



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, MONDAY, APRIL 29, 2002

No. 50

## 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 29, 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 eternal, over the weekend we assembled for worship, that we may keep Your commands and keep holy the day set aside for You.

Now we ask You to bless our work and our coworkers.

Make our labor holy because it is dedicated to You and performed in Your spirit.

Be attentive to the needs of this Nation and to all who serve in the military and in government.

We pray for the sick and those who care for them.

Show Your loving presence to all those who are fearful or in distress.

Grant determination and rehabilitation to all who suffer loss or are in recovery from drugs or natural disasters.

Hear the prayers we offer with renewed faith, for our trust is in You, 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. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS 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.

### NUCLEAR WASTE STORAGE AT YUCCA MOUNTAIN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, today, I come to the well of the House to discuss the risk of storing high-level deadly nuclear waste in a hole in the Nevada desert called Yucca Mountain. Mr. Speaker, this will be the first geologic repository for high-level nuclear waste.

No one can predict what the next 10,000 years will bring at Yucca Mountain, no matter whether we are discussing seismic activity, volcanic activity or meteorological activity. Mr. Speaker, how can we even decide what language to use on the "no trespassing" signs that will be pertinent 10,000 years from now?

Regardless of what the DOE crystal ball may show, the future is unknown, as is the stability of Yucca Mountain. Even DOE's own scientists question its suitability. No matter how many billions of dollars the DOE has spent on Yucca Mountain, they still cannot make that mountain a geologically-sound repository. Instead, they have to rely on engineered barriers, barriers which could just as easily be used on

site, thereby diverting disastrous transportation risks.

Mr. Speaker, the Yucca Mountain project is fatally flawed; and no amount of money, nor square pegs in a round hole, can keep Nevadans and Americans safe from its failings.

### COMMUNICATION FROM CHIEF OF STAFF OF HON. XAVIER BECERRA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Krista Atteberry, Chief of Staff, of the Honorable XAVIER BECERRA, Member of Congress:

XAVIER BECERRA,  
Washington, DC, April 22, 2002.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that the Custodian of Records, Office of Congressman XAVIER BECERRA, has been served with a subpoena for documents issued by the Los Angeles County Superior Court of California.

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

Sincerely,  
KRISTA ATTEBERRY,  
Chief of Staff.

### OMISSION FROM THE CONGRESSIONAL RECORD OF APRIL 25, 2002, AT PAGE H1670

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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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H1677

CORRECTION TO THE CONGRESSIONAL RECORD OF APRIL 25, 2002, AT PAGE H1670

The following 5 minute special order was inadvertently attributed to Mr. NORWOOD:

**BANNING COCKFIGHTING**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the opportunity to spend a moment on the floor of the House this afternoon dealing with an issue that passed this House by voice vote overwhelmingly during the discussion on the agricultural bill earlier this session.

We now have in conference the ag bill that seems to be moving forward. I have grave concerns in one particular area, Mr. Speaker, that I am going to be working over the course of the next few days to seek clarification because I want to make sure that the intent of the House and the Senate are preserved in the final form that comes out of conference.

Mr. Speaker, there has been a practice of cockfighting, game hens, that has been tolerated by this Congress even though it is now illegal in 47 States. The public long ago has come to the point that this practice is inherently inhumane and barbaric.

□ 1545

The handlers of these fighting birds drug the animals to heighten their aggression and to clot the blood. They affix knives or ice picks like gaffs to their legs and place them into a pit to fight until one of them is dead, all for amusement and illegal gambling.

Mr. Speaker, this barbaric practice is slowly being made illegal around the country. It is currently legal in only three States. The problem is that under current law it is still legal to transport these birds from States where it is illegal to States that it is legal, and this loophole is exploited to allow people to maintain, to train, and it facilitates illegal game bird fighting.

Last October, my colleague, the gentleman from Colorado (Mr. TANCREDO), and I offered two amendments to the farm bill that would close these loopholes and strengthen the penalty for violations of animal fighting laws. These two amendments were passed overwhelmingly by this body by voice vote, adopted in identical form in the Senate. This, in fact, should not even be a conference item. Identical language was adopted by both the House and the Senate. The intent of both Chambers was to close the loophole, ban foreign export of fighting animals, and increase the penalty.

According to the House Agriculture Committee's Web site, a conference committee is permitted to deal only with matters in disagreement between the House and the Senate. It may not change language that both have previously approved.

Unfortunately, it is pretty clear to me that people are, in fact, looking at watering down the penalty provisions in particular, and to deal with problems, some people are saying, I have been told by one high-ranking member of the conference committee that they are concerned that there is not a problem with 4-H clubs dealing with raising these chickens that the 4-H'ers produce.

Well, first of all, to prosecute a cockfighting case, law enforcement officers must have evidence of the illegal activity. The birds intended to be used in these cock fights are identifiable by several indicators, including the special structures that they are kept in, the fighting paraphernalia, the specific drugs that are provided to them to heighten the aggression and to aid the blood clotting.

The Animal Welfare Act already prohibits interstate transports for dogs for fighting purposes, and we have not had anybody come to this floor and say, well, we have these provisions in Federal law and we cannot have legitimate show-dog activities, that it is interfering with the buying, transport, and delivery of animals for purposes that do not impact animal fighting. Of

course not. Reasonable people apply the laws reasonably, and this is absolutely specious.

There is a problem, however, because people will run through this loophole to continue to exploit the illegal game fighting that is happening in these States where it is illegal but it is legal to grow them, legal to train them, legal to transport them.

One of the problems is that the current penalties are 26 years old. They are not high enough to warrant prosecution of violations. What we hear from the U.S. Department of Justice and the USDA, that they have indicated that they would give more consideration if they were a felony and included higher fines and jail time.

That is what the House passed. That is what the conference committee should protect, and if we are not able to do that, Mr. Speaker, it is my intention to bring a motion to this floor to instruct the conferees to respect the rights and the will of the House and the Senate and to do what the American people want and end this cruel and barbaric practice.

**BILLS PRESENTED TO THE PRESIDENT**

Jeff Trandahl, Clerk of the House reports that on April 26, 2002 he presented to the President of the United States, for his approval, the following bills.

H.R. 861. To make technical amendments to section 10 of title 9, United States Code.

H.R. 4167. To extend for 8 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

**ADJOURNMENT**

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 30, 2002, at 12:30 p.m., for morning hour debates.

**EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL**

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the third and fourth quarters of 2001, by Committees of the House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the third and fourth quarters of 2001, pursuant to Public Law 95-384, are as follows:

**AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2001**

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Bob Schaffer .....	8/21	8/23	Lvov, Ukraine .....	.....	479.52	.....	(3)	.....	.....	.....	479.52
.....	8/23	8/26	Kiev, Ukraine .....	.....	907.68	.....	(3)	.....	.....	.....	907.68
Stephanie Milburn <sup>4</sup> .....	8/21	8/23	Lvov, Ukraine .....	.....	479.52	.....	(3)	.....	.....	.....	479.52
.....	8/23	8/26	Kiev, Ukraine .....	.....	907.68	.....	(3)	.....	.....	.....	907.68
Committee total .....	.....	.....	.....	.....	2,774.40	.....	.....	.....	.....	.....	2,774.40

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.  
<sup>4</sup> To participate in Schaffer CODEL.