



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, FRIDAY, MAY 10, 2002

No. 59

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DAN MILLER of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 10, 2002.

I hereby appoint the Honorable DAN MILLER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, rich in mercy and strong to save, may springtime in this Nation bear seeds of peace.

Make nature again recover from human sins of the past. Breathe forth a freshness over land and sea that all may be exalted by Your creative hand and ever-redeeming power.

Bring forth in the human family a new respect for life and a commitment to equal justice for the least and the weakest in our midst that violence may cease and an ordinary cycle of goodness and kindness spread from this place around the world.

May nature and human determination be so wedded that science and faith may spiral into new discoveries to enrich this planet with natural and human beauty.

For You, Eternal Father, are our source of life and recovery, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1372), an act to reauthorize the Export-Import Bank of the United States, and agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SARBANES, Mr. DODD, Mr. JOHNSON, Mr. BAYH, Mr. GRAMM, Mr. SHELBY, and Mr. HAGEL, to be the conferees on the part of the Senate.

RESIGNATION OF MEMBER AND APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore laid before the House the following resignation as a member of the Congressional-Executive Commission on the People's Republic of China:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, DC, May 8, 2002.

Hon. J. DENNIS HASTERT,

Speaker, U.S. House of Representatives,

U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Thank you for appointing me last year to the Congressional-Executive Commission on China, which was established through the leadership of our

colleague, Sandy Levin, to promote human rights and rule of law in China.

To make this Commission as effective as possible, a significant commitment of time is needed by each Commissioner. In light of the responsibilities associated with my election as Democratic Whip, I believe that other members of the Democratic Caucus, equally committed to the fight for human rights in China, could better fulfill the role of Commissioner. I am, therefore, respectfully submitting my resignation as a member of the Congressional-Executive Commission on China. It is my understanding that Leader Gephardt is submitting a new recommendation for this position.

Thank you for the honor of naming me to the Commission last year. I look forward to working with you to improve human rights around the world.

Sincerely,

NANCY PELOSI,

Democratic Whip.

The SPEAKER pro tempore. Without objection, and pursuant to section 303(a) of Public Law 106-286, the Chair announces the Speaker's appointment of the following Member of the House to the Congressional-Executive Commission on the People's Republic of China to fill the existing vacancy thereon:

Mr. BROWN, Ohio.

There was no objection.

COMMUNICATION FROM THE HON. RICHARD K. ARMEY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable RICHARD K. ARMEY, Member of Congress:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, DC, May 8, 2002.

Hon. J. DENNIS HASTERT,

Speaker, U.S. House of Representatives,

Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony and documents in a civil case issued by the United States District Court for the District of Columbia.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H2387

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

RICHARD K. ARMEY,
Member of Congress.

COMMUNICATION FROM THE HON. TOM DELAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TOM DELAY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2002.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony and documents in a civil case issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

TOM DELAY,
Member of Congress.

COMMUNICATION FROM LEGISLATIVE DIRECTOR OF THE HON. RICHARD A. GEPHARDT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Sean Kennedy, Legislative Director of the Honorable RICHARD A. GEPHARDT, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 2002.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Supreme Court of the State of New York in a criminal case pending there.

After consulting with the Office of General Counsel, I have determined that it is consistent with the privileges and rights of the House to comply with the subpoena.

Sincerely,

SEAN KENNEDY,
Legislative Director/Associate Counsel.

OMISSION FROM THE CONGRESSIONAL RECORD OF MAY 9, 2002, AT PAGE H2237

The convening hour for the House is as follows:

The House met at 9 a.m.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. on Tuesday next for morning hour debates.

There was no objection.

Accordingly (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Tuesday, May 14, 2002, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6736. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's report entitled, "Overseas Commissaries and Exchange Stores—Access and Purchase Restrictions," as required by Section 2492 of Title 10, United States Code; to the Committee on Armed Services.

6737. A letter from the Deputy Secretary, Department of Defense, transmitting an interim report on the development of regulations to improve privacy protections of medical records held by the Department as required by Section 756 of the Floyd D. Spence National Defense Authorization Act For FY 2001; to the Committee on Armed Services.

6738. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2001 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

6739. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve, covering calendar year 2001, pursuant to 42 U.S.C. 6245(a); to the Committee on Energy and Commerce.

6740. A letter from the Assistant Secretary, Department of Commerce, transmitting the Department's final rule—Technology Opportunities Program [Docket No. 981203295–2010–07; CFDA: 11.552] (RIN: 0660–ZA06) received April 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6741. A letter from the Chair, State Energy Advisory Board, Department of Energy, transmitting the Board's annual report entitled, "Energy Efficiency and Renewable Energy: The 'No Regrets' Path to America's Energy Future," pursuant to 42 U.S.C. 6325; to the Committee on Energy and Commerce.

6742. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Acquisition Regulation: Technical and Administrative Amendments (RIN: 1991–AB51) received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6743. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Section 126 Rule: Revised Deadlines [FRL–7203–2] received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6744. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for Guam and the States of Arizona, California, Hawaii, and Nevada [AZ, CA, HI, NV, GU–075–NSPS; FRL–7201–2] received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6745. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District and South Coast Air Quality Management District [CA 191–0340; FRL–7170–5] received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6746. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric

Ozone: Availability of Allowances to Produce Methyl Bromide for Developing Countries [FRL–7202–6] (RIN: 2060–A374) received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6747. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Outer Continental Shelf Air Regulations Consistency Update for Alaska; Correction [Alaska 001; FRL–7201–8] received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6748. A letter from the Administrator, Agency For International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6749. A letter from the Administrator, Agency For International Development, transmitting the Agency's FY 2001 Annual Performance Plan; to the Committee on Government Reform.

6750. A letter from the Under Secretary, Research, Education, and Economics, Department of Agriculture, transmitting the Department's final rule—Availability of Information—received May 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6751. A letter from the Director, White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6752. A letter from the Director, White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6753. A letter from the Secretary, Department of Housing and Urban Development, transmitting a copy of the Government National Mortgage Association management report for the fiscal year ended September 30, 2001, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

6754. A letter from the Associate Attorney General, Department of Justice, transmitting the annual report of activities under the Freedom of Information Act for calendar year 2001, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

6755. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6756. A letter from the Chief Financial Officer, Export-Import Bank of the United States, transmitting the Bank's Annual Management Report for the year ended September 30, 2001, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

6757. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 2001–04; Introduction—received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6758. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 2001–06; Introduction—received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6759. A letter from the Board Members, Merit Systems Protection Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine