

## CONGRESSIONAL RECORD SUMMARY

Wednesday, March 20, 2002

### SENATE

#### Measures Introduced:

**S. 2035.** A bill to provide for the establishment of health plan purchasing alliances; to the Committee on Health, Education, Labor, and Pensions.

Jeffords

Page S 2183

**S. 2036.** *A bill to authorize the appointment of additional Federal district court judges for the middle and southern districts of Florida, and for other purposes; to the Committee on the Judiciary.*

*"...As the population increases, so do the number of people seeking justice from the Federal Courts in our State. Few are more familiar with these demands than the judges and personnel of the United States Courts in Florida's Middle and Southern Districts. The Judicial Conference of the United States has established a benchmark caseload standard of 430 case filings per judgeship. This is a goal that is rarely met in Florida's Middle and Southern Districts. In fact, the number of case filings per judgeship in the Southern District has remained above 500 since 1995; at the end of last year it stood at 609. In the Middle District the courts' weighted caseload with 547 per judgeship at the end of 2001, 27 percent above the Conference standard..."*

Graham

Pages S 2183, S 2184

**S. 2038.** A bill to provide for homeland security block grants; to the Committee on Environment and Public Works.

Clinton

Page S 2183

#### Measures Passed:

**Campaign Finance Reform: By 60 yeas to 40 nays (Vote No. 54), Senate passed H.R. 2356, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, clearing the measure for the President.**

Pages S 2096-S 2161, D 264

*"... This bill **federalizes** the involvement of Senators and Congressmen in State and local races by making our rules apply to them no matter what the State law is. Under Shays-Meehan, we can only raise soft dollars for State parties within the hard dollar limits and restrictions, and \$10,000 from individuals. But 40 States allow State parties to receive more than \$10,000 per year. Some of them even allow corporate contributions to State parties..." (McConnell, page S 2122)*

*"... Our amendment remedies that by authorizing felony charges for violations of the Federal Election Campaign Act, expending FECA's statute of limitations, and directing the **U.S. Sentencing Commission** to promulgate a specific guideline for sentencing for those who violate our campaign finance laws..." (Lieberman, page S 2138)*

*"... In section 403, the bill provides **expedited judicial review rules** and rules for an orderly process of intervention in the litigation that could theoretically be filed shortly after the President signs the bill. That this will allow the litigation before a three-judge court here in Washington, DC, to have progressed substantially even before the operative provisions take effect in November. This expedited judicial review process will assist an orderly transition from the old system to the new system under this bill..." (Feingold, page S 2142)*

#### Measures Passed (Cont'd.):

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

By 68 yeas to 32 nays (Vote No. 53), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill.

*Pages S 2111, D 264*

**Pro Bono Legal Services:** *Senate agreed to S. Res. 227*, to clarify the rules regarding the acceptance of pro bono legal services by Senators.

*Pages S 2161, D 264*

**S. 517. Energy Policy Act:**

*Senate continued consideration of S. 517*, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto:

*Pages S 2161-74, D 264*

**Pending:**

*Daschle/Bingaman Further Modified Amendment No. 2917*, in the nature of a substitute.

*Pages S 2161-74, D 264*

*Dayton/Grassley Amendment No. 3008 (to Amendment No. 2917)*, to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

*Pages S 2161-2, D 264*

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

*Pages S 2162, D 265*

*Lott Amendment No. 3033 (to Amendment No. 2989)*, to provide for the fair treatment of Presidential judicial nominees.

*Pages S 2162, D 265*

A unanimous-consent-time agreement was reached providing for further consideration of *Kyl Amendment No. 3038*, today and Thursday, March 21, 2002, with a vote to occur on or in relation to the amendment.

*Pages S 2191, D 265*

**Committee Meetings:**

**Committee on Appropriations:** Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2003 for the Office of Management and Budget.

**Committee on Banking, Housing, and Urban Affairs:** Committee continued oversight hearings to examine accounting and investor protection issues raised by the fall of the Enron Corporation and by other public companies.

**Committee on the Budget:** Committee began markup of a proposed concurrent resolution setting forth the fiscal year 2003 budget for the Federal Government, but did not complete action thereon, and will continue tomorrow.

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**Committee on Commerce, Science, and Transportation:** Committee concluded hearings on **H.R. 1542**, to deregulate the Internet and high speed data services.

