

The nomination of Lavenski R. Smith, of Arkansas, to be United States Circuit Judge for the Eighth Circuit.

## NOMINATIONS

*Committee on the Judiciary:* Committee concluded hearings on the nominations of Dennis W. Shedd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Terrence F. McVerry, to be

United States District Judge for the Western District of Pennsylvania, and Arthur J. Schwab, to be United States District Judge for the Western District of Pennsylvania, after the nominees testified and answered questions in their own behalf. Mr. Shedd was introduced by Senators Thurmond and Hollings, and Representative Wilson, and Mr. McVerry and Mr. Schwab were introduced by Senators Specter, Santorum, and Representative Hart.

# House of Representatives

## Chamber Action

**Measures Introduced:** 31 public bills, H.R. 5031–5061; and 8 resolutions, H.J. Res. 103–104; H. Con. Res. 432–434, and H. Res. 467–469 were introduced. **Pages H4324–25**

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

**Guest Chaplain:** The prayer was offered by the guest Chaplain, Chaplain Frederick J. Huscher, Riverside County Sheriff's Department of Riverside, California. **Page H4071**

**Journal:** Agreed to the Speaker's approval of the Journal of Wednesday, June 26 by a recorded vote of 348 yeas to 59 nays with 1 voting "present," Roll No. 267. **Pages H4071–72**

**Motions to Adjourn:** Rejected the McNulty motion to adjourn by a recorded vote of 70 yeas to 332 noes, Roll No. 268. **Pages H4072–73**

**Department of Defense Appropriations:** The House passed H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 by a yea-and-nay vote of 413 yeas to 18 nays, Roll No. 270. **Pages H4076–H4110, H4111–19**

### Agreed To:

Spratt amendment that reduces funding for the space based kinetic energy boost program by \$30 million and increases funding for the airborne laser program accordingly; **Pages H4111–13**

Kucinich amendment that withholds 1 percent of funding from certain Department of Defense components until the DOD Inspector General submits an audit of these components pursuant to section 3521(e) of title 31, United States; and **Pages H4113–17**

Collins of Georgia amendment that prohibits the use of any funds to relocate the headquarters of the United States Army, South, from Fort Buchanan,

Puerto Rico, to a location in the continental United States. **Pages H4117–18**

### Rejected:

Tierney amendment that sought to delete funding of \$44.4 million for the space based kinetic energy boost program; and **Pages H4106–09**

Tierney amendment that sought to delete funding of \$121.8 million for missile silos at Fort Greeley, Alaska (rejected by a recorded vote of 112 yeas to 314 noes, Roll No. 269). **Page H4118**

### Point of Order Sustained Against:

Kucinich amendment that sought to withhold 1 percent of funding from certain Department of Defense components until the DOD Inspector General expresses an opinion on the audited financial statements of that component; **Pages H4109–10, H4113.**

H. Res. 461, the rule that provided for consideration of the bill was agreed to by voice vote. **Page H4076**

**Suspensions:** The House agreed to suspend the rules and pass the following measures that were debated on June 25:

*Patriotic Contributions of Roofing Professionals Who Replaced, At No Cost, the Pentagon's Slate Roof Destroyed on September 11:* H. Con. Res. 424, commending the patriotic contributions of the roofing professionals who replaced, at no cost to the Federal Government, the section of the Pentagon's slate roof that was destroyed as a result of the terrorist attacks against the United States that occurred on September 11, 2001 (agreed to by a yea-and-nay vote of 428 yeas with none voting "nay," Roll No. 271); and **Pages H4119–20**

*Frank Sinatra Post Office, Hoboken, New Jersey:* 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;" (agreed to by a yea-and-

nay vote of 427 yeas with none voting “nay,” Roll No. 272). **Pages H4120–21**

**Urging the Ninth Circuit Court of Appeals to Rehear Their Erroneous Ruling That the Pledge of Allegiance is an Unconstitutional Endorsement of Religion:** The House agreed to suspend the rules and agreed to H. Res. 459, expressing the sense of the House of Representatives that *Newdow v. U.S. Congress* was erroneously decided by a yeas-and-nay vote of 416 yeas to 3 nays with 11 voting “present,” Roll No. 273. **Pages H4125–36**

Earlier, agreed to H. Res. 463, the rule that provided for consideration of the motion to suspend the rules by voice vote. **Pages H4121–25**

**Military Construction Appropriations:** The House passed 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 by a yeas-and-nay vote of 426 yeas to 1 nay, Roll No. 277. **Pages H4136–54**

Agreed To:

Collins of Georgia amendment that prohibits the use of any funds to relocate the headquarters of the United States Army, South, from Fort Buchanan, Puerto Rico, to a location in the continental United States. **Page H4153**

The House agreed to H. Res. 462, the rule that provided for consideration of H.R. 5011 and S. 2578 by a yeas-and-nay vote of 269 yeas to 160 nays, Roll No. 276. Agreed to the Myrick amendment that made it in order, upon adoption of the rule and without the intervention of any point of order, to consider in the House, S. 2578, to amend title 31 of the United States code to increase the public debt limit, by a recorded vote of 219 yeas to 211 noes, Roll No. 275. Earlier, agreed to order the previous question on the amendment and the rule by a yeas-and-nay vote of 221 yeas to 210 nays, Roll No. 274. Pursuant to section 2 of the rule, H. Res. 421 was laid on the table. **Pages H4141–43**

**Debt Limit Increase:** The House passed S. 2578, to amend title 31 of the United States Code to increase the public debt limit by a recorded vote of 215 yeas to 214 noes with 1 voting “present”, Roll No. 279—clearing the measure for the President. **Pages H4154–66**

Rejected the Moore motion to commit the bill to the Committee on Ways and Means with instructions to report it back forthwith with an amendment in the nature of a substitute that increases the debt limit by \$150 billion by a yeas-and-nay vote of 207 yeas to 222 nays, Roll No. 278. **Pages H4165–66**

The bill was considered pursuant to the provisions of H. Res. 462, as amended. **Page H4164**

**Medicare Modernization and Prescription Drug Act:** The House passed H.R. 4954, to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program and to modernize and reform payments and the regulatory structure of the Medicare Program by a recorded vote of 221 yeas to 208 noes, Roll No. 282. **Pages H4166–S4320**

Rejected the Gephardt motion to recommit the bill jointly to the Committees on Ways and Means and Energy and Commerce with instructions to report it back promptly with an amendment in the nature of a substitute that establishes the Medicare Prescription Drug Benefit and Discount Act by a recorded vote of 204 yeas to 223 noes, Roll No. 281. **Pages H4297–H4320**

Pursuant to the rule, in lieu of the amendment recommended by the Committee on Ways and Means, the amendment in the nature of a substitute printed in H. Rept. 107–552 was considered as adopted. **Page H4297**

Agreed to H. Res. 465, the rule that provided for consideration of the bill by a yeas-and-nay vote of 218 yeas to 213 nays, Roll No. 280. **Pages H4181–82**

**Support of American Eagle Silver Bullion Program:** The House passed S. 2594, to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins—clearing the measure for the President. **Pages H4320–21**

**Fourth of July District Work Period:** The House agreed to S. Con. Res. 125, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **Page H4321**

**Meeting Hour—Tuesday, July 9:** Agreed that when the House adjourns on Monday, July 8, it adjourn to meet at 10:30 a.m. on Tuesday, July 9, for morning-hour debate. **Page H4321**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, July 10, 2002. **Pages H4321–22**

**Resignations—Appointments:** Agreed that notwithstanding any adjournment of the House until Monday, July 8, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and make appointments authorized by law or by the House. **Page H4322**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Gilchrest or, if not available to perform this duty, Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 8. **Page H4322**

**Senate Messages:** Messages received from the Senate appear on pages H4072, H4154.

**Referrals:** S. 1041 was referred to the Committees on Energy and Commerce and Education and the Workforce. S. 1646 was referred to the Committee on Transportation and Infrastructure. S. 2690 was referred to the Committee on the Judiciary. S. 1754 and S. Con. Res. 125 were held at the desk.

