

Nelson (NE.) Amendment No. 4740 (to Amendment No. 4738), to modify certain personnel provisions. **Pages S9200–05**

Daschle motion to commit the bill to the Committee on Governmental Affairs and that it be reported back forthwith with the pending Lieberman Amendment No. 4471, listed above, as amended. **Page S9205**

Daschle Amendment No. 4742 (to the instructions of the motion to commit H.R. 5005 to the Committee on Governmental Affairs), of a perfecting nature, to prevent terrorist attacks within the United States. **Page S9205**

Daschle Amendment No. 4743 (to Amendment No. 4742), to modify certain personnel provisions. **Page S9205**

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

By 49 yeas to 49 nays (Vote No. 225), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to approve the motion to close further debate on Lieberman Amendment No. 4471, listed above. **Page S9186**

A motion was entered to close further debate on Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote could occur on Thursday, September 26, 2002. **Page S9207**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11:15 a.m., on Thursday, September 26, 2002. **Page S9353**

**Messages From the House:** **Page S9228**

**Measures Referred:** **Pages S9228–29**

**Executive Reports of Committees:** **Page S9229**

**Additional Cosponsors:** **Pages S9229–31**

**Statements on Introduced Bills/Resolutions:** **Pages S9231–34**

**Additional Statements:** **Pages S9226–28**

**Amendments Submitted:** **Pages S9234–S9349**

**Notices of Hearings/Meetings:** **Page S9350**

**Authority for Committees to Meet:** **Page S9350**

**Record Votes:** Two record votes were taken today. (Total—225) **Page S9186**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 6:35 p.m., until 9:15 a.m., on Thursday, September 26, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9353).

## Committee Meetings

(Committees not listed did not meet)

### STEM CELL RESEARCH

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine the status of the implementation of the Federal stem cell research policy, and related provisions of S. 2349, to prohibit human cloning while preserving important areas of medical research, including stem cell research, and S. 1899, to amend title 18, United States Code, to prohibit human cloning, after receiving testimony from Elias Zerhouni, Director, National Institutes of Health, Department of Health and Human Services; California State Senator Deborah Ortiz, Sacramento; Curt I. Civin, Johns Hopkins University School of Medicine, Baltimore, Maryland; George Q. Daley, Massachusetts Institute of Technology, Whitehead Institute, Cambridge; Roger Pedersen, University of Cambridge Department of Surgery, United Kingdom; and Gerald P. Schatten, Pittsburgh Development Center/Magee-Women's Research Institute, Pittsburgh, Pennsylvania.

### U.S.-IRAQ POLICY

*Committee on Armed Services:* Committee concluded hearings to examine U.S. policy on Iraq, after receiving testimony from James R. Schlesinger, MITRE Corporation, Arlington, Virginia, former Secretary of Defense, former Secretary of Energy, and former Director of Central Intelligence; Samuel R. Berger, Stonebridge International, Washington, D.C., former Assistant to the President for National Security Affairs.

### AFFORDABLE HOUSING PRODUCTION

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing and Transportation resumed hearings to examine the challenges of meeting the supply of affordable housing for working families, and related proposals including S. 652, to promote the development of affordable, quality rental housing in rural areas for low-income households, and S. 2967, to promote the production of affordable low-income housing, after receiving testimony from Senators Bond and Edwards; Mayor Thomas M. Menino, of Boston, Massachusetts, on behalf of the U.S. Conference of Mayors; Richard H. Godfrey, Jr., Rhode Island Housing and Mortgage Finance Corporation, Providence, on behalf of National Council of State Housing Agencies; and William Picotte, Oti Kaga, Inc., on behalf of the Housing Assistance Council, Eagle Butte, South Dakota.

## TOURISM INDUSTRY

*Committee on Commerce, Science, and Transportation:* Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism concluded hearings to examine the state of the tourism industry one year after September 11, 2001, after receiving testimony from John K. Durst, South Carolina Department of Parks, Recreation and Tourism, Columbia,; Ann McDowell, Branson/Lakes Area Chamber of Commerce, and Noel I. Hentschel, American Tours International, Inc., both of Branson, Missouri; Hal F. Rosenbluth, Rosenbluth International, Philadelphia, Pennsylvania; Jonathan Tisch, Loews Hotels, on behalf of the Travel Business Roundtable, and Fred Lounsberry, Universal Parks and Resorts, on behalf of the Travel Industry Association of America, both of Washington, D.C.

## HIGHWAY TRUST FUND

*Committee on Finance:* Committee concluded joint hearings with the Committee on Environment and Public Works to examine alternatives for financing the U.S. surface transportation system, the next highway bill, the Highway Trust Fund, and reauthorization of TEA-21, after receiving testimony from Phyllis F. Scheinberg, Deputy Assistant Secretary of Transportation for Budget and Programs; JayEtta Z. Hecker, Director, Physical Infrastructure Issues, General Accounting Office; Janice Hahn, Governing Board of the Alameda Corridor Transportation Authority, Los Angeles, California; Pete K. Rahn, New Mexico Department of Transportation, Santa Fe; John C. Horsley, American Association of State Highway and Transportation Officials, Washington, D.C.; Jeffrey Carey, Merrill Lynch, New York, New York; and David Seltzer, Mercator Advisors, LLC, University of Southern California National Center for Innovations in Public Finance, Los Angeles.

