

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S10603–S10785*

**Measures Introduced:** Twenty-three bills and twelve resolutions were introduced, as follows: S. 3127–3149, S.J. Res. 50–51, S. Res. 345–353, and S. Con. Res. 154. **Pages S10676–77**

#### Measures Reported:

S. 606, to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency, with an amendment in the nature of a substitute. (S. Rept. No. 107–320)

S. 2018, to establish the Tuf Shur Bien Preservation Trust Area within the Cibola National Forest in the State of New Mexico to resolve a land claim involving the Sandia Mountain Wilderness, with an amendment in the nature of a substitute. (S. Rept. No. 107–321)

S. 2499, A Bill 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. Rept. No. 107–322)

S. 2550, to amend the Professional Boxing Safety Act of 1996, and to establish the United States Boxing Administration, with an amendment in the nature of a substitute. (S. Rept. No. 107–323)

**Page S10674**

#### Measures Passed:

**Great Lakes Legacy Act:** Senate passed H.R. 1070, to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to provide assistance for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**Pages S10739–42**

Reid (for Jeffords/Smith of NH) Amendment No. 4892, in the nature of a substitute. **Page S10742**

**Police Retirement Benefits Protection:** Senate passed H.R. 5205, to amend the District of Columbia Retirement Protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia, clearing the measure for the President. **Page S10742**

**Printing Authority:** Senate agreed to S. Res. 349, to authorize the printing of a revised edition of the Senate Rules and Manual. **Pages S10742–43**

**Navy-Marine Corps Intranet Contract:** Senate passed H.R. 5647, to authorize the duration of the base contract of the Navy-Marine Corps Intranet contract to be more than five years but not more than seven years, clearing the measure for the President. **Page S10743**

**FHA Downpayment Simplification Act:** Senate passed S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers, after agreeing to committee amendments, and the following amendment proposed thereto:

**Pages S10743–45**

Reid (for Sarbanes) Amendment No. 4897, to provide for the indexing of multi-family mortgage limits for purposes of the Federal Housing Administration's mortgage insurance programs. **Page S10745**

**Real Interstate Driver Equity Act:** Senate passed H.R. 2546, to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, after agreeing to committee amendments.

**Pages S10745–46**

**Expressing Sympathy With Respect to Terrorist Attack in Bali, Indonesia:** Senate agreed to S. Res. 350, expressing sympathy for those murdered and injured in the terrorist attack in Bali, Indonesia, on October 12, 2002, extending condolences to their

families, and standing in solidarity with Australia in the fight against terrorism. **Pages S10746–47**

**Frank Sinatra Post Office Building:** Senate passed H.R. 3034, to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the “Frank Sinatra Post Office Building”, clearing the measure for the President. **Page S10747**

**Herbert Arlene Post Office Building:** Senate passed H.R. 3738, to designate the facility of the United States Postal Service located at 1299 North 7th Street in Philadelphia, Pennsylvania, as the “Herbert Arlene Post Office Building”, clearing the measure for the President. **Page S10747**

**Rev. Leon Sullivan Post Office Building:** Senate passed H.R. 3739, to designate the facility of the United States Postal Service located at 6150 North Broad Street in Philadelphia, Pennsylvania, as the “Rev. Leon Sullivan Post Office Building”, clearing the measure for the President. **Page S10747**

**William A. Cibotti Post Office Building:** Senate passed H.R. 3740, to designate the facility of the United States Postal Service located at 925 Dickinson Street in Philadelphia, Pennsylvania, as the “William A. Cibotti Post Office Building”, clearing the measure for the President. **Page S10747**

**Rollan D. Melton Post Office Building:** Senate passed H.R. 4102, to designate the facility of the United States Postal Service located at 120 North Maine Street in Fallon, Nevada, as the “Rollan D. Melton Post Office Building”, clearing the measure for the President. **Page S10747**

