



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, NOVEMBER 12, 2002

No. 145

House of Representatives

□ 0756

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DIAZ-BALART) at 7 o'clock and 56 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5710, HOMELAND SECURITY ACT OF 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-773) on the resolution (H. Res. 600) providing for consideration of the bill (H.R. 5710) to establish the Department of Homeland Security, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-774) on the resolution (H. Res. 601) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions re-

ported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 124, MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2003, AND H.R. 5708, REDUCING PRE-EXISTING PAYGO BALANCES, AND FOR OTHER PURPOSES

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-775) on the resolution (H. Res. 602) providing for consideration of the joint resolution (H.J. Res. 124) making further continuing appropriations for the fiscal year 2003, and for other purposes, and for consideration of the bill (H.R. 5708) to reduce pre-existing PAYGO balances, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. LINDER, from the Committee on Rules, submitted a privileged report

(Rept. No. 107-776) on the resolution (H. Res. 603) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOUGHTON (at the request of Mr. ARMEY) for today and the balance of the week on account of family illness.

ADJOURNMENT

Mr. LINDER. Mr. Speaker, pursuant to House Resolution 598, I move that the House do now adjourn in memory of the late Hon. PAUL D. WELLSTONE.

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes a.m.), pursuant to House Resolution 598, the House adjourned until today, Wednesday, November 13, 2002, at 10 a.m., in memory of the late Hon. PAUL D. WELLSTONE.

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.



Printed on recycled paper.

H8543

EXECUTIVE COMMUNICATIONS,
ETC.

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

9896. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Amendment to the Beef Promotion and Research Rules and Regulations [No. LS-99-20] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9897. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Exemption for Shipments of Tree Run Citrus [Docket No. FV02-905-4 IFR] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9898. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate [Docket No. FV02-906-1 IFR] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9899. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Kiwifruit Grown in California; Increased Assessment Rate [Docket No. FV02-920-4 FR] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9900. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Removing Dancy and Robinson Tangerine Varieties From the Rules and Regulations [Docket No. FV02-905-3 FIR] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9901. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon, and Irish Potatoes Imported Into the United States; Modification of Handling and Import

Regulations [Docket No. FV00-945-2 FR] received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9902. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Enforcement Network; Anti-Money Laundering Programs for Financial Institutions (RIN: 1506-AA28) received October 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9903. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Farm Labor Housing Technical Assistance (RIN: 0575-AC25) received October 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9904. A letter from the Assistant Secretary for Management and Chief Information Officer, Department of the Treasury, transmitting the Department of Treasury's Commercial and Government Activities Inventory in accordance with the Federal Activities Inventory Reform (FAIR) Act of 1998; to the Committee on Government Reform.

9905. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Acquisition Regulation: Contractor Performance Evaluations [FRL 7402-8] received October 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9906. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 100702A] received November 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9907. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Closure for the Catcher/Processor Sector [Docket No. 020402077-01; I.D. 101502B] received October 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9908. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and General Category Effort Controls [Docket No. 020612146-2211-02; I.D. 042602F] (RIN: 0648-AP90) received October 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9909. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended: Aliens Ineligible to Transit Without Visas (TWOV) (RIN: 1400-AA48) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9910. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 2002-NM-250-AD; Amendment 39-12932; AD 2002-22-07] (RIN: 2120-AA64) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9911. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-6 Airplanes [Docket No. 2002-CE-08-AD; Amendment 39-12914; AD 2002-21-08] (RIN: 2120-AA64) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9912. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30334; Amdt. No. 3027] (RIN: 2120-AA65) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9913. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule —

NOTICE

If the 107th Congress, 2d Session, adjourns sine die on or before November 22, 2002, a final issue of the Congressional Record for the 107th Congress, 2d Session, will be published on Monday, December 16, 2002, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Friday, December 13. The final issue will be dated Monday, December 16, 2002, and will be delivered on Tuesday, December 17, 2002.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerkhouse.house.gov>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Congressional Printing Management Division, at the Government Printing Office, on 512-0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