*Page D 267*

**Committee Meetings (Cont'd.):**

**Committee on Health, Education, Labor, and Pensions:** Committee began markup of **S. 1992**, to amend

the Employee Retirement Income Security Act of 1974 to improve diversification of plan assets for participants in individual account plans, to improve disclosure, account access, and accountability under individual account plans, but did not complete action thereon, and will continue tomorrow.

**Committee on the Judiciary:** Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine proposed legislation that would protect personal information and protect against identity theft, which can often result in great financial loss by the victims, including **S. 1742**, to prevent the crime of identity theft, mitigate the harm to individuals victimized by identity theft, and related provisions of **S. 1399**, to prevent identity theft.

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**Committee Meetings For Thursday, March 21, 2002:**

**Committee on Appropriations:** @ 2:30 p.m. *Subcommittee on District of Columbia, to hold hearings on proposed budget estimates for fiscal year 2003 for the District of Columbia Courts, Court Services, and Offender Supervision Agency. SD-192.*

**Committee on Banking, Housing, and Urban Affairs:** @ 10:00 a.m. To continue oversight hearings to examine accounting and investor protection issues raised by the fall of the Enron Corporation and by other public companies. SH-216.

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**Committee on the Budget:** @ 9:00 a.m. Business meeting to continue markup of a proposed concurrent resolution setting forth the fiscal year 2003 budget for the Federal Government. SD-608.

**Committee on Health, Education, Labor, and Pensions:** @ 9:00 a.m. Business meeting to continue markup of **S. 1992**, *to amend the Employee Retirement Income Security Act of 1974* to improve diversification of plan assets for participants in individual account plans, to improve disclosure, account access, and accountability under individual account plans. SD-406.

**Committee on the Judiciary:** @ 9:30 a.m. to hold hearings to examine reform of the Federal Bureau of Investigation, focusing on lessons learned from the Oklahoma City bombing. SD-226.

**Committee on the Judiciary:** @ 2:00 p.m. Subcommittee on Crime and Drugs, to hold hearings to examine homeland defense, focusing on assessing the needs of local law enforcement. SD-226.

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**HOUSE**

**Bills Introduced:**

**H.R. 4009.** A bill *to increase the authority of the Attorney General* to remove, suspend, and impose other disciplinary actions on, employees of the Immigration and Naturalization Service; to the Committee on the

Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Issa

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**H.R. 4012.** A bill to amend the Communications Act of 1934 to foster the deployment of wireless telecommunications services to consumers in rural areas; to the Committee on Energy and Commerce.

Cubin

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**H.R. 4016.** A bill to amend title 49, United States Code, *to extend the time during which air carrier liability for third party damages as a result of a terrorist attack may be limited*, and for other purposes; to the Committee on Transportation and Infrastructure.

Mica

Page H 1087

**H.R. 4018.** A bill to amend title 38, United States Code, *to make improvements in judicial review of administrative decisions of the Department of Veterans Affairs*; to the Committee on Veterans' Affairs.

Evans

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**H.R. 4026.** *A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Bartlett

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**H.R. 4027.** A bill to provide grants for law enforcement training and equipment to combat methamphetamine labs; to the Committee on the Judiciary.

Baird

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**H.R. 4028.** *A bill to designate the United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the "Richard S. Arnold United States Courthouse;" to the Committee on Transportation and Infrastructure.*

Boozman

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**H.R. 4032.** A bill *to amend* titles V and XIX of the Social Security Act *and chapter 89 of title 5, United States Code, to provide coverage for domestic violence screening* and treatment under the maternal and child health block grant program, the Medicaid Program, *and the Federal employees health benefits program*; to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Capps

Pages H 1087-8

**H.R. 4034.** A bill to *extend Brady background checks* to gun shows, and for other purposes; to the Committee on the Judiciary.

Conyers

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#### **Bills Introduced (Cont'd.):**

**H.R. 4035.** *A bill to authorize the President to establish military tribunals to try the terrorists responsible for the September 11, 2001 attacks against the United States, and for other purposes*; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction

of the committee concerned.

Conyers

Page H 1088

**H.R. 4043.** A bill *to bar Federal agencies* from accepting for any identification-related purpose and State-issued driver's license, or other comparable identification document, unless the State requires licenses or comparable documents issued to nonimmigrant aliens to expire upon the expiration of the aliens' nonimmigrant visas, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on House Administration, the Judiciary, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Flake

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**H.R. 4046.** A bill *to provide for congressional review of regulations relating to military tribunals*; to the Committee on Armed Services, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Hoeffel

Page H 1088

**H.R. 4054.** A bill *to provide for civil monetary penalties in certain cases*; to the Committee on Education and the Workforce.

Johnson

Page H 1088

**H.R. 4059.** A bill to provide for homeland security block grants; to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

McNulty

Page H 1089

**H.R. 4068.** *A bill to convert a temporary judgeship for the eastern district of Virginia to a permanent judgeship, and for other purposes; to the Committee on the Judiciary.*

Scott

Page H 1089

**H.R. 4081.** *A bill to require contractors with the Federal Government to possess a satisfactory record of integrity and business ethics; to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Wynn

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**H. Con. Res. 360.** *Concurrent resolution providing for a conditional adjournment of the House of Representatives and conditional recess or adjournment of the Senate; considered and agreed to.*

Goss

Page H 1089

**Report Filed:**

**Reports were filed today as follows:**

**H.R. 3669,** to amend the Internal Revenue Code of 1986 *to empower employees to control their retirement savings accounts through new diversification rights, new disclosure requirements, and new tax incentives for retirement education, amended (House Report 107-382, Pt. 1).*

Page H 1087, D 267

**H.R. 3924 - Freedom to Telecommute:**

The House passed **H.R. 3924, to authorize telecommuting for Federal contractors** by a ye-a-and-nay vote of 421 yeas with none voting "nay," Roll No. 71.

*Pages H 1009-12, H 1015-18, D 268*

*"...In the past 25 years, telecommuting has become an increasingly attractive option for employees in the workplace, and, I would also add, a commonsense addition to the workplace. Technology advances have allowed more and more employees to telecommute, allowing them to work from anywhere at any time. In fact, it is estimated that 19 million people enjoy the benefits of telecommuting today. As our country continues to engage in the war on terrorism, we are obviously all more sensitive to the concerns regarding safety and security. This bill takes into consideration these concerns, allowing an exception to be made if the contracting officer certifies in writing that telecommuting would conflict with the needs of that agency..." (Sessions, Page S 1010)*

**Agreed to H. Res. 373**, the rule that provided for consideration of the bill by voice vote.

*Pages H 1009-15, D 268*

**H. Con. Res. 353 - Budget Resolution for Fiscal Year 2003:**

**The House agreed to H. Con. Res. 353, establishing the congressional budget for the United States Government for fiscal year 2003 and setting forth appropriate budgetary levels for each of fiscal years 2004 through 2007 by a ye-a-and-nay vote of 221 yeas to 209 nays, Roll No. 79.**

*Pages H 1037-72, D 268*

*"...With the plan that we put together, we believe we have better secured our future for ourselves and our families. Without our bipartisan response to the economy and to the war and to protect the homeland, this would have not only been a balanced budget, but even with this budget and even with the short-term borrowing that needs to occur to accomplish those important priorities, under our plan we begin to pay down the national debt again in 2004. So I believe our mission is undeniable. We must secure America's future. Our strategy is clear. We need security for our Nation, security for a growing economy, and security for ourselves and our families. I believe that our budget makes it happen, together with the fine work of the American people. We have a plan. There is no doubt that people can quibble with the fact that no plan is perfect in every regard. But the President proposed a plan, we made it better. We are providing positive leadership at this crucial time in American history, and it is time to get that job done..." (Nussle, Page H 1041)*

Pursuant to the rule, the amendment in the nature of a substitute printed in **H. Rept. 107-380** was considered as adopted.

*Pages H 1071, D 268*

**The House agreed to H. Res. 372**, the rule that provided for consideration of the concurrent resolution by a ye-a-and-nay vote of 222 yeas to 206 nays, Roll No. 77. Agreed to table the Dreier motion to reconsider the vote by a ye-a-and-nay vote of 213 yeas to 206 nays, Roll No. 78.

*Pages H 1020-36, D 268*

**H. Con. Res. 353 - Budget Resolution for Fiscal Year 2003 (Cont'd.):**

Agreed to order the previous question by a ye-a-and-nay vote of 221 yeas to 206 nays, Roll No. 75. Earlier, agreed to table the Slaughter motion to reconsider the vote by a ye-a-and-nay vote of 222 yeas to 206 nays, Roll No. 76.

