



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, MONDAY, APRIL 15, 2002

No. 41

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 15, 2002.

I hereby appoint the Honorable JOHN ABNEY CULBERSON 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 of heaven and earth, we bless You and praise You for our brothers and sisters in the Middle East, especially the Israeli and Palestinian people. Grant them peace.

When frightened by situations which seem impossible, we who share the faith of our father Abraham often turn to the psalmist to find voice.

The psalmist seems desperate yet single-minded as he prays:

“It is You, my king, my God who granted victories to Jacob. Through You we beat down our foes; In your name we trampled our aggressors.

For it is not in my bow that I trusted nor was I saved by my sword; It was You who saved us from our foes; It was You who put our foes to shame. All day long our boast was in God and we praised Your name without ceasing.”

In the end the psalmist seems to pray with an urgency that comes from a people who after a long time are accustomed to oppression and suffering:

“Awake, O Lord. Why do You sleep? Arise. Do not reject us forever.

Why do You hide Your face from us and forget our oppression and misery? For we are brought down low to the dust; our body lies prostrate on the earth.

Stand up and come to our help. Redeem us because of Your love.” Amen. 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.

ADJOURNMENT

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

There was no objection.

Accordingly (at 2 o’clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 16, 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:

6163. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency’s final rule—Acetamiprid; Pesticide Tolerance [OPP-301225; FRL-6829-3] (RIN: 2070-AB78) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6164. A letter from the Director, Office of Management and Budget, transmitting notification of the intention to modify the November 9, 2001 release of funds from the Emergency Response Fund; (H. Doc. No. 107-199); to the Committee on Appropriations and ordered to be printed.

6165. A communication from the President of the United States, transmitting notification of the intention to reallocate funds previously transferred from the Emergency Response Fund; (H. Doc. No. 107-200); to the Committee on Appropriations and ordered to be printed.

6166. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Department’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 March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6167. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule—Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Partial Final Rule for Combination Drug Products Containing a Bronchodilator [Docket No. 76N-052G] (RIN: 0910-AA01) received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6168. A letter from the Director, Regulations Policy and Management, Department of Health and Human Services, transmitting the Department’s final rule—Foreign Establishment Registration and Listing [Docket No. 98N-1215] (RIN: 0910-AB21) received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6169. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production; Good Cause Final Rule [FRL-7162-7] (RIN: 2060-AJ34) received March 22, 2002, pursuant to 5 U.S.C.

□ 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.

H1287

801(a)(1)(A); to the Committee on Energy and Commerce.

6170. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production [FRL-7162-5] (RIN: 2060-AJ34) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6171. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [Mo 114-1114b, FRL-7162-9] received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6172. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the Government of Austria (Transmittal No. 02-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

6173. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 10-02 which informs the intent to sign a Project Arrangement between the United States and the United Kingdom concerning Waterside Security System (Sonar) under the Research and Development Projects (RDP) Memorandum of Understanding, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6174. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 11-02 which informs the intent to sign a Project Arrangement between the United States and Sweden concerning Environmental Fate and Ecotoxicology of Chemical Warfare Agents under the Technology Research and Development Projects (TRDP) Memorandum of Understanding, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6175. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 09-02 which informs of the intention to sign a Memorandum of Understanding (MOU) between the United States, the United Kingdom, Canada, Denmark and Norway concerning the Cooperative Framework for the System Development and Demonstration (SDD) Phase of the Joint Strike Fighter (JSF) Program and the Danish and Norwegian Supplements, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6176. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles to India [Transmittal No. DTC 01-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6177. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles to India [Transmittal No. DTC 171-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6178. 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 commercially under a contract to Germany and Russia [Transmittal No. DTC 124-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6179. 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 commercially under a contract to Egypt [Transmittal No. DTC 46-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6180. 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 commercially under a contract to Turkey [Transmittal No. DTC 172-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6181. 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 commercially under a contract to Saudi Arabia [Transmittal No. DTC 132-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6182. 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 commercially under a contract to Japan [Transmittal No. DTC 16-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6183. 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 commercially under a contract to the Republic of Korea [Transmittal No. DTC 024-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6184. 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 commercially under a contract to the Germany and Saudi Arabia [Transmittal No. DTC 033-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6185. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6186. 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 Exclusive Economic Zone off Alaska; Pacific Cod by Vessels Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 010112013-1013; I.D. 112301F] received March 19, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6187. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model HP.137 Jetstream MK.1, Jetstream Series 200, and Jetstream Series 3101 Airplanes [Docket No. 2000-CE-58-AD; Amendment 39-12643; AD 20002-03-02] (RIN: 2120-AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. BOEHLERT: Committee on Science. H.R. 3389. A bill to reauthorize the National Sea Grant College Program Act, and for

other purposes; with the amendment (Rept. 107-369 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3347. A bill to provide economic relief to general aviation entities that have suffered substantial economic injury as a result of the terrorist attacks perpetrated against the United States on September 11, 2001; with an amendment (Rept. 107-406 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. House Resolution 261. Resolution recognizing the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contributions to the construction of the Capital of the United States (Rept. 107-407). Referred to the House Calendar.

Mr. HANSEN: Committee on Resources. H.R. 2114. A bill to amend the Antiquities Act regarding the establishment by the President of certain national monuments and to provide for public participation in the proclamation of national monuments; with an amendment (Rept. 107-408). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Financial Services and the Budget discharged from further consideration. H.R. 3347 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3347. Referral to the Committee on Financial Services and the Budget extended for a period ending not later than April 15, 2002.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BALLENGER:

H.R. 4216. A bill to suspend through December 31, 2005, the duty on certain textile machinery; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 4217. A bill to suspend temporarily the duty on certain filament yarns; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 4218. A bill to suspend temporarily the duty on certain filament yarns; to the Committee on Ways and Means.

By Mr. BALLENGER:

H.R. 4219. A bill to reduce through December 31, 2005, the duty on certain textile machinery; to the Committee on Ways and Means.

By Mr. BALLENGER:

H.R. 4220. A bill to suspend through December 31, 2005, the duty on certain textile machinery; to the Committee on Ways and Means.

By Mr. BALLENGER:

H.R. 4221. A bill to suspend through December 31, 2005, the duty on certain textile machinery; to the Committee on Ways and Means.

By Mr. BORSKI:

H.R. 4222. A bill to provide for the elimination of duty on TOPSIN; to the Committee on Ways and Means.

By Mr. BORSKI:

H.R. 4223. A bill to provide for the elimination of duty on Thiophanate-Methyl; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 4224. A bill to suspend temporarily the duty on night vision monoculars; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 4225. A bill to suspend temporarily the duty on D-Mannose; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 4226. A bill to suspend temporarily the duty on Bio-Set Injection RCC; to the Committee on Ways and Means.

By Mr. MORAN of Kansas:

H.R. 4227. A bill to codify and extend the current Department of Agriculture program to promote the use of agricultural commodities by bioenergy producers, particularly small-scale producers, to produce ethanol and biodiesel fuels; to the Committee on Agriculture.

By Mr. PORTMAN:

H.R. 4228. A bill to suspend until December 31, 2005, the duty on Penta Amino Aceto Nitrate Cobalt III (CoFlake 2); to the Committee on Ways and Means.

By Mr. SANDLIN:

H.R. 4229. A bill to amend the Internal Revenue Code of 1986 to repeal estate, gift, and generation-skipping transfer taxes; to the Committee on Ways and Means.

By Mr. LYNCH:

H. Con. Res. 376. Concurrent resolution recognizing ironworkers for their service in the

rescue and recovery efforts in the aftermath of the terrorist attacks against the United States on September 11, 2001; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

Mr. LYNCH:

H.R. 4230. A bill to provide for the liquidation or reliquidation of certain entries of tomato sauce preparation; which was referred to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

- H.R. 77: Mr. SHIMKUS.
- H.R. 854: Mr. REYES, Mr. DEMINT, Mr. NEY, Mr. HINOJOSA, Mr. JONES of North Carolina, Ms. WATSON, Mr. PASTOR, Mr. SHERMAN, Mr. MORAN of Virginia, Mr. GALLEGLY, Mr. MASCARA, Mr. NORWOOD, Mr. SESSIONS, Mr. BONILLA, and Mr. GANSKE.
- H.R. 1294: Mr. CARSON of Oklahoma.
- H.R. 1323: Mr. BONIOR.
- H.R. 1360: Mr. BERMAN, Mr. LIPINSKI, Mrs. MCCARTHY of New York, Mr. STARK, Mr. BACA, and Ms. RIVERS.

- H.R. 1433: Mr. BONIOR.
- H.R. 1784: Mr. DINGELL.
- H.R. 2073: Mr. LINDER.
- H.R. 2802: Mr. NORWOOD.
- H.R. 3236: Mr. CUMMINGS, Ms. DELAURO, Ms. WATSON, Mr. HILLIARD, and Mr. GUTIERREZ.
- H.R. 3337: Mr. TERRY, Mr. BROWN of South Carolina, and Mr. HEFLEY.
- H.R. 3459: Ms. NORTON and Mr. WATT of North Carolina.
- H.R. 3521: Mr. ISRAEL.
- H.R. 3657: Mr. DEFazio.
- H.R. 3710: Mr. HEFLEY and Mr. CUMMINGS.
- H.R. 3732: Mr. LARSON of Connecticut.
- H.R. 3827: Mr. ROSS.
- H.R. 3836: Mr. GREEN of Wisconsin and Ms. MILLENDER-MCDONALD.
- H.R. 3906: Mr. WAXMAN.
- H.R. 3915: Ms. SOLIS.
- H.R. 3916: Mr. CAPUANO, Mr. DAVIS of Illinois, Ms. ROYBAL-ALLARD, and Ms. SOLIS.
- H.R. 4021: Ms. NORTON, Mr. OWENS, Mr. PAYNE, and Mr. DAVIS of Illinois.
- H.R. 4034: Ms. SANCHEZ and Mr. TOWNS.
- H.R. 4046: Mr. WAXMAN.
- H.R. 4114: Mr. BLUMENAUER, Mr. MORAN of Virginia, Mr. LYNCH, Mr. WEXLER, Mr. MCGOVERN, and Mr. FRANK.
- H.R. 4156: Mr. WILSON of South Carolina, Mr. MCINNIS, Mr. JONES of North Carolina, Mr. MORAN of Kansas, and Mr. FORBES.
- H.J. Res. 12: Mr. PICKERING.
- H. Con. Res. 99: Mr. WATT of North Carolina, Mr. ROTHMAN, and Mr. STUPAK.
- H. Con. Res. 181: Mr. NUSSLE.
- H. Res. 105: Mrs. CAPPS and Mr. OWENS.