

# Daily Digest

## HIGHLIGHTS

Senate and House agreed to the Conference Report on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act.

Senate passed H.R. 3210, Terrorism Risk Protection Act.

Senate passed H.R. 5121, Legislative Branch Appropriations Act.

The House agreed to H. Con. Res. 448 and H. Con. Res. 449, providing for a special meeting of the Congress in New York, on Friday, September 6, 2002, in remembrance of the victims and the heroes of September 11, 2001 and in recognition of the courage and spirit of the City of New York.

## Senate

### Chamber Action

*Routine Proceedings, pages S7323–S7389*

**Measures Introduced:** Twelve bills and four resolutions were introduced, as follows: S. 2790–2801, S.J. Res. 42, S. Res. 305–306, and S. Con. Res. 131.

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#### Measures Reported:

H.R. 4737, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, with an amendment in the nature of a substitute. (S. Rept. No. 107–221)

S. 2797, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003. (S. Rept. No. 107–222)

S. 2801, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003. (S. Rept. No. 107–223)

S. Res. 300, encouraging the peace process in Sri Lanka, with an amendment and with an amended preamble.

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#### Measures Passed:

**Terrorism Risk Protection Act:** Senate passed H.R. 3210, to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism, after striking all after the enacting clause and inserting in lieu thereof the text of S. 2600, Senate companion measure, as passed the Senate on June 18, 2002.

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Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Sarbanes, Dodd, Reed, Schumer, Gramm, Shelby, and Enzi.

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**Legislative Branch Appropriations:** By 85 yeas to 14 nays (Vote No. 191), Senate passed H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, after inserting the text of S. 2720, Senate committee-reported bill, and after taking action on the following amendments proposed thereto:

**Pages S7336–42, S7350**

#### Adopted:

Durbin/Bennett Amendment No. 4319, making certain technical corrections.

**Page S7337**

Durbin/Bennett Amendment No. 4320, to modify provisions relating to the Capitol Police

**Page S7339**

Durbin (for Landrieu/Durbin) Amendment No. 4321, to set aside funds for activities relating to the Louisiana Purchase Bicentennial Celebration.

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Durbin (for Cochran/Durbin/Bennett) Amendment No. 4322, to provide funding for the Congressional Award Act.

**Page S7339**

Durbin (for Specter/Durbin) Amendment No. 4323, to provide for a pilot program for mailings to town meetings. **Pages S7339–41**

Durbin (for Dodd) Amendment No. 4324, providing public safety exception to inscriptions requirement on mobile offices. **Page S7341**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Durbin, Johnson, Reed, Byrd, Bennett, Stevens, and Cochran.

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**Greater Access to Affordable Pharmaceuticals Act:** Senate continued consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, taking action on the following amendments proposed thereto: **Pages S7327–36, S7350**

Adopted:

Rockefeller Amendment No. 4316 (to Amendment No. 4299), to provide temporary State fiscal relief. (Subsequently, the pending cloture motion on the amendment was withdrawn. **Pages S7327–36, S7350**)

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada. **Pages S7327–36**

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

By 75 yeas to 24 nays (Vote No. 190), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above. Subsequently, the point of order that the emergency designation in Section C of the amendment, violates section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, was not sustained. **Pages S7327–36**

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, July 26, 2002, with Senator Gregg or his designee being recognized to offer a second degree amendment. **Page S7365**

**Corporate and Auditing Accountability, Responsibility, and Transparency Act Conference Report:** By a unanimous vote of 99 yeas (Vote No. 192), Senate agreed to the conference report on H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, clearing the measure for the President. **Pages S7350–65**

**Nomination/Greater Access to Affordable Pharmaceuticals Act—Agreement:** A unanimous-con-

sent agreement was reached providing that immediately after the cloture vote on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, all time post cloture be considered used, and that on Monday, July 29, at 5:30 p.m., the Senate proceed to Executive Session to vote on the nomination, that upon confirmation, the President be immediately notified of the Senate's action, and the Senate return to Legislative Session; further that on Friday, July 26, immediately following the cloture vote on the nomination, the Senate return to Legislative Session and resume consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, and Senator Gregg or his designee be recognized to offer a second degree amendment; that during Friday's session, there be up to 3 hours for debate with respect to the amendment, with the time equally divided and controlled between Senators Kennedy and Gregg or their designees; that whenever the Senate resumes consideration of S. 812, the Gregg or designee amendment remain debatable. **Page S7365**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing for the consideration of the nomination of Christopher C. Conner, to be United States District Judge for the Middle District of Pennsylvania, The Judiciary, on Friday, July 26, 2002, with a vote to occur thereon, following the cloture vote on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit. **Pages S7366, S7384**

**Appointments:**

**Congressional Hunger Fellows Program:** The Chair, on behalf of the Republican Leader, pursuant to Public Law 107–171, announced the appointment of Mr. Robert H. Forney, of Indiana, to serve as a member of the Board of Trustees of the Congressional Hunger Fellows Program. **Page S7384**

**National Skill Standards Board:** The Chair, on behalf of the President pro tempore, pursuant to Public Law 103–227, appointed the following individual to the National Skill Standards Board for a term of four years: Upon the recommendation of the Republican Leader: Betty W. DeVinney of Tennessee, Representative of Business. **Page S7384**

**Nominations Confirmed:** Senate confirmed the following nominations: Paul A. Quander, Jr., of the District of Columbia, to be Director of the District of Columbia Offender Supervision, Defender, and Courts Services Agency for a term of six years. (New Position)

Paul S. Atkins, of Virginia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2003.

Cynthia A. Glassman, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2006.

Roslynn R. Mauskopf, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

Todd Walther Dillard, of Maryland, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years. (Reappointment)

Robert R. Rigsby, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Harold D. Stratton, of New Mexico, to be Chairman of the Consumer Product Safety Commission.

Harold D. Stratton, of New Mexico, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2006.

Anthony Lowe, of Washington, to be Federal Insurance Administrator, Federal Emergency Management Agency.

David William Thomas, of Delaware, to be United States Marshal for the District of Delaware for the term of four years.

Thomas M. Fitzgerald, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

G. Wayne Pike, of Virginia, to be United States Marshal for the Western District of Virginia for the term of four years.

Steven D. Deatherage, of Illinois, to be United States Marshal for the Central District of Illinois for the term of four years.

Harvey Jerome Goldschmid, of New York, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2004.

Roel C. Campos, of Texas, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2005. **Pages S7383–84, S7389**

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

Jeffrey S. White, of California, to be United States District Judge for the Northern District of California.

Kent A. Jordan, of Delaware, to be United States District Judge for the District of Delaware.

Sandra J. Feuerstein, of New York, to be United States District Judge for the Eastern District of New York.

1 Air Force nomination in the rank of general.

34 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Navy.

**Pages S7384–89**

**Messages From the House:** **Pages S7370–71**

**Measures Referred:** **Page S7371**

**Measures Placed on Calendar:** **Page S7371**

**Measures Read First Time:** **Page S7371**

**Executive Reports of Committees:** **Pages S7371–72**

**Additional Cosponsors:** **Pages S7372–73**

**Statements on Introduced Bills/Resolutions:**  
**Pages S7373–80**

**Additional Statements:** **Page S7370**

**Amendments Submitted:** **Pages S7380–82**

**Notices of Hearings/Meetings:** **Page S7282**

**Authority for Committees to Meet:** **Pages S7382–83**

**Record Votes:** Three record votes were taken today. (Total—192) **Pages S7336, S7350, S7365**

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 6:59 p.m., until 9:55 a.m., on Friday, July 26, 2002.

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported the following bills:

An original bill (S. 2797) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003;

An original bill (S. 2801) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003;

An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003; and

An original bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2003.

### STRATEGIC OFFENSIVE REDUCTION TREATY

*Committee on Armed Services:* Committee held hearings to examine the national security implications of the Strategic Offensive Reductions Treaty, also known as the Moscow Treaty (Treaty Doc. 107–8), receiving

testimony from Donald H. Rumsfeld, Secretary of Defense; and Gen. Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

Hearings will resume on Thursday, August 1.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nominations of Paul S. Atkins, of Virginia, Harvey Jerome Goldschmid, of New York, Cynthia A. Glassman, of Virginia, and Roel C. Campos, of Texas, each to be a Member of the Securities and Exchange Commission.

### AVIATION SECURITY

*Committee on Commerce, Science, and Transportation:* Committee held hearings to examine the Transportation Security Administration and aviation security transition, focusing on the deployment of baggage screening equipment, cockpit security, and air cargo security, receiving testimony from Senators Bob Smith and Murkowski; Norman Y. Mineta, Secretary of Transportation, who was accompanied by several of his associates; Gerald Dillingham, Director, Physical Infrastructure Issues, General Accounting Office; Richard D. Stephens, Boeing Company, Seal Beach, California; Craig Coy, Massachusetts Port Authority, East Boston; Stephen Luckey, National Flight Security Committee, Washington, D.C.; and Ed Davidson, Northwest Airlines, Inc., St. Paul, Minnesota.

Hearings recessed subject to call.

### NATIONAL FOREST SYSTEMS RESTORATION PROJECTS

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests concluded hearings on S. 2672, to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, after receiving testimony from Jim Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Thomas J. Mills, Deputy Chief, Business Operations, Forest Service, Department of Agriculture; Joyce Dearstyne, Framing Our Community, Elk City, Idaho; Maia Enzer, Sustainable Northwest, Portland, Oregon; and Steve Holmer, American Lands Alliance, Washington, D.C.

### BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following business items:

S. 1602, to help protect the public against the threat of chemical attack, with an amendment in the nature of a substitute;

S. 1746, to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to

strengthen security at sensitive nuclear facilities, with an amendment in the nature of a substitute;

S. 1850, to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote cleanup of leaking underground storage tanks, and to provide sufficient resources for such compliance and cleanup, with an amendment in the nature of a substitute;

S. 2771, to amend the John F. Kennedy Center Act to authorize the Secretary of Transportation to carry out a project for construction of a plaza adjacent to the John F. Kennedy Center for the Performing Arts; and

The nominations of John S. Bresland, of New Jersey, to be a Member, and Carolyn W. Merritt, of Illinois, to be Chairperson and Member, each of the Chemical Safety and Hazard Investigation Board, and John Peter Suarez, of New Jersey, to be Assistant Administrator for Enforcement and Compliance, Environmental Protection Agency.

### BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

Agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993 (Treaty Doc. 105-32), with one declaration;

Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary, signed in Wellington, May 13, 1997 (Treaty Doc. 105-53);

S. Res. 300, encouraging the peace process in Sri Lanka, with an amendment; and

The nominations of Randolph Bell, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues, James Irvin Gadsden, of Maryland, to be Ambassador to the Republic of Iceland, James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Albania, Michael Klosson, of Maryland, to be Ambassador to the Republic of Cyprus, Norman J. Pattiz, of California, to be a Member of the Broadcasting Board of Governors, Paul William Speltz, of Texas, to be United States Director of the Asian Development Bank, with the rank of Ambassador, Mark Sullivan, of Maryland, to be United States Director of the European Bank for Reconstruction and Development, and Kenneth Y. Tomlinson, of Virginia, to be a Member and Chairman of the Broadcasting Board of Governors.

Also, committee began consideration of the Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations General Assembly on December 18, 1979, and signed on behalf of the United States of America

on July 17, 1980 (Treaty Doc. 96–53), but did not complete action thereon, and will meet again on Tuesday, July 30.

#### **BUSINESS MEETING**

*Committee on Governmental Affairs:* Committee approved the motion to authorize the Chairman to withdraw the committee amendments to S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism, as approved by the committee on May 22, 2002, when the committee ordered the bill favorably reported, and today, approved a floor amendment in the nature of a substitute to S. 2452 (pending on Senate calendar).

#### **VIOLENCE AGAINST WOMEN IN THE WORKPLACE**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings to examine violence against women in the workplace, focusing on coordinated community response partnerships with employers, to educate them about the dangers of domestic violence, sexual assault, and stalking, and assist them in establishing effective policies and programs; after receiving testimony from Diane Stuart, Director, Violence Against Women Office, Office of Justice Programs, Department of Justice; Kathy Evsich, Women Against Domestic Violence, Swannanoa, North Carolina; Sidney Harman, Har-

man International Industries, Inc., Washington, D.C.; and Kathy Rodgers, NOW-Legal Defense and Education Fund, New York, New York.

#### **INDIAN MONEY ACCOUNTS**

*Committee on Indian Affairs:* Committee concluded hearings to examine the July 2, 2002 Report of the Department of the Interior to Congress on historical accounting of Individual Indian Money Accounts, after receiving testimony, after receiving testimony from McCoy Williams, Director, Financial Management and Assurance, General Accounting Office; James Cason, Associate Deputy Secretary, Bert Edwards, Executive Director, Office of Historical Trust Accounting, and Tom Slonaker, Special Trustee for American Indians, all of the Department of the Interior; and William F. Causey, Nixon Peabody, LLP, Washington, D.C.

#### **DEPARTMENT OF JUSTICE**

*Committee on the Judiciary:* Committee concluded oversight hearings to examine Department of Justice issues, including its ability to mobilize law enforcement resources and the justice system in order to prevent future terrorist attacks on the United States and its citizens, the nation's murder and crime rate, counter-terrorism efforts and budget requests, background checks, visa requirements, and Civil Rights interests, receiving testimony from John D. Ashcroft, Attorney General, Department of Justice.