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 4, 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, You are the creator and salvation of Your people. You raise up the lowly and put down the high and the mighty to accomplish Your holy will.

Be with the people of the United States of America as they approach the election of those who will be given legislative power to govern this grand and free Nation in the coming year.

Lord, the Constitution of the United States assures citizens of this country the right to vote. Tomorrow may citizens across this Nation find within themselves the internal freedom to exercise this sacred right. By their participation in the voting process and by their understanding of world events and the needs of Your people, may they make wise choices and witness to the world the beauty and lasting values of this Republic.

May incumbent Members and all who seek to serve in this House of Representatives be blessed in campaigning, as well as in victory or defeat, be with them.

May they be remembered only for gracious words and noble deeds which will prove them to be leaders of a Nation founded upon respected diversity and the common pursuit of virtue.

Make this Nation strong and ever more powerful in Your sight by the free and unobstructed election of Your 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.

ADJOURNMENT
The Speaker pro tempore. Without objection, when the House adjourns today, it shall stand adjourned until 11 a.m. on Thursday, November 7; and further, when the House adjourns on that day, it shall stand adjourned until 11 a.m. on Friday, November 8.

There was no objection.

COMMUNICATION FROM CHIEF OF STAFF OF HONORABLE WILLIAM L. JENKINS, MEMBER OF CONGRESS
The Speaker pro tempore laid before the House the following communication from Brenda J. Otterson, Chief of Staff to the Honorable William L. Jenkins, Member of Congress:

WASHINGTON, DC, October 30, 2002.

Hon. Dennis Hastert,
Speaker, 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 I have been served with a subpoena for testimony issued by the U.S. District Court for the Middle District of Tennessee.

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

Sincerely,
Brenda J. Otterson,
Chief of Staff.

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.
COMMUNICATION FROM THE HONORABLE KENNETH E. BENTSEN, JR., MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable Kenneth E. Bentsen, Jr., Member of Congress:

House of Representatives,
Washington, DC, October 31, 2002.

Hon. J. Dennis Hastert,
Speaker, 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 I have been served with a subpoena for testimony and documents issued by the 351st Criminal District Court for Harris County, Texas. After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

Kenneth E. Bentsen, Jr., Member of Congress.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 11 a.m. on Thursday, November 7, 2002.

There was no objection.

Accordingly (at 11 o’clock and 5 minutes a.m.), under its previous order, the House adjourned until Thursday, November 7, 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:


9832. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9833. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9834. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


9836. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9837. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9838. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9839. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9840. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9841. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9842. A letter from the Office of General Counsel, Department of Transportation, transmitting the Department’s final rule — Proposed Rulemaking — Medicare Payment System and Calendar Year 2003 Reporting of Information About Foreign Safety Recalls and Rule to Potential Defects (Docket No. NHTSA 2001-10773; Notice 3) (RIN: 2127-A126) received October 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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 on Armed Services.

H. Res. 5132. A bill to express the sense of Congress concerning the fiscal year 2003 end strengths needed for the Armed Forces to fight the War on Terrorism; with an amendment (Rept. 107-771). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

Mr. NADLER (for himself, Ms. NOPTON, Mr. SERRANO, Mrs. MCCARTHY of New York, Mr. MEeks of New York, and Mr. OWENS) introduced a bill (H.R. 5704) to provide that Community Development Block Grant funds relating to the recovery of New York City from the September 11 attacks shall not be subject to Federal taxation; 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. 218: Mr. MURTHA.

H. R. 590: Mr. LANDEYIN.

H. R. 578: Mr. SIMPSON.

H. R. 3741: Mr. ANDREWS.

H. R. 3961: Ms. RIVERS, Ms. WOOLSEY, and Ms. ESCH.

H. R. 5218: Mr. MEeks of New York.

H. R. 5598: Mr. HINCHEN and Mr. ENGEL.

H. J. Res. 97: Ms. KILPATRICK.

H. Con. Res. 127: Mr. BONIOR.

H. Con. Res. 463: Mr. BONIOR.
The Senate met at 10:30 a.m. and was called to order by the Honorable PAUL S. SARBANES, a Senator from the State of Maryland.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAUL S. SARBANES, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD, President pro tempore.

Mr. SARBANES thereupon assumed the chair as Acting President pro tempore.

ADJOURNMENT UNTIL 10:30 A.M., THURSDAY, NOVEMBER 7, 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in adjournment until the hour of 10:30 a.m. on Thursday, November 7, 2002.

Thereupon, the Senate, at 10:31 a.m., adjourned until Thursday, November 7, 2002, at 10:30 a.m.

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 “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

S10803

Printed on recycled paper.
Mr. Speaker, Adam Kirschner was raised in East Chicago, Indiana and graduated from Roosevelt High School in Munster Indiana. Sergeant Adam Kirschner was trained by the United States Army on April 11, 1941. After several months of training, Edward Szczepanski was called into service by the United States Army on April 11, 1941.