*Pages H 1034-37, D 268*

**Motion to Adjourn:**

*Rejected the Sandlin motion to adjourn by a recorded vote of 77 ayes to 337 noes with 1 voting "present," Roll No. 73. Rejected the Slaughter motion to adjourn by a recorded vote of 72 ayes to 333 noes, Roll No. 74.*

*Pages H 1019, H 1020, D 268*

**H.R. 3762 . Committee on Education and the Workforce Report:**

Agreed that the Committee on Education and the Workforce have until midnight on Thursday, April 4 to file a report on **H.R. 3762**, *Pension Security Act of 2002*.

*Pages H 1072, D 268*

**H. Con. Res. 360. District Work Period:**

*The House agreed to H. Con. Res. 360, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.*

*Pages H 1072-3, D 268*

**Committee Election--Committee on Energy and Commerce:**

Read a letter from Representative Fletcher wherein he announced his resignation from the Committees on Agriculture, Budget, and Education and the Workforce. Subsequently the House agreed to **H. Res. 375**, electing Representative Fletcher to the Committee on Energy and Commerce.

*Pages H 1073, D 268*

**Enrollment Correction:**

**The House agreed to H. Con. Res. 361**, directing the Clerk of the House of Representative to make corrections in the enrollment of the bill **H.R. 2356**, Bipartisan Campaign Reform Act of 2002.

*Pages H 1073-74, D 268*

**Executive Communications:**

**EC.-5975.** A letter from the Director, FinCEN, Department of the Treasury, *transmitting the Department's final rule--Financial Crimes Enforcement Network; Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity* (RIN: 1506-AA26) received March 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

*Page H 1085*

**EC.-6012.** A letter from the Executive Officer, Civil Division, Department of Justice, *transmitting the Department's "Major" final rule--September 11th Victim Compensation Fund of 2001* (RIN: 1105-AA79) received March 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

*Page H 1086*

**Committee Meetings:**

**Committee on Appropriations:** Subcommittee on Commerce, Justice, State and Judiciary held a hearing on DEA, and on the U.S. Trade Representative.

*Page D 269*

**Committee on Education and the Workforce:** Ordered reported, as amended, the following bills:

**H.R. 3762**, *Pension Security Act of 2002* and **H.R. 3839**, *Keeping Children and Families Safe Act of 2002*.

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**Committee on the Judiciary:** Ordered reported the following bills: **H.R. 476**, *Child Custody Protection Act*; and **H.R. 3925**, *amended, Digital Tech Corps Act of 2002*.

**Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action, as amended, H.R. 3892, Judicial Improvements Act of 2002.**

*Page D 271*

**Committee on Transportation and Infrastructure: Ordered reported the following measure: H.R. 2672, to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon as the "Wayne Lyman Morse United States Courthouse."**

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**Committee Meetings for Thursday, March 21, 2002:**

\_\_\_\_\_ **Committee on Government Reform:** @ 1:00 p.m. Subcommittee on National Security, Veterans' Affairs, and International Relations, hearing on "*Combating Terrorism: Protecting the United States--Part II.*" 2247 Rayburn.

\_\_\_\_\_ **Committee on the Judiciary:** @ 9:00 a.m. and 10:00 a.m. Subcommittee on Immigration and Claims, oversight hearing on "*The INS and Office of Special Counsel for Immigration Related Unfair Employment Practices;*" and to mark up the following: **H.R. 3838**, to amend the charter of the Veterans of Foreign Wars of the United States organization to make members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger eligible for membership in the organization. 2237 Rayburn.

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**Remarks:**

Loopholes in Gun Safety Laws Must be Closed.

McCarthy

*Page H 1007*

Proposed Budget Opens Social Security Lockbox.

Thurman

*Page H 1007*

Raiding the Social Security Trust Fund.

Kilpatrick

*Page H 1008*

Keeping Fiscal Discipline During Difficult Times.

Tancredo

*Page H 1008*

**Remarks (Cont'd.):**

\_\_\_\_\_ We Must Pass Hate Crimes Bill.

Woolsey

*Page H 1075*

\_\_\_\_\_ Hate Crimes Legislation.

Clayton

*Page H 1078*

***NEW PUBLIC LAW***



*S. 1857. To encourage the negotiated settlement of tribal claims. Signed on March 19, 2002.  
(Public Law 107-153).*

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**Next SENATE MEETING: Thursday, 9:45 a.m., March 21, 2002.**

**Next HOUSE MEETING: Friday, 2:00 p.m., March 22, 2002.**

**OLA: S. Schwarz, A. Santos**