

TRIBUTE TO SERGEANT JEFFREY HOJNACKE

• Mr. SMITH of Oregon. Madam President, I would like to take this opportunity to pay tribute to Oregon native, Sergeant Jeffrey Hojnacke, a member of the 3rd United States Infantry, better known as "The Old Guard." Sergeant Hojnacke's accomplishments while serving as a sentinel at the Tomb of the Unknowns personify the hallowed principles of duty, honor, and country. After joining "The Old Guard" in 1995, Sergeant Hojnacke performed his first "walk" at the Tomb of the Unknowns in Arlington National Cemetery in May 1996. Completely selfless and dedicated, Sergeant Hojnacke never missed a day of duty, and routinely filled in for others. On October 17, 2001, after over 5 years of duty standing watch over the most sacred of American shrines, Sergeant Jeffrey Hojnacke completed his 1,500th and last "walk" at the Tomb of the Unknowns. To put this accomplishment into perspective, very few sentinels in the history of the Tomb of the Unknowns have reached the coveted "1000 walk" mark, and no one has come close to the 1,500 walks completed by Sergeant Hojnacke. This is a record that will undoubtedly stand for many years.

On behalf of a grateful nation, let the record show the Congress of the United States of America honors the selfless service and accomplishments of Sergeant Jeffrey Hojnacke, an American hero, patriot and "Iron-Man" of the Tomb of the Unknowns. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

CALENDAR YEAR 1999 REPORT ON ACTIVITIES UNDER THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966, THE HIGHWAY SAFETY ACT OF 1966, AND THE MOTOR VEHICLE INFORMATION AND COST SAVINGS ACT OF 1972—MESSAGE FROM THE PRESIDENT—PM 55

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

To the Congress of the United States:

I transmit herewith the Department of Transportation's Calendar Year 1999 reports on Activities Under the National Traffic and Motor Vehicle Safety Act of 1966, the Highway Safety Act of 1966, and the Motor Vehicle Information and Cost Savings Act of 1972.

GEORGE W. BUSH.
THE WHITE HOUSE, November 8, 2001.

MESSAGE FROM THE HOUSE

At 3:23 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints as the managers of the conference on the part of the House: Mr. KNOLLENBERG, Mr. ISTOOK, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. SWEENEY, Mr. VITTER, Mr. YOUNG of Florida, Mr. FATTAH, Mr. MOLLOHAN, Mr. OLVER, and Mr. OBEY.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints as the managers of the conference on the part of the House: Mr. REGULA, Mr. YOUNG of Florida, Mr. ISTOOK, Mr. DAN MILLER of Florida, Mr. WICKER, Mrs. NORTHUP, Mr. CUNNINGHAM, Ms. GRANGER, Mr. PETERSON of Pennsylvania, Mr. SHERWOOD, Mr. OBEY, Mr. HOYER, Ms. PELOSI, Mrs. LOWEY, Ms. DELAURO, Mr. JACKSON of Illinois, and Mr. KENNEDY of Rhode Island.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2620) 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, 2002, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4536. A communication from the Chief Counsel, Office of Foreign Assets Control,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Blocked Persons, Specially Designated Nationals, Specially Designated Terrorist, Foreign Terrorist Organizations, and Specially Designated Narcotics Traffickers: Additional Designations of Terrorism-Related Blocked Persons" received on November 6, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4537. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation to authorize appropriations for hazardous material transportation safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-4538. A communication from the Principal Deputy General Counsel, Department of Defense, transmitting, a draft of proposed legislation entitled "Personnel Pay and Qualifications Authority for Department of Defense National Capital Region Civilian Law Enforcement and Security Force"; to the Committee on Armed Services.

EC-4539. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a draft of proposed legislation entitled "Money Laundering Act of 2001"; to the Committee on the Judiciary.

EC-4540. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-4541. A communication from the Assistant Secretary of Legislative Affairs, Department of Defense, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Norway; to the Committee on Foreign Relations.

EC-4542. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC-4543. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, a draft of proposed legislation entitled "Managerial Flexibility Act of 2001"; to the Committee on Governmental Affairs.

EC-4544. A communication from the Deputy Associate Administrator of the Office of Acquisition Policy, General Service Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-01" (FAC 2001-01) received on November 6, 2001; to the Committee on Governmental Affairs.

EC-4545. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled "HHS Bioterrorism Prevention and Emergency Response Act of 2001"; to the Committee on Health, Education, Labor, and Pensions.

EC-4546. A communication from the Administrator of the General Service Administration, transmitting, a report relative to a lease prospectus and a design prospectus; to the Committee on Environment and Public Works.

EC-4547. A communication from the Deputy Administrator of the General Service

Administration, transmitting, pursuant to law, the Report of Building Project Survey for Colorado Springs, CO; to the Committee on Environment and Public Works.

EC-4548. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-155 "Advisory Neighborhood Commissions Annual Contribution Temporary Amendment Act of 2001"; to the Committee on Governmental Affairs.

EC-4549. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-154 "Cooperative Purchasing Agreement Temporary Amendment Act of 2001"; to the Committee on Governmental Affairs.

EC-4550. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-156 "Insurance Economic Development Temporary Amendment Act of 2001"; to the Committee on Governmental Affairs.

EC-4551. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-152 "Closing of a Public Alley in Square 2140, S.O. 99-228, Act of 2001"; to the Committee on Governmental Affairs.

EC-4552. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-153 "Closing of a Portion of a Public Alley in Square 209, S.O. 2000-48, Act of 2001"; to the Committee on Governmental Affairs.

EC-4553. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System for Hospital Outpatient Services: Criteria for Establishing Additional Pass-Through Categories for Medical Devices" (RIN0938-AK59) received on November 6, 2001; to the Committee on Finance.

EC-4554. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Announcement of the Calendar Year 2002 Conversion Factor for the Hospital Outpatient Prospective Payment System and a Pro Rata Reduction on Transitional Pass-Through Payments" (RIN0938-AK54) received on November 6, 2001; to the Committee on Finance.

EC-4555. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies and Five-Year Review of and Adjustments to the Relative Value Units Under the Physician Fee Schedule for Calendar Year 2002" (RIN0938-AK57) received on November 7, 2001; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2002" (Rept. No. 107-95).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1319, a bill to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes. (Rept. No. 107-96).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 23: A resolution expressing the sense of the Senate that the President should award the Presidential Medal of Freedom posthumously to Dr. Benjamin Elijah Mays in honor of his distinguished career as an educator, civil and human rights leader, and public theologian.

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1094: A bill to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer.

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 1459: A bill to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the "James A. McClure Federal Building and United States Courthouse".

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 1630: A bill to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted.

By Mr. CONRAD, from the Committee on the Budget, unfavorably, without amendment:

S.J. Res. 28: A joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Marvin R. Sambur, of Indiana, to be an Assistant Secretary of the Air Force.

*Mary L. Walker, of California, to be General Counsel of the Department of the Air Force.

*Sandra L. Pack, of Maryland, to be an Assistant Secretary of the Army.

*Dale Klein, of Texas, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

By Mr. WARNER for the Committee on Armed Services.

*R.L. Brownlee, of Virginia, to be Under Secretary of the Army.

By Mr. JEFFORDS for the Committee on Environment and Public Works.

*William Baxter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 2011.

*William Baxter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2002.

*Kimberly Terese Nelson, of Pennsylvania, to be an Assistant Administrator of the Environmental Protection Agency.

*Steven A. Williams, of Kansas, to be Director of the United States Fish and Wildlife Service.

By Mr. BIDEN for the Committee on Foreign Relations.

*Eric M. Javits, of New York, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament.

*Sichan Siv, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

*Sichan Siv, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

*Richard S. Williamson, of Illinois, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

*Richard S. Williamson, of Illinois, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

By Mr. ROCKEFELLER for the Committee on Veterans' Affairs.

Frederico Juarbe, Jr., of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training.

By Mr. LEAHY for the Committee on the Judiciary.

Terry L. Wooten, of South Carolina, to be United States District Judge for the District of South Carolina.

John P. Walters, of Michigan, to be Director of National Drug Control Policy.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 1653. A bill to provide loan forgiveness to the surviving spouses of the victims of the September 11, 2001, tragedies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SESSIONS (for himself, Mr. SHELBY, and Mr. ENZI):

S. 1654. A bill to amend the Education of the Deaf Act of 1986 to authorize the Secretary of Education to establish the National Junior College for Deaf and Blind at the Alabama Institute for Deaf and Blind; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BIDEN:

S. 1655. A bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself and Mr. HATCH):

S. 1656. A bill to provide for the improvement of the processing of claims for veterans compensation and pension, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SNOWE:

S. 1657. A Bill to deauthorize the project for navigation, Tenants Harbor, Maine; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. DEWINE, and Mr. HATCH):

S. 1658. A bill to improve Federal criminal penalties on false information and terrorist hoaxes; to the Committee on the Judiciary.