Sergeant Adam Kirschner was inducted into active duty in the Army on March 2, 1943. He participated in the Landing at Normandy on D-Day, and he continued to fight into Northern France and the Rhineland. Sergeant Kirschner scouted new terrain searching for minefields and enemy troops. He was subjected to heavy artillery, mortar, and small arms fire, but his superior skill and his desire to fulfill his duty guided him. Adam earned many medals and awards for his bravery, including the Bronze Star and the Purple Heart Medal. He separated from the Army on November 16, 1945, and returned to his wife, Theresa, in East Chicago, where they raised a loving family. Sergeant Kirschner has remained loyal to Northwest Indiana by participating in several service organizations, including the American Legion, Purple Heart Association, and the D.A.V.

Mr. Speaker, Joseph Giorgio was also raised in East Chicago and enlisted in the Army after graduating from Roosevelt High School. He joined the Army on August 3, 1944 and served in the Third Infantry Division, 30th Regiment, Company I. On March 15, 1945, Joseph was leading an attack with two other men against German forces in the town of Schmittviller, Germany. Joseph lost one leg and an eye after stepping on a landmine. The explosion alerted the Germans to the American position, and a battle ensued. During the battle, Joseph was shot by German forces and was left for dead. His two companions were also shot and were rescued by American forces. They believed he had lost his life. His miraculous will to live carried Joseph through the night, and when another battle began the next day Joseph called out for help and was rescued. Joseph was discharged from the Army on December 12, 1945, earning many awards, including two Bronze Stars, a Purple Heart, and the French Croix de Guerre with a Bronze Palm, the highest honor given to a soldier by the French Government, for his heroism.

Edward Szczepanski was called into service by the United States Army on April 11, 1941. After several months of training, Edward arrived in Ora Bay, New Guinea to begin what would be a 27-month tour of duty as a Technical Sergeant with the 38th Division, 151st Infantry. He risked his life in order to save the lives of others while fighting in New Guinea, the Philippines, and the Island of Corregidor. He was awarded numerous medals for his bravery, including the Asiatic Pacific Theater Ribbon with five Bronze Stars, the Philippine Liberation Ribbon with Bronze Star, the Expert Rifle Badge, and the Good Conduct Medal. Edward was also selected to be a member of the Honor Guard for General Douglas MacArthur on his return to Corregidor. Edward separated from the Army on October 4, 1945, and returned to his home in East Chicago, where he later married his wife, Dorothy, and raised a family while serving as an active member of the American Legion.

Mr. Speaker, Norman Schoon was a farmer from Wheatfield, Indiana before he entered the Army on January 25, 1943 at Fort Benjamin Harrison in Indianapolis, Indiana. Fewer than eleven months later, Norm was a Sergeant with the famed Golden Lion Division, the 423rd Infantry, 106th Division and fighting the last days of the "Battle of the Bulge." Norman was one of 7,000 American troops in his Division that were taken as prisoners of war and forced to endure harsh treatment by the German military. Four months after being imprisoned by the Germans, Norman was rescued by Allied troops on November 19, 1945. Norman separated from the Army on October 28, 1945 as a highly decorated and respected soldier. He later married his wife, Marti, and raised a family while becoming active in the VFW and the Purple Heart Member club.

Richard A. Krame joined the Army on March 10, 1943 at Fort Benjamin Harrison in Indianapolis. He was assigned to the 1st Brigade Engineers, who landed on Utah Beach in Normandy at 6:30 a.m. on June 6, 1944. Inclement weather forced the troops to fight only with small firearms. As the weather cleared, they were able to receive the supplies that they needed to fight their way off of the beach and into the heart of France. Richard fought in five engagements in Normandy, Northern France, Rhineland, Ardennes, and Central Europe. He also received the Croix de Guerre with a Star from the French Government, as well as many awards for his bravery from the Army. Richard separated from the Army on December 5, 1945, and is a proud member of his Schererville community.

Mr. Speaker, I ask that you and my other colleagues join me in thanking these five men, as well as our other former and current members of the United States military, for their bravery and valor in the face of danger. These brave men will be honored November 5 on the occasion of their retirement.

She holds a master of business administration from Wilkes University, a master of arts in public health nursing administration from Columbia University and a bachelor of science in nursing, from Cornell University-New York Hospital School of Nursing.

For more than 33 years, Mary Ann Keirans has dedicated herself to the mission of the Visiting Nurse Association, which has changed names several times over the years. She began working for the association in 1969 and has served as its administrator since August 1975.

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Mary Ann Keirans was a farmer from Wheatfield, Indiana before he entered the Army on April 11, 1941. After several months of training, Edward Szczepanski was called into service by the United States Army on April 11, 1941.
Mr. Speaker, I rise today in recognition of New York Artists Equity Association (NYAEA), now celebrating its 55th anniversary.

Since 1947, New York Artists Equity Association has been a strong advocate for legislation on behalf of visual artists, and has provided services to support the development of the visual arts in our communities. NYAEA not only fights for the future of the visual arts, but places the New York artistic community in the context of history, as a necessary component of society, one that enriches our lives.

New York Artists Equity Association’s mission of education, awareness, and support for the visual arts has provided the basis for its constant efforts. By promoting emerging artists in its wonderful Broome Street Gallery, it has successfully integrated those artists into the larger community. By preserving endangered visual art work, it assures the record of our rich artistic past. Through educational outreach, it has developed a new audience which is constantly expanding.