**Jim Fonteno Post Office Building:** Senate passed H.R. 4717, to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the “Jim Fonteno Post Office Building”, clearing the measure for the President. **Page S10747**

**Clarence Miller Post Office Building:** Senate passed H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio, as the “Clarence Miller Post Office Building”, clearing the measure for the President. **Page S10747**

**Ronald C. Packard Post Office Building:** Senate passed H.R. 4794, to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the “Ronald C. Packard Post Office Building”, clearing the measure for the President. **Page S10747**

**Nat King Cole Post Office Building:** Senate passed H.R. 4797, to redesignate the facility of the United States Postal Service located at 265 South

Western Avenue, Los Angeles, California, as the “Nat King Cole Post Office”, clearing the measure for the President. **Page S10747**

**Barney Apodaca Post Office Building:** Senate passed H.R. 5308, to designate the facility of the United States Postal Service located at 301 South Howes Street in Fort Collins, Colorado, as the “Barney Apodaca Post Office”, clearing the measure for the President. **Page S10747**

**Joseph D. Early Post Office Building:** Senate passed H.R. 5333, to designate the facility of the United States Postal Service located at 4 East Central Street in Worcester, Massachusetts, as the “Joseph D. Early Post Office Building”, clearing the measure for the President. **Page S10747**

**Peter J. Ganci, Jr. Post Office Building:** Senate passed H.R. 5336, to designate the facility of the United States Postal Service located at 380 Main Street in Farmingdale, New York, as the “Peter J. Ganci, Jr. Post Office Building”, clearing the measure for the President. **Page S10747**

**Robert Wayne Jenkins Station:** Senate passed H.R. 4851, to redesignate the facility of the United States Postal Service located at 6910 South Yorktown Avenue in Tulsa, Oklahoma, as the “Robert Wayne Jenkins Station”, clearing the measure for the President. **Page S10747**

**Francis Dayle “Chick” Hearn Post Office:** Senate passed H.R. 5340, to designate the facility of the United States Postal Service located at 5805 White Oak Avenue in Encino, California, as the “Francis Dayle ‘Chick’ Hearn Post Office”, clearing the measure for the President. **Page S10747**

**Alphonse F. Auclair Post Office Building:** Senate passed H.R. 669, to designate the facility of the United States Postal Service located at 127 Social Street in Woonsocket, Rhode Island, as the “Alphonse F. Auclair Post Office Building”, clearing the measure for the President. **Page S10748**

**Bruce F. Cotta Post Office Building:** Senate passed H.R. 670, to designate the facility of the United States Postal Service located at 7 Commercial Street in Newport, Rhode Island, as the “Bruce F. Cotta Post Office Building”, clearing the measure for the President. **Page S10748**

**Michael Lee Woodcock Post Office:** Senate passed H.R. 5574, to designate the facility of the United States Postal Service located at 206 South Main Street in Glennville, Georgia, as the “Michael Lee Woodcock Post Office”, clearing the measure for the President. **Page S10748**

**Smithsonian Institution Personnel Flexibility Act:** Senate passed S. 3149, to provide authority for

the Smithsonian Institution to use voluntary separation incentives for personal flexibility.

Pages S10748–49

**Inspector General Act of 1978 Amendments:** Senate passed S. 2530, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers, after agreeing to the following amendment proposed thereto:

Pages S10749–51

Reid (for Thompson) Amendment No. 4893, to provide that the Attorney General may rescind or suspend certain authority with respect to an individual.

Page S10750

**Federal Annuity Computations:** Senate passed S. 2936, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percent relating to periods of receiving disability payments, after agreeing to a committee amendment in the nature of a substitute.

Pages S10751–52

**Improper Payments Reduction Act:** Senate passed H.R. 4878, to provide for estimates and reports of improper payments by Federal agencies, after agreeing to a committee amendment in the nature of a substitute.

Page S10752

**Medical Devices Regulation:** Senate passed H.R. 5651, to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, clearing the measure for the President.

