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 Speaker pro tempore led the House in the Pledge of Allegiance.

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.

PLEDGE OF ALLEGIANCE
The Speaker pro tempore. The Speaker pro tempore led the House in the Pledge of Allegiance.

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 announces 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
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 Investment Evaluation Division, Department of Agriculture, transmitting the Department’s final rule — Direct and Counter-Cyclical Program (RIN: 0556-AO71) 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.


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 Grant 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. 653(b)(8)(i); to the Committee on Financial Services.


9855. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency’s final rule — Flood Insurance Program (NPITP); 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.


9857. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Department’s final rule — Federal Insurance Contributions Act [Docket No. FEMA-P-2003-1] pursuant to Section 102(a)(2) of the Arms Export Control Act; to the Committee on International Relations.


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 of Drugs — Postmarket Surveillance [Docket No. 69N-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 — Additional Criteria and Procedures for Approving New Drug Applications as Generally Recognized as Safe and Effective and Not Misbranded [Docket No. 96N-0277] (RIN: 0910-AAG1) 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 Surveillance for Drugs for Sexual Use and Licensed Biological Products; Status Reports; Delay of Effective Date [Docket No. 96N-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 Approving New Drug Applications as Generally Recognized as Safe and Effective and Not Misbranded [Docket No. 96N-6277] (RIN: 0910-AAG1) 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-F2] received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

9865. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed issuance of export licenses to Japan [Transmittal No. DTC 253-F2]; pursuant to 5 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 issuance of export licenses to Singapore [Transmittal No. DT 146-F2]; pursuant to 5 U.S.C. 801(a)(1)(A); 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. 112(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 — Notice of Final Rulemaking for the Federal Coal Leasing Competitive Bidding Program [Docket No. 2003-1, pursuant to Section 102(a)(2) of the Arms Export Control Act] 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 — Texas Regulatory Program [SPATS No. TX-018-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 — 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.

9874. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department’s final rule — Utah Regulatory Program [UT-048-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. 011218304-1901-01; 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 Resources.

9878. A letter from the Assistant Secretary for Legislative Affairs, Department of State,
transmitting a report pursuant to section 219 of the Immigration and Nationality Act as added by the Antiterrorism and Effective Death Penalty Act of 1996 and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

9679. A letter from the Acting Deputy Counsel, Small Business Administration, transmitting the Administration’s final rule — Pre-Disaster Mitigation Loans (RIN: 3245-AE44) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

9680. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans Affairs, transmitting the Department’s final rule — Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) (RIN; 2900-AK89) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans’ Affairs.

9681. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service’s final rule — Tax forms and instructions (Rev. Proc. 2002-70) received November 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

401. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 50 memorializing the Congress of the United States that the Legislature of the State of California recognizes that the United States Military Academy at West Point is a living testament to the accomplishments of the United States throughout its history; to the Committee on Armed Services.

402. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 42 memorializing the Congress of the United States to approve legislation that increases and reauthorizes funding for the Child Care and Development Block Grant; to the Committee on Education and the Workforce.

403. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 38 memorializing the President and Congress of the United States to reject legislation that inappropriately impedes the progress of medical science by impeding stem cell and therapeutic cloning research, and denies Americans legal access to effective medical therapies; to the Committee on Energy and Commerce.

404. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 49 memorializing the President, Congress, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and the California Congressional delegation to seek the immediate release to the State Department of Health Services, and thereby to the California public, of the California-specific findings from the 1989 CDC National Report on Human Exposure to Environmental Chemicals; to the Committee on Energy and Commerce.

405. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 40 memorializing the President and Congress of the United States that the Congress and the United States Trade Representative should preserve the traditional powers of state and local governments; to the Committee on International Relations.

406. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 51 memorializing the President and Congress of the United States to reinstate the $34 million in funding for the United Nations Population Fund; to the Committee on International Relations.

407. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 52 memorializing the President and Congress of the United States to enact S. 2335, the California Wild Heritage Act of 2002; to the Committee on Resources.

408. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 41 memorializing the Congress of the United States to enact either S. 1829 or H.R. 395, or both, without the provisions that provide for an expedited naturalization process, as the Airport Security Personnel Protection Act; to the Committee on Transportation and Infrastructure.

409. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 48 memorializing the President and Congress of the United States to make sufficient funds available to California to support the state’s Fire Service first responder preparedness needs; to the Committee on Transportation and Infrastructure.

410. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 46 memorializing the President and Congress of the United States to consider the removal of trade, financial, and travel restrictions relating to Cuba; jointly to the Committees on International Relations and Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 1520: Mr. WOLF and Mr. LOBIONDO.

H.R. 3397: Ms. MILLENDER-MCDONALD.

H.R. 3484: Ms. RIVERA and Mr. GORDON.

