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No. 143

## House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. TOM DAVIS of Virginia).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

November 7, 2002.

I hereby appoint the Honorable TOM DAVIS 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, loving Father of all, You know all our comings in and our goings out. You help us reflect on our movements until we find a purity of intention in our actions. Be with this Nation and particularly with the Members of Congress that all may be Your servants of justice.

Lord, reward with peace and tranquility the American people who exercised their democratic right in electing men and women to govern local communities and this great Nation in the halls of Congress. Guide all those who are in transitions of life. Surround their families with Your love and deepen their faith in You at moments of fear and uncertainty.

May all those who were reelected to public office renew their commitments

to personal integrity and to build public trust. May their work be blessed and consecrated to You because it is undertaken not for personal gain, but as service to the common good of those they represent in a government of the people.

This we pray 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.

### REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore. Without objection, pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098 (c)), and upon the recommendation of the majority leader, the Chair an-

nounces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-year term:

Ms. Judith Flink, Morton Grove, Illinois.

There was no objection.

### ADJOURNMENT FROM FRIDAY, NOVEMBER 8, 2002 TO TUESDAY, NOVEMBER 12, 2002

The SPEAKER pro tempore. Without objection, when the House adjourns on Friday, November 8, it shall stand adjourned until 12:30 p.m. on Tuesday, November 12, 2002, for morning hour debates.

There was no objection.

### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

The SPEAKER pro tempore. Without objection, the business in order under the Calendar Wednesday rule shall be dispensed with on Wednesday next.

There was no objection.

### ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 11 a.m., Friday, November 8, 2002.

There was no objection.

### NOTICE

Effective January 1, 2003, the subscription price of the Congressional Record will be \$434 per year or \$217 for six months. Individual issues may be purchased for \$6.00 per copy. Subscriptions in microfiche format will be \$141 per year with single copies priced at \$1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

□ 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.



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Accordingly (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until tomorrow, Friday, November 8, 2002, at 11 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

9845. A letter from the Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, transmitting the Department's final rule — Direct and Counter-Cyclical Program (RIN: 0560-AG71) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9846. A letter from the Deputy Secretary, Department of Defense, transmitting a letter on the approved retirement of General Montgomery C. Meigs, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

9847. A letter from the Comptroller, Comptroller of the Currency, transmitting the Office's 2001 Annual Report, pursuant to 12 U.S.C. 14; to the Committee on Financial Services.

9848. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Section 8 Homeownership Program: Downpayment Assistance Grants and Streamlining Amendments [Docket No. FR-4670-F-02] (RIN: 2577-AC28) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9849. A letter from the Vice Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Kenya, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

9850. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Suspension of Community Eligibility [Docket No. FEMA-7793] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9851. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Final Flood Elevation Determinations — received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9852. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Final Flood Level Elevation Determinations — received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9853. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Changes in Flood Elevation Determinations — received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9854. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-D-7529] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9855. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — National Flood Insurance Program (NFIP); Group Flood Insurance Policy (GFIP) (RIN:

3067-AD31) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9856. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-P-7616] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9857. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Final Flood Elevation Determinations — received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9858. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporations's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9859. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Administration's final rule — Listing of Color Additives Exempt From Certification; Mica-Based Pearlescent Pigments [Docket No. 00C-1321] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9860. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Amendment to Examination and Investigation Sample Requirements [Docket No. 98N-0417] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9861. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Postmarket Surveillance [Docket No. 00N-1367] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9862. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Postmarketing Studies for Approved Human Drug and Licensed Biological Products; Status Reports; Delay of Effective Date [Docket No. 99N-1852] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9863. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Additional Criteria and Procedures for Classifying Over-the-Counter Drugs as Generally Recognized as Safe and Effective and Not Misbranded [Docket No. 96N-0277] (RIN: 0910-AA01) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9864. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed issuance of export licenses to Australia [Transmittal No. DTC 238-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9865. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement with Japan (Transmittal No. DTC 253-02), pursuant to 22 U.S.C. 2776(c) and 22 U.S.C. 2776(d);

to the Committee on International Relations.

9866. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the United Kingdom (Transmittal No. DTC 146-02), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9867. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9868. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2003-1, pursuant to Section 102 (a)(2) of the Arms Export Control Act; to the Committee on International Relations.

9869. A letter from the White House Liaison, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9870. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Iowa Regulatory Program [IA-011-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9871. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [WY-029-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9872. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-136-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9873. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Texas Regulatory Program [SPATS No. TX-048-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9874. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Utah Regulatory Program [SPATS No. UT-041-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9875. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Kentucky Regulatory Program [KY-238-FOR] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9876. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Trawl Gear in the Gulf of Alaska [Docket No. 011218304-1301-01; I.D. 101102A] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9877. A letter from the Senior Attorney, Financial Management Service, Department of the Treasury, transmitting the Department's final rule — Treasury Debt Collection (RIN: 1505-AA90) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9878. A letter from the Assistant Secretary for Legislative Affairs, Department of State,