

PROVIDING FOR CONSIDERATION OF H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

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MAY 22 (legislative day, MAY 21), 2002.—Referred to the House Calendar and ordered to be printed

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Mr. SESSIONS, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 428]

The Committee on Rules, having had under consideration House Resolution 428, by a record vote of 8 to 2, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4775, the 2002 Supplemental Appropriations Act for Further Recovery from and Response to Terrorist Attacks on the United States, under an open rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill.

The rule provides that the amendments printed in this report shall be considered as adopted in the House and in the Committee of the Whole. The rule further waives points of order against provisions in the bill, except as specified in the resolution.

The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of rule XXI (prohibiting non-emergency designated amendments to be offered to an appropriation bill containing an emergency designation).

The rule provides one motion to recommit with or without instructions.

Finally, the rule provides that House Concurrent Resolution 353, as adopted by the House, shall have the force and effect as though adopted by Congress.

The waiver of all points of order against consideration of the bill includes a waiver of clause 2, rule XXI (prohibiting unauthorized or legislative provisions in an appropriations bill), as the bill includes several legislative provisions.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

*Rules Committee Record Vote No. 120*

Date: May 21, 2002.

Measure: H.R. 4775.

Motion by: Mr. McGovern.

Summary of motion: Motion to strike from the rule the language that would self-execute the debt ceiling provisions.

Results: Defeated 2 to 8.

Vote by Members: Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 121*

Date: May 21, 2002.

Measure: H.R. 4775.

Motion by: Mr. McGovern.

Summary of motion: Motion to strike all the self-executing language from the rule.

Results: Defeated 2 to 8.

Vote by Members: Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 122*

Date: May 21, 2002.

Measure: H.R. 4775.

Motion by: Mr. Hastings of Florida.

Summary of motion: Motion to strike from the rule the language that would self-execute the Medicare fix provisions for a few metropolitan areas in certain states.

Results: Defeated 2 to 8.

Vote by Members: Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 123*

Date: May 21, 2002.

Measure: H.R. 4775.

Motion by: Mr. Hastings of Florida.

Summary of motion: Motion to make in order the amendment offered by Mr. Hastings of Florida that would add \$200 million for election reform.

Results: Defeated 2 to 8.

Vote by Members: Goss—Nay; Pryce—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

*Rules Committee Record Vote No. 124*

Date: May 21, 2002.

Measure: H.R. 4775.

Motion by: Mr. Goss.

Summary of motion: Motion to report the rule.

Results: Adopted 8 to 2.

Vote by Members: Goss—Yea; Pryce—Yea; Diaz-Balart—Yea; Hastings (WA)—Yea; Myrick—Yea; Sessions—Yea; Reynolds—Yea; McGovern—Nay; Hastings (FL)—Nay; Dreier—Yea.

SUMMARY OF AMENDMENTS CONSIDERED AS ADOPTED

Sec. 1403—Provides statutory assurance that the United States Government will take all steps necessary to guarantee the full faith and credit of the Government.

Sec. 1404—Provides for Medicare reimbursement adjustments.

Sec. 1405—Clarifies fabric origin requirements for regional trade preference agreements.

Sec. 1406—Ensures that the conference can permit the Postal Service to continue to use the bypass mail system in Alaska on mainline routes and in the Alaskan bush country. Bypass mail should be an incentive to improve the level of passenger service and enhance safety in Alaska.

TEXT OF AMENDMENTS CONSIDERED AS ADOPTED

Add at the end of chapter 14:

SEC. 1403. Section 3101 of title 31, United States Code, is amended by adding at the end the following new subsection:

“(d) The United States Government shall take all steps necessary to guarantee the full faith and credit of the Government.”.

**SEC. 1404. TREATMENT OF CERTAIN COUNTIES FOR PURPOSES OF REIMBURSEMENT UNDER THE MEDICARE PROGRAM.**

(a) RECLASSIFICATION OF CERTAIN PENNSYLVANIA COUNTIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective for discharges occurring during fiscal year 2003, for purposes of making payments under subsections (d) and (j) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) to hospitals (including rehabilitation hospitals and rehabilitation units under such subsection (j))—

(A) in Lackawanna, Luzerne, Wyoming, Lycoming, and Columbia Counties, Pennsylvania, such counties are deemed to be located in the Newburgh, New York-PA Metropolitan Statistical Area; and

(B) in Mercer County, Pennsylvania, such county is deemed to be located in Youngston-Warren, Ohio Metropolitan Statistical Area.

(2) RULES.—The reclassifications made under paragraph (1) with respect to a subsection (d) hospital shall be treated as a decision of the Medicare Geographic Classification Review Board under paragraph (10) of section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)).

(b) **LARGE URBAN AREA OF NEW YORK.**—Notwithstanding any other provision of law, effective for discharges occurring on or after October 1, 2002, and before October 1, 2005, for purposes of making payments under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) the large urban area of New York, New York is deemed to include Orange County, New York, and Dutchess County, New York.

**SEC. 1405. AMENDMENTS TO THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT.**

Section 213(b)(2)(A) of the Caribbean Basin Economic Recovery Act (title II of Public Law 98–67; 19 U.S.C. 2703(b)(2)(A)) is amended—

(1) in clause (i), by adding at the end the following:

“Apparel articles shall qualify under the preceding sentence only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled, if the fabrics are knit fabrics, is carried out in the United States. Apparel articles shall qualify under the first sentence of this clause only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled, if the fabrics are woven fabrics, is carried out in the United States.”; and

(2) in clause (ii), by adding at the end the following:

“Apparel articles shall qualify under the preceding sentence only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled, if the fabrics are knit fabrics, is carried out in the United States. Apparel articles shall qualify under the first sentence of this clause only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled, if the fabrics are woven fabrics, is carried out in the United States.”.

(b) **ANDEAN TRADE PREFERENCE ACT.**—Any duty-free or other preferential treatment provided under the Andean Trade Preference Act to apparel articles assembled from fabric formed in the United States shall apply to such articles only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled if the fabrics are knit fabrics, is carried out in the United States. Any duty-free or other preferential treatment provided under the Andean Trade Preference Act to apparel articles assembled from fabric formed in the United States shall apply to such articles only if all dyeing, printing, and finishing of the fabrics from which the articles are assembled, if the fabrics are woven fabrics, is carried out in the United States.

(c) **EFFECTIVE DATE.**—Subsection (b) and the amendments made by subsection (a) shall take effect—

(1) 90 days after the date of the enactment of this Act, or

(2) September 1, 2002,

whichever occurs first.

**SEC. 1406**

Congress shall take all steps necessary to ensure that section 5402 of Title 39, United States Code is amended to allow the United States Postal Service to tender non-priority bypass mail to mainline carriers who carry mainline non-priority bypass mail.

Congress shall take all steps necessary to ensure that section 5402 of Title 39, United States Code is further amended to allow the United States Postal Service to tender non-priority bypass mail to bush carriers, on a route not served by a mainline carriers or between two bush points. Carriers are encouraged to upgrade their operating certificates and increase passenger service. Carriers who make these changes may be tendered a greater percentage of non-priority bypass mail.

Congress shall take all steps necessary to ensure that The Secretary of the Department of Transportation sets non-priority bypass mail rate as is deemed necessary to continue the bypass mail service.

The requirements of these provisions will only be in effect in the State of Alaska.