Mr. Speaker, I particularly commend NYAEA, under the leadership of its Executive Director, Regina Stewart, for supporting visual artists at a time when the resources they receive from the government are simply not enough. NYAEA has provided support for many visual artists who otherwise would not have received help. Through referrals, legal services, and health care programs, the Association helps ensure economic stability for visual artists who might otherwise be forced to abandon their talents due to economic difficulties. By providing, communication within the community, it helps establish a strong support base for issues relevant to artists’ needs.

I stand here today to thank New York Artists Equity Association for all it has done to advocate for visual artists, consistent with the needs of their community. I am proud that NYAEA is in my Congressional District, and that its work reaches far beyond my District to help visual artists in the larger community. I also want to thank one of the Association’s Past Vice Presidents, Doris Wyman, who serves on my Arts Advisory Committee, for consistently championing the needs of visual artists. Because of my on-going work with this fine organization and their leadership, I know of their constant efforts to change regressive policies on the arts and I commend them.

For fifty-five years, NYAEA has supported visual artists and been a passionate advocate for their causes. I salute New York Artists Equity Association for helping to assure a stable artistic community—one that is, and always must be, an integral part of our heritage and culture.
Monday, November 4, 2002

Daily Digest

Senate

Chamber Action

Routine Proceedings, page S10803

Senate met at 10:30 a.m. in pro forma session, and adjourned at 10:31 a.m., until 10:30 a.m., on Thursday, November 7, 2002.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 1 public bill, H.R. 5704, was introduced.

Page H8054

Reports Filed: Reports were filed today as follows:

Page H8054

H.R. 5132, to express the sense of Congress concerning the fiscal year 2003 end strengths needed for the Armed Forces to fight the War on Terrorism, amended (H. Rept. 107–771).

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia to act as Speaker pro tempore for today.

Meeting Hours—Thursday, Nov. 7 and Friday, Nov. 8: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. on Thursday, November 7 and agreed that when the House adjourns on Thursday, it adjourn to meet at 11 a.m. on Friday, November 8.

Quorum Calls—Votes: There were no quorum calls or recorded votes during the proceedings of the House today.

Adjournment: The House met at 11 a.m. and adjourned at 11:05 a.m.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, October 31, 2002, p. D1117)

H.R. 669, to designate the facility of the United States Postal Service located at 127 Social Street in Woonsocket, Rhode Island, as the “Alphonse F. Auclair Post Office Building”. Signed on October 30, 2002. (Public Law 107–261)

H.R. 670, to designate the facility of the United States Postal Service located at 7 Commercial Street in Newport, Rhode Island, as the “Bruce F. Cotta Post Office Building”. Signed on October 30, 2002. (Public Law 107–262)

H.R. 3034, to redesignate the facility of the United States Postal Service located at 89 River Street in Hoboken, New Jersey, as the “Frank Sinatra Post Office Building”. Signed on October 30, 2002. (Public Law 107–263)


H.R. 3740, to designate the facility of the United States Postal Service located at 925 Dickinson Street in Philadelphia, Pennsylvania, as the “William A.
Cibotti Post Office Building”. Signed on October 30, 2002. (Public Law 107–266)

H.R. 4102, to designate the facility of the United States Postal Service located at 120 North Maine Street in Fallon, Nevada, as the “Rollan D. Melton Post Office Building”. Signed on October 30, 2002. (Public Law 107–267)

H.R. 4717, to designate the facility of the United States Postal Service located at 1199 Pasadena Boulevard in Pasadena, Texas, as the “Jim Fonteno Post Office Building”. Signed on October 30, 2002. (Public Law 107–268)

H.R. 4755, to designate the facility of the United States Postal Service located at 204 South Broad Street in Lancaster, Ohio, as the “Clarence Miller Post Office Building”. Signed on October 30, 2002. (Public Law 107–269)

H.R. 4794, to designate the facility of the United States Postal Service located at 1895 Avenida Del Oro in Oceanside, California, as the “Ronald C. Packard Post Office Building”. Signed on October 30, 2002. (Public Law 107–270)

H.R. 4797, to redesignate the facility of the United States Postal Service located at 265 South Western Avenue, Los Angeles, California, as the “Nat King Cole Post Office”. Signed on October 30, 2002. (Public Law 107–271)

H.R. 4851, to redesignate the facility of the United States Postal Service located at 6910 South Yorktown Avenue in Tulsa, Oklahoma, as the “Robert Wayne Jenkins Station”. Signed on October 30, 2002. (Public Law 107–272)

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 5, 2002

Senate
No meetings/hearings scheduled.

House
No committee meetings are scheduled.
Next Meeting of the SENATE
10:30 a.m., Thursday, November 7

Senate Chamber

Program for Thursday: Senate will meet in pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
11 a.m., Thursday, November 7

House Chamber

Program for Thursday: Pro forma session.

Extensions of Remarks, as inserted in this issue

HOUSE

Kanjorski, Paul E., Pa., E1975
Nadler, Jerrold, N.Y., E1976
Visclosky, Peter J., Ind., E1975