



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, FRIDAY, NOVEMBER 8, 2002

No. 144

House of Representatives

The House met at 11 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Eternal God, strong to save, You honor the courageous and reward eternally those who are willing to lay down their lives out of love for their countrymen. This weekend Americans will honor veterans who have made the ultimate sacrifice to defend this Nation and uphold the justice and freedom which have fashioned its soul.

As people of diverse faiths gather and find various ways to honor the fallen heroes of this country, we pray also for their widows and children who may still be burdened by their pain of loss.

May this Veterans Day provide celebration for all who have worn or presently wear the proud uniform of American military service. May our remembering those who have been wounded by war or killed by war strengthen our resolve to be promoters of life and search for ways to secure peace.

This we pray now and forever. Amen.

THE JOURNAL

The SPEAKER. 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. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER 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. Without objection, the House stands adjourned until 12:30 p.m. on Tuesday, November 12, 2002, for morning hour debates.

There was no objection.

Accordingly (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Tuesday, November 12, 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:

9882. A letter from the Administrator, Tobacco Programs, Department of Agriculture, transmitting the Department's final rule—Flue-Cured Tobacco Advisory Committee; Amendment of regulations [Docket No. TB-02-14] (RIN: 0581-AC11) received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9883. A letter from the Secretary, Department of Defense, transmitting a report on the retirement of Lieutenant General Russell C. Davis, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9884. A letter from the Director, Regulations Policy and Management Staff, Depart-

ment of Health and Human Services, transmitting the Department's final rule—Uniform Compliance Date for Food Labeling Regulations [Docket No. 98N-1149] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9885. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adhesives and Components of Coatings [Docket No. 92F-0443] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9886. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Hematology and Pathology Devices; Reclassification; Restricted Devices; OTC Test Sample Collection Systems for Drugs of Abuse Testing; Delay of Effective Date [Docket No. 97N-0135] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9887. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Reclassification and Codification of Home Uterine Activity Monitor [Docket No. 97P-0350] received October 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9888. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 33-02 which informs you of our intent to sign Amendment Number One to the Operations Support System (OSS) and Command Control and Information System (CCIS) Co-

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Michael F. DiMario, *Public Printer*

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

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operative Project Memorandum of Agreement (OSS/CCIS MOA) between the United States and the Supreme Allied Commander Atlantic (SACLANT), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

9889. A letter from the Comptroller General, General Accounting Office, transmitting the Month in Review: September 2002 Reports, Testimony, Correspondence, and Other Publications, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

9890. 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.

9891. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting the Department's draft bill entitled, "Pacific Northwest Reclamation Project Habitat Restoration Act"; to the Committee on Resources.

9892. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administrations's final rule—Gov-

ernment Property—Instructions for Preparing NASA Form 1018 (RIN: 2700-AC33) received November 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9893. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans Affairs, transmitting the Department's final rule—Service Connection by Presumption of Aggravation of a Chronic Preexisting Disease (RIN: 2900-AL20) received November 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9894. A letter from the Chairman, U.S.-China Commission, transmitting notification regarding the Commission's "classified annex" to the first annual report; jointly to the Committees on Ways and Means, International Relations, and Armed Services.

9895. A letter from the General Counsel, Department of Commerce, transmitting the Department's legislative proposal to authorize appropriations for the programs of the Department of Commerce's Technology Administration, to amend the National Institute of Standards and Technology Act; jointly to the Committees on Science, the Judiciary, Energy and Commerce, and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COX:

H.R. 5705. A bill to improve health care choice by providing for the tax deductibility of medical expenses by individuals; to the Committee on Ways and Means.

By Mr. COX:

H.R. 5706. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; 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. 4983: Ms. LEE.

H.R. 5250: Mr. CRAMER.



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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, FRIDAY, NOVEMBER 8, 2002

No. 144

Senate

The Senate met at 10:31 a.m. and was called to order by the Honorable JEFF BINGAMAN, a Senator from the State of New Mexico.

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,
Washington, DC, 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 JEFF BINGAMAN, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

ADJOURNMENT UNTIL 1 P.M.,
TUESDAY, NOVEMBER 12, 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in adjournment until the hour of 1 p.m. on Tuesday, November 12, 2002.

Thereupon, the Senate at 10:32 a.m., adjourned until Tuesday, November 12, 2002, at 1 p.m.

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Michael F. DiMario, *Public Printer*

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S10807

EXTENSIONS OF REMARKS

CONGRATULATING CHRISTINE
HAAS AS "AMERICA'S TOP
YOUNG SCIENTIST"

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Christine Haas of Clovis, California for being named "America's top Young Scientist" in the 2002 Discovery Channel's Young Scientist Challenge. Christine won the nationwide middle school science competition for her botany and zoology project.

On August 17, 1998, Christine Haas was discovered at Reyburn Intermediate School with her science project by the Massachusetts Institute of Technology Lincoln Laboratory's Near-Earth Asteroid Research (LINEAR) program. Christine, now a Clovis East High School student, received the honor of having a minor planet named after her for her achievements. She also earned a \$15,000 college scholarship, a Hollywood Studio tour, and a television appearance in an hour-long program that will air in late December 2002.

Christine's project investigated the use of buckeye blossoms as a means of controlling mosquitoes. She determined that the buckeye plant's natural poisons deterred mosquito development in Wonder Valley's vernal pools. This project was ideal for Christine because Wonder Valley has too many mosquitoes, and it also has livestock owners leery of spraying pesticides around water.

Christine's selection for his award shows her determination and ingenuity which is reflected through this project. She is to be admired and congratulated on her efforts.

Mr. Speaker, I rise to congratulate Christine Haas for her scientific achievement. I urge my colleagues to join me in wishing Christine Haas many years of continued success.

IN RECOGNITION OF ELIAS M.
ELIASOF

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Mrs. ROUKEMA. Mr. Speaker, I rise today to recognize and congratulate an outstanding member of our community and of northern New Jersey—Elias "Hy" Eliasof, who tomorrow evening will be honored for his contribution to one of New Jersey's most worthy non-for-profit organizations, the Spectrum for Living.

Mr. Speaker, it is impossible to list all of the contributions Hy has made to New Jersey as a public servant and philanthropist over the last three decades. Hy has served with distinction as the Mayor of Closter and as a Member of the Closter Council. He has chaired the Northern Valley Community Development Pro-

gram, and served on the Board of Directors of the Community Center for Mental Health, the Pascack Valley Hospital, and the Family Counseling Service of Closter. Hy was the Founder and President of the Northern Valley Mayors' Association, is a Past President of the North Valley Lodge B'nai B'rith, and was a member of the New Jersey Regional Board of Directors of the Anti-Defamation League. Hy is the first recipient of the B'nai B'rith Youth Services Appeal Humanitarian Award, and shared with his wife Marion the first North Valley Hadassah Citizens Award for dedicated and significant contributions in education and community services. The residents of Closter have been well-served by Hy, as have the countless members of our New Jersey community who have benefited from his philanthropy and civic involvement.

On November 8, 2002, Hy will be honored for his dedication, support, and contribution to Spectrum for Living. Spectrum is a not-for-profit organization that provides barrier-free residential facilities, nursing, psychological, recreational, vocational/educational, dietary, psychological, social and therapeutic services for persons with physical and developmental disabilities. Spectrum serves hundreds of people with disabilities, providing an environment where they are respected as individuals and given the freedom, responsibility, and opportunity to face and meet life's challenges. Spectrum provides the physical and emotional support that every individual needs to achieve his or her full potential.

Hy's well-deserved pride in this honor is shared with Marion, their daughter Lucy, their grandchildren Betsy, David, Benjamin, and in the memory of their daughter Diane.

Mr. Speaker, through his decades of public service and good works, Elias "Hy" Eliasof exemplifies the American values that have made our country great. I ask my colleagues in the House of Representatives to join me in congratulating Hy on his achievements, and thanking and saluting him for his dedication and contribution to so many members of our New Jersey community.

TRIBUTE TO JOSEPHINE WAGNER
ELDRIDGE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Ms. ESHOO. Mr. Speaker, I rise to honor Josephine Wagner Eldridge, a beloved mother and grandmother who died on June 9, 2002.