## U.S.-IRAQ POLICY

*Committee on Foreign Relations:* Committee continued hearings to examine U.S. policy on Iraq, receiving testimony from Richard C. Holbrooke, Council on Foreign Relations, New York, New York, former U.S. Ambassador to the United Nations; and Robert C. McFarlane, Energy and Communications Solutions, Washington, D.C., former National Security Advisor.

Hearings continue tomorrow.

## BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the following business items:

S. 2969, to provide for improvement of Federal education research, statistics, evaluation, information,

and dissemination, with an amendment in the nature of a substitute;

S. 2998, to reauthorize the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988;

S. 2499, to amend the Federal Food, Drug, and Cosmetic Act to establish labeling requirements regarding allergenic substances in food, with an amendment in the nature of a substitute;

S. 2980, to revise and extend the Birth Defects Prevention Act, with an amendment in the nature of a substitute;

S. 1806, to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy, with an amendment in the nature of a substitute; and

The nominations of David Wenzel, of Pennsylvania, Marco A. Rodriguez, of California, Milton Aponte, of Florida, Glenn Bernard Anderson, of Arkansas, Barbara Gillcrist, of New Mexico, and Graham Hill, of Virginia, each to be a Member of the National Council on Disability, and Michelle Guillermin, of Maryland, to be Chief Financial Officer, Corporation for National and Community Service.

## ASBESTOS LITIGATION

*Committee on the Judiciary:* Committee concluded hearings to examine the current state of asbestos litigation, including claims for relief by certain corporations and insurance companies, and a system for compensating asbestos victims, after receiving testimony from Senators Baucus and Ben Nelson; David T. Austern, Claims Resolution Management Corporation, Fairfax, Virginia; Frederick M. Baron, Baron and Budd, Dallas, Texas, on behalf of the Association of Trial Lawyers of America; Walter E. Dellinger, O'Melveny and Myers, and Jonathan P. Hiatt, AFL-CIO, both of Washington, D.C.; and Steven Kazan, Kazan, McClain, Edises, Abrams, Fernandez, Lyons, and Farris, Oakland, California.

## BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the following bills:

S. 958, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K, with an amendment in the nature of a substitute; and

H.R. 2880, to amend laws relating to the lands of the enrollees and lineal descendants of enrollees whose names appear on the final Indian rolls of the Muscogee (Creek), Seminole, Cherokee, Chickasaw,

and Choctaw Nations (historically referred to as the Five Civilized Tribes).

## NOMINATIONS

*Committee on Indian Affairs:* Committee concluded hearings on the nominations of Philip N. Hogen, of South Dakota, to be Chairman of the National In-

dian Gaming Commission, and Quannah Crossland Stamps, of Virginia, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services, after the nominees testified and answered questions in their own behalf. Mr. Hogen was introduced by Senator Johnson and Representative Thune.

# House of Representatives

## Chamber Action

**Measures Introduced:** 15 public bills, H.R. 5454–5468; and 11 resolutions, H.J. Res. 111, H. Con. Res. 483–487, and H. Res. 554–558, were introduced. **Pages H6692–93**

**Reports Filed:** Reports were filed today as follows:

Conference report on H.R. 2215, to authorize appropriations for the Department of Justice for fiscal year 2002 (H. Rept. 107–685);

H.R. 3340, to amend title 5, United States Code, to allow certain catch-up contributions to the Thrift Savings Plan to be made by participants age 50 or over (H. Rept. 107–686);

S. 487, to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of a single copy of such performances or displays is not an infringement (H. Rept. 107–687);

H.R. 1811, to provide permanent funding for the payment in lieu of taxes program (H. Rept. 107–688);

H.R. 2408, to provide equitable compensation to the Uncion Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands (H. Rept. 107–689);

H.R. 3747, to direct the Secretary of the Interior to conduct a study of the site commonly known as Eagledale Ferry Dock at Taylor Avenue in the State of Washington for potential inclusion in the National Park System (H. Rept. 107–690);

H.R. 3896, to repeal the reservation of mineral rights made by the United States when certain lands in Livingston Parish, Louisiana, were conveyed by Public Law 102–562 (H. Rept. 107–691);

H.R. 4853, to provide that land which is owned by the Seminole Tribe of Florida but which is not held in trust by the United States for the Tribe may be mortgaged, leased, or transferred by the Tribe without further approval by the United States, amended (H. Rept. 107–692);

H.R. 4600, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, amended (H. Rept. 107–693 Pt. 1, Committee on the Judiciary);

H.R. 4600, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, amended (H. Rept. 107–693 Pt. 2, Committee on Energy and Commerce);

H. Res. 550, providing for consideration of H.J. Res. 111, making continuing appropriations for the fiscal year 2003 (H. Rept. 107–694);

H. Res. 551, 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. 107–695);

H. Res. 552, waiving points or order against the conference report to accompany the bill (H.R. 2215) to authorize appropriations for the Department of Justice for fiscal year 2002 (H. Rept. 107–696); and

H. Res. 553, providing for consideration of H.R. 4600, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery room (H. Rept. 107–697).

**Pages H6586–H6649, H6691–92**

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

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**Guest Chaplain:** The prayer was offered by the guest Chaplain, Rabbi Melvyn May of West end Temple Sinai Congregation, Neponsit, New York.

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**Journal:** the House agreed to the Speaker's approval of the Journal of Tuesday, Sept. 24 by a yea-and-nay vote of 366 yeas to 48 nays with 1 voting "present", Roll No. 407.

**Pages H6561, H6564–65**