MARK DAYTON, *Chairman.*

Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30335; Amdt. No. 3028] (RIN: 2120-AA65) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9914. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment Class D Airspace; Huntington, WV [Airspace Docket No. 02-AEA-06] (RIN: 2120-AA66) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9915. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Titusville, FL [Airspace Docket No. 02-ASO-18] (RIN: 2120-AA66) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9916. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Knob Noster, Whiteman AFB, MO; Modification of Class E Airspace; Knob Noster, Whiteman AFB, MO [Airspace Docket No. 02-ACE-7] (RIN: 2120-AA66) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9917. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Gordon, NE [Airspace Docket No. 02-ACE-9] (RIN: 2120-AA66) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9918. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; Spruce Pine, NC [Airspace Docket No. 02-ASO-14] (RIN: 2120-AA66) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9919. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30336; Amdt. No. 438] (RIN: 2120-AA63) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9920. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Safety Zone; Mission Bay, San Diego, CA [COTP San Diego 02-022] (RIN: 2115-AA97) received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9921. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Disaster Assistance; Federal Assistance to Individuals and Households (RIN: 3067-AD25) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9922. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Dis-

aster Assistance; Federal Assistance to Individuals and Households (RIN: 3067-AD25) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9923. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Notice of Open Meeting — received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9924. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Time for performing certain acts postponed by reason of service in a combat zone or a Presidentially declared disaster (Rev. Proc. 2002-71) received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9925. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Unit Livestock Price Method [TD 9019] (RIN: 1545-BA25) received October 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STUMP: Committee of Conference. Conference report on H.R. 4546. A bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes (Rept. 107-772). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ENGLISH (for himself, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. FATTAH, Mr. DOYLE, Mr. GREENWOOD, Ms. HART, Mr. HOFFEL, Mr. HOLDEN, Mr. GEKAS, Mr. KANJORSKI, Mr. PETERSON of Pennsylvania, Mr. MURTHA, Mr. MASCARA, Mr. PITTS, Mr. PLATTS, Mr. SHERWOOD, Mr. SHUSTER, Mr. WELDON of Pennsylvania, and Mr. TOOMEY):

H.R. 5707. A bill to designate the facility of the United States Postal Service located at 141 Erie Street in Linesville, Pennsylvania, as the "James R. Merry Post Office"; to the Committee on Government Reform.

By Mr. NUSSLE:

H.R. 5708. A bill to reduce preexisting PAYGO balances, and for other purposes.

By Mr. HANSEN:

H.R. 5709. A bill to amend the Endangered Species Act of 1973 to limit the application of that Act with respect to actions on military land or private land and with respect to plants; to the Committee on Resources.

By Mr. ARMEY (for himself, Mr. DELAY, Mr. WATTS of Oklahoma, Ms.

PRYCE of Ohio, Mr. PORTMAN, Mr. THORNBERRY, Mr. GIBBONS, Ms. HARMAN, and Mrs. TAUSCHER):

H.R. 5710. A bill to establish the Department of Homeland Security, and for other purposes.

By Mr. YOUNG of Florida:

H.J. Res. 124. A joint resolution making further continuing appropriations for the fiscal year 2003, and for other purposes.

By Mrs. MORELLA (for herself, Mr. WOLF, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. BARTLETT of Maryland, Ms. NORTON, Mr. CANTOR, and Mrs. JO ANN DAVIS of Virginia):

H. Con. Res. 515. Concurrent resolution expressing the sense of Congress with respect to the recent sniper attacks in the Washington, D.C., area; to the Committee on Government Reform.

By Mr. ROYCE:

H. Res. 597. A resolution congratulating the Anaheim Angels for winning the 2002 World Series championship; to the Committee on Government Reform.

By Mr. OBERSTAR:

H. Res. 598. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Paul D. Wellstone, a Senator from the State of Minnesota; considered and agreed to.

By Mr. COX (for himself, Ms. SANCHEZ, Mr. ROHRBACHER, Mr. ROYCE, Mr. GARY G. MILLER of California, Mr. CALVERT, and Mr. ISSA):

H. Res. 599. A resolution congratulating the Anaheim Angels for winning the 2002 World Series; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HOLT introduced A bill (H.R. 5711) for the relief of Durreshahwar Durreshahwar, Nida Hasan, Asna Hasan, Anum Hasan, and Iqra Hasan; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 687: Mr. RODRIGUEZ.

H.R. 822: Ms. SCHAKOWSKY.

H.R. 831: Mr. POMBO.

H.R. 840: Mr. DELAHUNT, Mr. SANDERS, Mr. HONDA, Mr. HYDE, Mr. SENSENBRENNER, and Mr. ANDREWS.

H.R. 994: Mr. SCHIFF.

H.R. 1097: Ms. LOFGREN.

H.R. 1343: Mr. MOLLOHAN.

H.R. 1490: Mr. ABERCROMBIE.

H.R. 1581: Mrs. NORTHUP.

H.R. 1656: Mr. FROST.

H.R. 1990: Mr. OLVER and Mr. WEINER.

H.R. 2020: Mr. ANDREWS.

H.R. 2036: Mr. SOUDER, Mr. MURTHA, Ms. LEE, and Ms. ROS-LEHTINEN.

H.R. 2118: Mrs. JOHNSON of Connecticut and Mr. ANDREWS.