

HOUSE OF REPRESENTATIVES—Monday, October 29, 2001

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,
October 29, 2001.

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: Divine Maker, in and through Your Word, all comes into being. Fragile as the autumn leaf in the wind, faith carries us as individuals and a Nation.

Every breath of life is dependent upon You and the air we breathe in as our very own.

Free us, Lord, from the dread of anthrax and other biological evil.

Lift the cloud of anxiety from this city and the Nation, that we may again breathe in deeply a sense of Your spirit guiding us from within.

Let us exhale all sins of the past and all our burdens, purifying our souls until we are thoroughly recreated for Your service.

Lord, grant the Members of this House and all the American people a sense of gratitude for our brothers and sisters who serve on this hill and across this Nation as postal workers. May we never take them or their service to this country for granted.

With them and their families we mourn the loss of their companions, faithful servants of Yours, who now approach You for their service rendered and a just reward. May their lives and sacrificial deaths bring all of us a deeper sense of civic pride in daily work, a renewed commitment to a safer work environment and a bright promise of peace which overcomes the darkness of terror 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 California (Mr. FILNER) come forward and lead the House in the Pledge of Allegiance.

Mr. FILNER 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 2299) "An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. MURRAY, Mr. BYRD, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mr. DURBIN, Mr. LEAHY, Mr. INOUE, Mr. SHELBY, Mr. SPECTER, Mr. BOND, Mr. BENNETT, Mr. CAMPBELL, Mrs. HUTCHISON, and Mr. STEVENS, to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2506) "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LEAHY, Mr. INOUE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED, Mr. BYRD, Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, and Mr. STEVENS, to be the conferees on the part of the Senate.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2001.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on October 25, 2001 at 2:26 p.m.: That the Senate passed without amendment H.R. 3162.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Thursday, October 25, 2001:

H.R. 3162, to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2001.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2001 at 9:57 a.m.: That the Senate passed without amendment H.J. Res. 70.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2001.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit two sealed envelopes received from the White House on October 25, 2001 at 3:36 p.m. and said to contain messages from the President whereby he transmits U.S.-Morocco Nuclear Agreement and Anti-Terror Draft Legislation.

☐ 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.

With best wishes, I am
Sincerely,

JEFF TRANDAHLL,
Clerk of the House.

Attachment.

U.S.-MOROCCO NUCLEAR AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-138)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Protocol Amending the Agreement for Cooperation between the Government of the United States of America and the Government of the Kingdom of Morocco Concerning Peaceful Uses of Nuclear Energy signed at Washington on May 30, 1980. I am also pleased to transmit my written approval, authorization, and determination concerning the Protocol, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Protocol. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified Annex to the NPAS, prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

I am informed that the proposed Protocol has been negotiated to be in accordance with the Act and other applicable law, to meet all statutory requirements, and to advance the non-proliferation and other foreign policy interests of the United States.

The Protocol amends the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Morocco Concerning Peaceful Uses of Nuclear Energy in two respects:

1. It extends the Agreement, which expired by its terms on May 16, 2001, for an additional period of 20 years, with a provision for automatic extensions thereafter in increments of 5 years each unless either Party gives timely notice to terminate the Agreement; and

2. It updates certain provisions of the Agreement relating to the physical

protection of nuclear material subject to the Agreement.

As amended by the proposed Protocol, I am informed that the Agreement will continue to meet all requirements of U.S. law.

Morocco is in the early stages of developing a nuclear research program, with support from the United States and the International Atomic Energy Agency (IAEA). The United States firm, General Atomics, is currently building the country's first reactor, a small (2 megawatt) TRIGA Mark II research reactor that will use low-enriched uranium fuel. General Atomics' completion of the project cannot occur without an Agreement for Cooperation in force.

Morocco is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the IAEA for the application of full-scope safeguards to its nuclear program. Morocco is a signatory to (but has not yet ratified) the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the storage and transport of nuclear material.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Protocol and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Protocol and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and House International Relations Committee as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 24, 2001.*

ANTI-TERROR DRAFT LEGISLATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-139)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Enclosed for the consideration of the Congress is a legislative proposal to implement the International Conven-

tion for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. Also enclosed is a detailed explanation of the bill's provisions.

Title I of the bill is entitled the "Terrorist Bombings Convention Implementation Act of 2001." It would implement the International Convention for the Suppression of Terrorist Bombings, which was signed by the United States on January 12, 1998, and which was transmitted to the Senate for its advice and consent to ratification on September 8, 1999. In essence, the Convention imposes binding legal obligations upon State Parties either to submit for prosecution or to extradite any person within their jurisdiction who unlawfully and intentionally delivers, places, discharges, or detonates an explosive or other lethal device in, into, or against a place of public use, a State or government facility, a public transportation system, or an infrastructure facility. A State Party is subject to these obligations without regard to the place where the alleged act covered by the Convention took place. Twenty-eight States are currently party to the Convention, which entered into force internationally on May 23, 2001.

Title II of the bill is entitled the "Suppression of the Financing of Terrorism Convention Implementation Act of 2001." It would implement the International Convention for the Suppression of the Financing of Terrorism, which was signed by the United States on January 10, 2000, and which was transmitted to the Senate for its advice and consent to ratification on October 12, 2000. The Convention imposes binding legal obligations upon State Parties either to submit for prosecution or to extradite any person within their jurisdiction who unlawfully and wilfully provides or collects funds with the intention that they should be used to carry out various terrorist activities. A State Party is subject to these obligations without regard to the place where the alleged act covered by the Convention took place. The Convention is not yet in force internationally, but will enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval, or accession with the Secretary General of the United Nations.

I urge the prompt and favorable consideration of this proposal.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 25, 2001.*

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.