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**Quorum Calls—Votes:** Ten yea-and-nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H4071–72, H4072–73, H4118, H4119, H4119–20, H4120–21, H4135–36, H4141–42, H4142–43, H4143, H4154, H5165–66, H4166, H4181–82, H4319–20, and H4320. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 2:38 a.m. on Friday, June 28, pursuant to the provisions of S. Con. Res. 125, the House stands adjourned until 2 p.m. on Monday, July 8, 2002.

## Committee Meetings

### NATIONAL FORESTS—ROADLESS AREAS

*Committee on Agriculture:* Subcommittee on Department Operations, Oversight, Nutrition and Forestry held a hearing on Roadless areas in our National Forests. Testimony was heard from Mark E. Rey, Under Secretary, Natural Resources and the Environment, USDA; and public witnesses.

### PROPOSED MILLENNIUM CHALLENGE

*Committee on Appropriations:* Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the President's proposed Millennium Challenge. Testimony was heard from public witnesses.

### LEGISLATIVE APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Legislative approved for full Committee action the Legislative appropriations for fiscal year 2003.

### MISSILE DEFENSE

*Committee on Armed Services:* Subcommittee on Military Procurement and the Subcommittee on Military Research and Development held a joint hearing on missile defense. Testimony was heard from the following officials of the Department of Defense: Paul Wolfowitz, Deputy Secretary; Lt. Gen. Ronald T. Kadish, USAF, Director, Missile Defense Agency; and Thomas P. Christie, Director, Operational Test and Evaluation.

### UNION REPORTING AND DISCLOSURE

*Committee on Education and the Workforce:* Subcommittee on Employer-Employee Relations held a hearing on Union Reporting and Disclosure: Legislative Reform Proposals. Testimony was heard from public witnesses.

### CONSUMER RENTAL AGREEMENT ACT; WORLDCOM SUBPOENAS

*Committee on Financial Services:* Ordered reported, as amended, H.R. 1701, Consumer Rental Agreement Act.

In regard to the alleged fraud in WorldCom Inc., financial statements, the Committee adopted a motion to subpoena the following WorldCom executives: Bernard J. Ebbers, former President and CEO; John W. Sidgmore, current President and CEO of WorldCom; and Scott Sullivan, former CFO of WorldCom; and Jack Grubman, a telecommunications analyst at Salomon Smith Barney.

### AFRICA—PROMOTING ECONOMIC DEVELOPMENT

*Committee on International Relations:* Held a hearing on Promoting Economic Development in Africa Through Accountability and Good Governance. Testimony was heard from Paul H. O'Neill, Secretary of the Treasury.

### OVERSIGHT—UNPUBLISHED JUDICIAL OPINIONS

*Committee on the Judiciary:* Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on "Unpublished Judicial Opinions." Testimony was heard from Ales Kozinski, Judge, U.S. Court of Appeals, Ninth Circuit; Samuel A. Alito, Jr., Judge, U.S. Court of Appeals, Third Circuit and Chair, Advisory Committee on the Federal Rules of Appellate Procedure; and public witnesses.

### HOMELAND SECURITY ACT—ROLE OF IMMIGRATION

*Committee on the Judiciary:* Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Role of Immigration in the Department of Homeland Security pursuant to H.R. 5005, Homeland Security Act of 2002." Testimony was heard from Grant S. Green, Under Secretary, Management and Resources, Department of State; and public witnesses.

### MISCELLANEOUS MEASURE; OVERSIGHT—CORAL REEF CONSERVATION ACT

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Ocean's approved for full Committee action H. Con. Res. 419, requesting the President to issue a proclamation in observance of