amended, recognizing the historical significance and timeliness of the United States-Ireland Business Summit (agreed to by two-thirds yea-and-nay vote of 372 yeas with none voting “nay,” Roll No. 381);

Pages H6140–42, H6147–48

***Intelsat IPO Extension:*** S. 2810, to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering—clearing the measure for the President; Page H6142

***Waiver from Clean Air Act Requirements for New York City:*** H.R. 3880, amended, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism; and

Pages H6142–46, H6148

***Supporting Scleroderma Research:*** H. Con. Res. 320, amended, expressing the sense of Congress regarding Scleroderma. Agreed to amend the title so as to read: “Concurrent resolution expressing the sense of the Congress regarding scleroderma.”

Pages H6146–47, H6148–49

**Quorum Calls—Votes:** Five yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H6138, H6138–39, H6139–40, H6147–48, H6148, and H6148–49. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 2:51 p.m.

## Committee Meetings

### IRAQ WEAPONS OF MASS DESTRUCTION PROGRAM

***Committee on Armed Services:*** Held a hearing on the state of the Iraqi weapons of mass destruction program and the history of the United Nations inspection efforts in Iraq. Testimony was heard from David A. Kay, former United Nations Chief Nuclear Weapons Inspector in Iraq, United Nations Special Commission on Iraq and International Atomic Energy Agency; and Richard O. Spertzel, former Head of Biology Section, United Nations Special Commission on Iraq.

### RETIREMENT SECURITY FOR AMERICAN WORKERS

***Committee on Education and the Workforce:*** Subcommittee on Employer-Employee Relations held a hearing entitled “Retirement Security for American Workers: Examining Pension Enforcement and Accountability.” Testimony was heard from the following officials of the Department of Labor: Ann Combs, Assistant Secretary, Pension and Welfare Benefits Administration; and Stephen J. Cossu, Deputy Inspector General, Office of Labor Racketeering and Fraud Investigations; and public witnesses.

### STEEL INDUSTRY LEGACY RELIEF ACT

***Committee on Energy and Commerce:*** Subcommittee on Commerce, Trade and Consumer Protection held a hearing on H.R. 4646, Steel Industry Legacy Relief Act of 2002. Testimony was heard from public witnesses.

### AFTERMATH OF SEPTEMBER 11—AMERICA’S BLOOD SUPPLY

***Committee on Energy and Commerce:*** Subcommittee on Oversight and Investigations held a hearing entitled “America’s Blood Supply in the Aftermath of September 11, 2001.” Testimony was heard from Jerome M. Hauer, Acting Assistant Secretary, Public Health Emergency Preparedness, Department of Health and Human Services; Janet Heinrich, Director, Health Care—Public Health Issues, GAO; and public witnesses.

### CAPITOL SECURITY, EMERGENCY PREPAREDNESS, AND INFRASTRUCTURE UPGRADES SINCE 9/11

***Committee on House Administration:*** Held a hearing on Capitol Security, Emergency Preparedness, and Infrastructure Upgrades since September 11th. Testimony was heard from the following officers of the House of Representatives: Jeff Trandahl, Clerk; Wilson Livingood, Sergeant at Arms; and James M. Eagen III, Chief Administrative Officer; Alan Hantman, Architect of the Capitol; and Robert Howe, Assistant Chief, U.S. Capitol Police,

### MISCELLANEOUS MEASURES

***Committee on the Judiciary:*** Ordered reported the following bills: H.R. 4600, amended, Help Efficient, Accessible, Low Cost, Timely Health Care (HEALTH) Act 2002; H.R. 4689, Fairness in Sentencing Act of 2002; S. 2690, amended, to reaffirm the reference to one Nation under God in the Pledge of Allegiance; H.R. 4125, amended, Federal Courts Improvement Act of 2002; and H.R. 4561, Federal Agency Protection of Privacy Act.

**INTELLIGENT TRANSPORTATION SYSTEMS**

*Committee on Transportation and Infrastructure:* Subcommittee on Highways and Transit held a hearing on Intelligent Transportation Systems. Testimony was heard from Aves Thompson, Director, Division of Measurement Standards and Commercial Vehicle Enforcement, Department of Transportation, State of Alaska; Miguel D'Escoto, Commissioner, Department of Transportation, Chicago, Illinois; and public witnesses.

**REDUCE MEDICAL ERRORS**

*Committee on Ways and Means:* Subcommittee on Health held a hearing on legislation to Reduce Medical Errors. Testimony was heard from Tommy Thompson, Secretary of Health and Human Services; and public witnesses.

***Joint Meetings*****AMERICAN LEGION**

*Joint Hearing:* Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the American Legion, after receiving testimony from Ronald F. Conley, American Legion, Washington, D.C., who was accompanied by several of his associates.

**NATIONAL DEFENSE AUTHORIZATION**

*Conferees* met to resolve the differences between the Senate and House passed versions of H.R. 4546, to authorize appropriations for fiscal year 2003 for mili-

tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces, focusing on seapower provisions, but did not complete action thereon, and will meet again tomorrow.

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**COMMITTEE MEETINGS FOR WEDNESDAY,  
SEPTEMBER 11, 2002**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No Committee meetings are scheduled.

**Joint Meetings**

*Conference:* meeting of conferees, in closed session, on H.R. 4546, to authorize appropriations for fiscal year 2003 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, focusing on readiness provisions, 1:30 p.m., S-211, Capitol.

*Conference:* meeting of conferees, in closed session, on H.R. 4546, to authorize appropriations for fiscal year 2003 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, 4 p.m., 345 CHOB.

*Next Meeting of the SENATE*

11 a.m., Wednesday, September 11

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Wednesday, September 11

## Senate Chamber

**Program for Wednesday:** Senate will be in a period of morning business: further, the Republican Leader will be recognized at 11:40 a.m., and the Majority Leader will be recognized at 11:50 a.m.

At 12 noon, there will be a moment of silence in recognition of the events of September 11, 2001.

## House Chamber

**Program for Wednesday:** Consideration of Patriot's Day Resolution.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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