Pages S10752–54

**Health Benefits Coverage:** Senate passed S. 2527, to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation.

Page S10767

**Lyme and Infectious Disease Information and Fairness in Treatment Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 969, to establish a Tick-Borne Disorders Advisory Committee, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S10767–69

Reid (for Dodd) Amendment No. 4894, in the nature of a substitute.

Pages S10768–69

**Rare Diseases Act:** Senate passed H.R. 4013, to amend the Public Health Service Act to establish an Office of Rare Diseases at the National Institutes of Health, clearing the measure for the President.

Page S10769

**Rare Diseases Orphan Product Development Act:** Senate passed H.R. 4014, to amend the Federal

Food, Drug, and Cosmetic Act with respect to the development of products for rare disease, clearing the measure for the President.

Page S10769

**Clark County Conservation of Public Land and Natural Resources Act:** Senate passed H.R. 5200, to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, clearing the measure for the President.

Pages S10769–71

**Enterprise Integration Act:** Senate passed H.R. 2733, to authorize the National Institute of Standards and Technology to work with major manufacturing industries on an initiative of standards development and implementation for electronic enterprise integration, clearing the measure for the President.

Page S10771

**Higher Education Act of 1965:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 1998, to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S10771

Reid (for Ensign) Amendment No. 4895, in the nature of a substitute.

Page S10771

**Enrollment Correction:** Senate agreed to H. Con. Res. 503, to direct the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 2215.

Page S10771

**International Organizations Immunities Act:** Senate passed H.R. 3656, to amend the International Organizations Immunities Act to provide for the applicability of that Act to the European Central Bank, clearing the measure for the President.

Page S10771

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 963, for the relief of Ana Esparza and Maria Munoz, and the bill was then passed.

Page S10772

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 1366, for the relief of Lindita Idrizi Heath, and the bill was then passed.

Page S10772

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 453, for the relief of Denes and Gyorgyi Fulop, and the bill was then passed.

Page S10772

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 1950, for the relief of Richi James Lesley, and the bill was then passed.

Pages S10772–73

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 1468, for the relief of Ilko Vasilev Ivanov, Anelia Marinova

Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova, and the bill was then passed. **Page S10771**

**Private Relief:** Committee on the Judiciary was discharged from further consideration of S. 209, for the relief of Sung Jun Oh, and the bill was then passed. **Page S10773**

**Private Relief:** Committee on the Judiciary was discharged from further consideration of H.R. 2245, for the relief of Anisha Goveas Foti, and the bill was passed. **Page S10773**

**National Child Protection Improvement Protection Act:** Senate passed S. 1868, to amend the National Child Protection Act of 1993, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10773–77**

Reid (for Biden) Amendment No. 4896 in the nature of a substitute. **Page S10777**

**Accountability of Tax Dollars Act:** Senate passed H.R. 4685, to amend title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements, clearing the measure for the President. **Page S10777**

**Fallen Firefighters Foundation:** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 142, to express support for the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizing the important mission of the Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes, and the resolution was then agreed to. **Page S10777**

**Laotian and Hmong Veterans:** Senate agreed to H. Con. Res. 406, honoring and commending the Lao Veterans of America, Laotian and Hmong veterans of the Vietnam War, and their families, for their historic contributions to the United States. **Page S10777**

**Put the Brakes on Fatalities Day:** Committee on the Judiciary was discharged from further consideration of S. Res. 266, designating October 10, 2002, as “Put the Brakes on Fatalities Day”, and the resolution was then agreed to. **Pages S10777–78**

**Children’s Internet Safety Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 338, designating the month of October, 2002, as “Children’s Internet Safety Month”, and the resolution was then agreed to. **Page S10778**

**Ellis Island Medal of Honor Recognition:** Committee on the Judiciary was discharged from further consideration of S. Res. 334, recognizing the Ellis Island Medal of Honor, and the resolution was then agreed to. **Page S10778**

**Bread Recognition:** Committee on the Judiciary was discharged from further consideration of S. Con. Res. 148, recognizing the significance of bread in American history, culture, and daily diet, and the resolution was then agreed to. **Pages S10778–79**

**Condemning Video Broadcasting of Daniel Pearl’s Death:** Senate agreed to S. Res. 351, condemning the posting on the Internet of video and pictures of the murder of Daniel Pearl and calling on such video and pictures to be removed immediately. **Page S10779**

**Political Parties Committee:** Senate passed H.R. 5596, to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local party committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law, clearing the measure for the President. **Pages S10779–81**

**Senate Legal Counsel Representation:** Senate agreed to S. Res. 352, to authorize representation by the Senate Legal Counsel in the case of *Judicial Watch, Inc. v. William J. Clinton, et. al.* **Pages S10781–82**

**Senate Legal Counsel Representation:** Senate agreed to S. Res. 353, to authorize testimony, document production, and legal representation in *United States v. John Murtari*. **Page S10782**

**Pledge of Allegiance Bill:** Senate concurred in the amendment of the House to S. 2690, to reaffirm the reference to one Nation under God in the Pledge of Allegiance, clearing the measure for the President. **Pages S10628–29**

**Health Care Safety Net Amendments:** Senate concurred in the amendment of the House to S. 1533, to amend the Public Health Service Act to reauthorize and strengthen the health centers program and the National Health Service Corps, and to establish the Healthy Communities Access Program, which will help coordinate services for the uninsured and underinsured. **Pages S10754–67**

**Authority for Committees:** All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Monday, November 4, 2002, from 10 a.m., to 2 p.m. **Page S10743**

**Authority To Make Appointments:** A unanimous-consent agreement was reached providing that notwithstanding a recess or adjournment of the Senate for the duration of the 107th Congress, 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 S10743**

**Order for Pro Forma Sessions:** A unanimous-consent agreement was reached providing that the Senate meet in pro forma sessions on the following dates: October 21, 24, 28, 30, November 4, 7, and 8 at 10:30 a.m. each day, unless the Majority Leader, or his designee, with the concurrence of the Republican Leader, is seeking recognition. Further, that following the adjournment on November 8, the Senate reconvene on Tuesday, November 12, at 1 p.m. for a period of morning business.

**Page S10782**

**Executive Reports of Committees:** Senate received the following executive reports of a committee:

Report to accompany Treaty With Honduras For Return Of Stolen, Robbed, And Embezzled Vehicles And Aircraft, With Annexes And Exchange Of Notes (Treaty Doc. 107-15) (Ex. Rept. 107-11)

Report to accompany Extradition Treaty With Peru (Treaty Doc. 107-6) (Ex. Rept. 107-12)

Report to accompany Extradition Treaty With Lithuania (Treaty Doc. 107-4) (Ex. Rept. 107-13)

Report to accompany Second Protocol Amending Extradition Treaty With Canada (Treaty Doc. 107-11) (Ex. Rept. 107-14)

Report to accompany Treaty On Mutual Legal Assistance In Criminal Matters With Belize (Treaty Doc. 107-13), India (Treaty Doc. 107-3), Ireland (Treaty Doc. 107-9) and Liechtenstein (Treaty Doc. 107-16) (Ex. Rept. 107-15)

**Page S10674-76**

**Nominations Confirmed:** Senate confirmed the following nominations:

Scott W. Muller, of Maryland, to be General Counsel of the Central Intelligence Agency.

Mark B. McClellan, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

2 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Navy.

**Pages S10638-40, S10784-85**

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

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 2004.

Barry C. Barish, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Ray M. Bowen, of Texas, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Delores M. Etter, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Kenneth M. Ford, of Florida, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Daniel E. Hastings, of Massachusetts, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Douglas D. Randall, of Missouri, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Jo Anne Vasquez, of Arizona, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Routine lists in the Air Force, Coast Guard, Navy.