Josephine Wagner was born in 1917 and was raised in Roanoke, Virginia, where she was an outstanding athlete and student. She graduated from Duke University School of Nursing in 1940 and worked as a nurse at Memorial Baptist Hospital in New Orleans, where she met and married Bill Eldridge, a pilot in the Army Air Corps. Following World War II they settled in the San Francisco Bay Area.

Josephine Wagner Eldridge and her husband Bill were long-time members of Contra Costa Country Club and founding members of Lafayette-Orinda Presbyterian Church. Once their three sons were raised, Josephine returned to her passion of painting. Her painting career flourished and her works were displayed throughout the region with the Las Juntas Artists group and several other art organizations.

Josephine is survived by her sons Bill and his wife Judy, Steve and his wife Sue, Keith and his wife Jan, grandchildren Sheri, Kim, Tommy, Teo, Erin, Ryan and Alex, and her great-grandchildren Sydney and Jessica.

Mr. Speaker, I ask my colleagues to join me in honoring Josephine Wagner Eldridge, for the life she led, for the extraordinary family she raised and for her contributions to the community and the country she loved.

CONGRATULATING DR. PETE
MEHAS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Dr. Pete Mehas for receiving the Distinguished Alumnus Award at the Fresno State Alumni Awards Gala in Fresno, California on the evening of November 8, 2002. This award is the highest honor given to an alumnus of the university.

The Distinguished Alumnus Award is based on scholarship, leadership, and service to the University, the San Joaquin Valley, and the State of California. It has been established to provide special recognition to an individual who has distinguished himself through outstanding achievement during his post-collegiate career. Nominees must have received national or international recognition, as well as made a significant contribution through volunteer or donor work to the University, the Valley, and the State.

In 1962, Pete Mehas received his bachelor's degree from California State University, Fresno, his master's degree from UCLA in 1967, and his doctorate in education from the University of Southern California in 1979. He began his teaching profession at Roosevelt High School and later became a legislative advocate in Sacramento and Washington DC. In 1987, Dr. Mehas was appointed by Governor George Deukmejian as his Chief Advisor on matters relating to all public education in the state, as well as serving as the Director of the Governor's Office of Education Planning and Policy Committee. In September 1991, President Bush appointed Dr. Mehas to a 17-member advisory commission to implement his executive order on Latino education.

Dr. Pete Mehas was elected Fresno County Superintendent of School in June 1990, and has had unanimous endorsement from Fresno area Republican and Democratic legislators

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during his three elections since. Dr. Mehas currently serves on the Fresno Compact Executive Board, Fresno State's President's Education Commission and Dean of Education Advisory Committee, and the UC Advisory Board.

Mr. Speaker, I rise today to congratulate Dr. Pete Mehas for earning the 2002 Distinguished Alumnus Award. I urge my colleagues to join me in wishing Dr. Pete Mehas more years of continued success.

IN RECOGNITION OF
ASSEMBLYMAN JOHN E. ROONEY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Mrs. ROUKEMA. Mr. Speaker, I rise today to recognize and congratulate an outstanding member of our community and of northern New Jersey—Assemblyman John E. Rooney, who tomorrow evening will be honored for his contribution to one of New Jersey's most worthy not-for-profit organizations, the Spectrum for Living. I am privileged to have known John as a constituent, as a talented municipal leader and state legislator, and as a valued friend and counselor.

Mr. Speaker, it is impossible to list all of the contributions John has made to New Jersey as a public servant over the last two decades. John has served with distinction as the Mayor of Northvale, and for almost twenty years has served as a Member of New Jersey's State Assembly. He has chaired the Northern Valley Community Development Program, served on the Bergen County Utilities Authority, and held the office of President of the Northern Valley

Mayors' Association. At the same time, John has been an active member and dedicated supporter of American Legion Post 366, the Vietnam Veterans for America Post 1, and the Elks Closter Lodge 2304. The residents of Northvale—and indeed, all of the Thirty-Ninth Legislative District of New Jersey—have been well-served and well-represented by John, as have the many members of our New Jersey community who have benefited from John's active civic involvement.

On November 8, 2002, John will be honored for his dedication, support, and contribution to Spectrum for Living. Spectrum is a not-for-profit organization that provides barrier-free residential facilities, nursing, psychological, recreational, vocational/educational, dietary, psychological, social and therapeutic services for persons with physical and developmental disabilities. Spectrum serves hundreds of people with disabilities, providing an environment where they are respected as individuals and given the freedom, responsibility, and opportunity to face and meet life's challenges. Spectrum provides the physical and emotional support that every individual needs to achieve his or her full potential.

John's well-deserved pride in this honor is shared by his wife Martha, and their children Beth and Patrick.

Mr. Speaker, through his decades of public service and good works, Assemblyman John Rooney exemplifies the American values that have made our country great. I ask my colleagues in the House of Representatives to join me in congratulating John on his achievements, and thanking and saluting him for his dedication and contribution to so many members of our New Jersey community.

HONORING THE KOEHLER FAMILY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 8, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Koehler family for their loyalty and exemplary dedication to the United States Armed Forces over the past 50 years. The Koehler family has exemplified heroism throughout the years through their service during World War I, World War II, and the Korean War.

Mr. David Koehler was the father of fourteen children, eleven of them sons; eight of which served in the United States Armed Forces. Mr. Koehler began his career with the United States Army and served in World War I. The Koehler brothers began enlisting in the Armed Forces in 1941. Chris, Jacob, Adam, John, and brother-in-law Rodger Schuester, served in the United States Navy during the World War II. William served in the United States National Guard and Army during World War II. During the Korean War, Henry and Edward joined the United States Air Force, and Sam followed in his father's footsteps by enlisting in the United States Army.

The Koehler family's time in the service demonstrates their commitment to our country. The contributions the Koehler family made during our times of war and peace have gone above and beyond the normal call of duty.

Mr. Speaker, I rise to honor the Koehler family for their patriotism and heroic efforts to keep our nation great and free. I urge my colleagues to join me in expressing deep gratitude to the Koehler family.

Friday, November 8, 2002

Daily Digest

Senate

Chamber Action

Routine Proceedings, page S10807

Senate met at 10:31 a.m. in pro forma session, and adjourned at 10:32 a.m., until 1 p.m., Tuesday, November 12, 2002.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 5705–5706, were introduced. **Page H8060**

Reports Filed: No reports were filed today.

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.

Commission's oversight of the Enron Corporation, 9:30 a.m., SD–342.

Committee on the Judiciary: November 14, Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the current state of national preparedness against terrorism, focusing on the October 2002 Hart-Rudman Terrorism Task Force Report, 2 p.m., SD–226.

House Chamber

To be announced.

House Committees

Committee on Armed Services, November 14, Subcommittee on Military Procurement, hearing on the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction pending the release of its fourth report, 9 a.m., 2118 Rayburn.

Committee on Government Reform, November 13, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, oversight hearing on "Federal Debt Collection: Is the Government Making Progress?" 10 a.m., 2154 Rayburn.

November 14, full Committee, hearing titled "Mercury in Dental Amalgams: An Examination of the Science," 10 a.m., 2154 Rayburn.

Committee on Resources, November 14, Subcommittee on Fisheries Conservation, Wildlife, and Oceans and the Subcommittee on Environment, Technology, and Standards of the Committee on Science, joint hearing on the following bills: H.R. 5395, Aquatic Invasive Species Research Act; and H.R. 5396, National Aquatic Invasive Species Act of 2002, 10 a.m., 1334 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of November 11 through November 16,
2002

Senate Chamber

On *Monday*, Senate will not be in session.

During the balance of the week, Senate expects to consider any cleared legislative and executive business, including appropriations bills and conference reports, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Governmental Affairs: November 12, to hold hearings to examine the Federal Energy Regulatory

Committee on Rules, November 12, to consider a resolution making further continuing appropriations for the fiscal year 2003, 6 p.m., H-313 Capitol.

Joint Meetings

Joint Economic Committee: November 13, to hold hearings to examine the current economic outlook, 10 a.m., 311 Cannon Building.

Next Meeting of the SENATE

1 p.m., Tuesday, November 12

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, November 12

Senate Chamber

House Chamber

Program for Tuesday: Senate will proceed to a period for the transaction of morning business.

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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 Radanovich, George, Calif., E1979, E1979, E1980
 Roukema, Marge, N.J., E1979, E1980



Congressional Record

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