H.R. 3492: Mrs. CLAYTON and Mr. OWENS.
The Senate met at 10:31 a.m., and was called to order by the Honorable EDWARD M. KENNEDY, a Senator from the Commonwealth of Massachusetts.

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 legislative clerk read the following letter:

U.S. SENATE,
WASHINGTON, D.C., NOVEMBER 8, 2002.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD M. KENNEDY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

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Michael F. DiMario, Public Printer
EXTENSIONS OF REMARKS

HONORING DR. CHAN-LIN TIEN

HON. ROBERT T. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 7, 2002

Mr. MATSUI. Mr. Speaker, with the passing of Dr. Chan-Lin Tien, the Asian American community as well as the entire nation, has lost an extraordinary educator, scientist, and leader. I rise today joining many friends and admirers across the country and around the world in expressing my deepest sympathy to Dr. Tien’s wife, Di-Hwa and his three children, Norman, Phyllis and Christine.

Dr. Tien’s remarkable legacy is evident in the fact that his presence could be felt in many fields of study. But Dr. Tien’s contributions went far beyond the academic. By bringing his passion, enthusiasm, and personality to each new endeavor, Dr. Tien touched countless lives and inspired people from all walks of life to achieve excellence.

As the University of California at Berkeley’s seventh Chancellor, Dr. Tien became the first Asian American to head a major research university in the United States. As Chancellor, Dr. Tien was known for the energy and personal touch he brought to his job. A leader in the right for affirmative action in the UC admissions process, Dr. Tien understood the great value that diversity brings to institutions of learning and to the fabric of our nation. All members of the University community—staff, faculty, students, and alumni—were enriched by Dr. Tien’s vision and warmth.

Though Dr. Tien was first and foremost a man of science and learning, he was also deeply committed to opening doors for Asian Pacific Americans in all areas of public life and leadership. As a founding board member of the Asian Pacific American Institute for Congressional Studies (APAICS), his efforts will undoubtedly continue to inspire future generations of APA leaders.

Dr. Tien strove to cultivate excellence in the academic world, in government, and in the APA community. Dr. Tien truly was a giant in his field, and his loss will be deeply felt in the hearts of those who had the privilege of knowing and working with him. He will be greatly missed.
Thursday, November 7, 2002

Daily Digest

Senate

Chamber Action

Routine Proceedings, page S10805

Senate met at 10:31 a.m. in pro forma session, and adjourned at 10:32 a.m., until 10:30 a.m., Friday, November 8, 2002.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: No measures were introduced today.

Reports Filed: No reports were filed today.

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.

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker’s reappointment, upon the recommendation of the Majority Leader, of Ms. Judith Flink of Morton Grove, Illinois to the Advisory Committee on Student Financial Assistance for a three-year term.

Meeting Hour—Tuesday, Nov. 12: Agreed that when the House adjourns on Friday, Nov. 8, it adjourn to meet at 12:30 p.m. on Tuesday, Nov. 12 for morning-hour debate.

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, Nov. 13.

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 11:04 a.m.

Committee Meetings

No Committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, November 4, 2002, p. D1120)


H.R. 4967, to establish new nonimmigrant classes for border commuter students. Signed on November 2, 2002. (Public Law 107–274)

H.R. 5542, to consolidate all black lung benefit responsibility under a single official. Signed on November 2, 2002. (Public Law 107–275)

H.R. 5596, to amend section 527 of the Internal Revenue Code of 1986 to eliminate notification and return requirements for State and local party committees and candidate committees and avoid duplicate reporting by certain State and local political committees of information required to be reported and made publicly available under State law. Signed on November 2, 2002. (Public Law 107–276)

H.R. 2733, to authorize the National Institute of Standards and Technology to work with major manufacturing industries on an initiative of standards development and implementation for electronic enterprise integration. Signed on November 5, 2002. (Public Law 107–277)

H.R. 3656, to amend the International Organizations Immunities Act to provide for the applicability of that Act to the European Central Bank. Signed on November 5, 2002. (Public Law 107–278)

H.R. 3801, to provide for improvement of Federal education research, statistics, evaluation, information,
and dissemination. Signed on November 5, 2002. (Public Law 107–279)

NEW PRIVATE LAWS

(For last listing of Private Laws, see DAILY DIGEST, October 4, 2002, p. D1041)


COMMITTEE MEETINGS FOR FRIDAY,
NOVEMBER 8, 2002

(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No committee meetings are scheduled.
Next Meeting of the SENATE
10:30 a.m., Friday, November 8,
Senate Chamber
Program for Friday: Senate will meet in pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
11 a.m., Friday, November 8
House Chamber
Program for Friday: Pro forma session.

Extensions of Remarks, as inserted in this issue.

HOUSE
Matsui, Robert T., Calif., E1977