**Pages S10782-84**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

Peter Marzio, of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2006, which was sent to the Senate on September 4, 2002.

**Page S10785**

**Nominations Discharged and Referred:** By unanimous consent, the following nomination was discharged from the Committee on Health, Education, Labor and Pensions and then referred to the Committee on Governmental Affairs for the statutory time limitation:

John Portman Higgins, of Virginia, to be Inspector General, Department of Education.

**Page S10638**

**Nominations Discharged and Placed on Calendar:** By unanimous-consent, the following nominations were discharged from the Committee on Health, Education, Labor and Pensions and then placed on the Executive Calendar:

Robert J. Battista, of Michigan, to be a Member of the National Labor Relations Board;

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board;

Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board;

Joel Kahn, of Ohio, to be a Member of the National Council on Disability;

Patricia Pound, of Texas, to be a Member of the National Council on Disability;

Linda Wetters, of Ohio, to be a Member of the National Council on Disability;

David Gelernter, of Connecticut, to be a Member of the National Council on the Arts;

A. Wilson Greene, of Virginia, to be a Member of the National Museum Services Board;

Judith Ann Rapanos, of Michigan, to be a Member of the National Museum Services Board for a term expiring December 6, 2002;

Judith Ann Rapanos, of Michigan, to be a Member of the National Museum Services Board for a term expiring December 6, 2007;

Maria Mercedes Guillemard, of Puerto Rico, to be a Member of the National Museum Services Board;

Nancy S. Dwight, of New Hampshire, to be a Member of the National Museum Services Board;

Peter Hero, of California, to be a Member of the National Museum Services Board;

Beth Walkup, of Arizona, to be a Member of the National Museum Services Board;

Thomas E. Lorentzen, of California, to be a Member of the National Museum Services Board;

Juan R. Olivarez, of Michigan, to be a Member of the National Institute for Literacy Advisory Board;

James M. Stephens, of Virginia, to be a Member of the Occupational Safety and Health Review Commission;

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Gold-

water Scholarship and Excellence in Education Foundation; and

Carol C. Gambill, of Tennessee, to be a Member of the National Institute for Literacy Advisory Board.  
**Page S10638**

**Messages From the House: Pages S10673–74**

**Enrolled Bills Presented: Page S10664**

**Executive Communications: Page S10674**

**Petitions and Memorials: Page S10674**

**Executive Reports of Committees: Pages S10674–76**

**Additional Cosponsors: Pages S10677–78**

**Statements on Introduced Bills/Resolutions: Pages S10678–S10734**

**Additional Statements: Pages S10667–73**

**Amendments Submitted: Pages S10734–39**

**Authority for Committees to Meet: Page S10739**

**Adjournment:** Senate met at 11 a.m., and adjourned at 10:25 p.m., until 10:30 a.m., on Monday, October 21, 2002 in pro forma session. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10782).

## *Committee Meetings*

No committee meetings were held.

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# House of Representatives

## *Chamber Action*

**Measures Introduced:** 2 public bills, H.R. 5694–5695; and 1 resolution, H. Con. Res. 513, were introduced.  
**Page H8028**

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

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Wolf or Representative Gilchrest to sign enrolled bills and joint resolutions through Nov. 13, 2002.  
**Page H8025**

**Meeting Hour—Monday, Oct. 21:** Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. on Monday, Oct. 21.  
**Page H8025**

**Senate Messages:** Message received from the Senate today appears on page H8025.

**Referrals:** S. 1233 was held at the desk and S. 2667 was referred to the Committee on International Relations.  
**Page H8028**

**Quorum Calls—Votes:** There were no quorum calls or recorded votes during the proceedings of the House today.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:23 a.m.

## *Committee Meetings*

### ECN'S AND MARKET STRUCTURE

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection held a hearing titled "ECNs and Market Structure: Ensuring Best Prices for Consumers." Testimony was heard from public witnesses.

### SECURING AMERICA

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing titled