

with a reasonable degree of certainty, will be separated from Federal employment by reduction in force procedures under this part. A certification may be issued up to 6 months prior to the effective date of the reduction in force.

(b) This certification may be issued to a competing employee only when the agency determines:

(1) There is a good likelihood the employee will be separated under this part;

(2) Employment opportunities in the same or similar position in the local commuting area are limited or nonexistent;

(3) Placement opportunities within the employee's own or other Federal agencies in the local commuting area are limited or nonexistent; and

(4) If eligible for optional retirement, the employee has not filed a retirement application or otherwise indicated in writing an intent to retire.

(c) A certification is to be addressed to each individual eligible employee and must be signed by an appropriate agency official. A certification must contain the expected date of reduction in force, a statement that each factor in paragraph (b) of this section has been satisfied, and a description of Job Training Partnership Act programs, the Interagency Placement Program, and the Reemployment Priority List.

(d) A certification may not be used to satisfy any of the notice requirements elsewhere in this subpart.

*Subpart I—Appeals and Corrective Action*

**§ 351.902. Correction by agency**

When an agency decides that an action under this part was unjustified or unwarranted and restores an individual to the former grade or rate of pay held or to an intermediate grade or rate of pay, it shall make the restoration retroactively effective to the date of the improper action.

**EXECUTIVE COMMUNICATIONS,  
ETC.**

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

4736. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Assessment of Fees [Docket No. 01-23] (RIN: 1557-ACOO) received November 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4737. A letter from the Acting Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting the Department's final rule—Rehabilitation Short-Term Training—received November 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4738. 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. 112b(a); to the Committee on International Relations.

4739. A letter from the Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Additional Designations and Removal of Persons Listed in Appendix A to 31 CFR Chapter V and Appendix I to 31 CFR Part 539, Weapons of Mass Destruction Trade Control Regulations—received November 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

4740. A letter from the Acting Director, Office of Surface Mining, Department of the In-

terior, transmitting the Department's final rule—Montana Regulatory Program [SPATS No. MT-022-FOR] received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4741. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Utah Regulatory Program [SPATS No. UT-037-FOR] received November 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4742. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [SPATS No. IL-100-FOR] received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4743. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Civil Penalty Adjustments (RIN: 1029-ACOO) received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4744. A letter from the Director, Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Written and Oral Information or Statements Affecting Entitlement to Benefits (RIN: 2900-AK25) received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4745. A letter from the Director, Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Written and Oral Information or Statements Affecting Entitlement to Benefits (RIN: 2900-AK25) received November 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4746. A letter from the Director, Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Extension of the Presumptive Period for Compensation for Gulf War Veterans' Undiagnosed Illnesses (RIN: 2900-AK98) received November 27, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4747. A letter from the Director, Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Extension of the Presumptive Period for Compensation for Gulf War Veterans' Undiagnosed Illnesses (RIN: 2900-AK98) received November 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4748. A letter from the Chair of the Board, Office of Compliance, transmitting notice of proposed rulemaking for publication in the CONGRESSIONAL RECORD, pursuant to section 4(c)(4) of the Veterans Employment Opportunities Act of 1998 and section 304(b) of the Congressional Accountability Act of 1995; jointly to the Committees on Education and the Workforce and House Administration.

**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. HANSEN: Committee on Resources. H.R. 38. A bill to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other pur-

poses; with an amendment (Rept. 107-325). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2742. A bill to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma (Rept. 107-326). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2234. A bill to revise the boundary of the Tumacacori National Historical Park in the State of Arizona; with an amendment (Rept. 107-327). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee of Conference. Conference report on H.R. 2883. A bill to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 107-328). 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. HAYWORTH:

H.R. 3420. A bill to direct the Secretary of the Treasury to issue appropriate guidance for use by victims of disasters in their application to charitable organizations for relief; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H.R. 3421. A bill to provide adequate school facilities within Yosemite National Park, and for other purposes; to the Committee on Resources, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFazio:

H.R. 3422. A bill to establish a Congressional Trade Office; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. BILIRAKIS, Mr. BUYER, Mr. SIMPSON, Mr. BAKER, Mr. SIMMONS, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H.R. 3423. A bill to amend title 38, United States Code, to enact into law eligibility of certain veterans and their dependents for burial in Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. CALVERT (for himself, Mr.

KANJORSKI, Mr. LATOURETTE, Ms. WATERS, Mr. LEWIS of California, Mr. SHERMAN, Mr. CANTOR, Mr. FORD, Mr. HOBSON, Mr. SANDLIN, Mr. SAXTON, Mr. ANDREWS, Mr. REYNOLDS, Mr. BARCIA, Mr. WAMP, Ms. BALDWIN, Mr. ISAKSON, Mr. TOWNS, Mr. RILEY, Mr. DEUTSCH, Mrs. JO ANN DAVIS of Virginia, Mr. RODRIGUEZ, Mrs. BONO, Mr. PASCRELL, Mr. STUMP, Mr. ROTHMAN, Mr. KINGSTON, Ms. MCKINNEY, Mr. FOLEY, Mr. HOLDEN, Mr. GREEN of Texas, Ms. DEGETTE, and Mrs. CAPITO):

H.R. 3424. A bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly,