

# EXTENSIONS OF REMARKS

## THE CHILDREN'S ACCESS TO TECHNOLOGY ACT

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce the Children's Access to Technology Act providing the disadvantaged children of this country with the technology they need to succeed in life. My legislation will provide Title I schools with additional financial resources to modernize their Internet delivery tools. Specifically, this legislation will utilize any unspent e-rate funding to provide Title I schools with a maximum \$25,000 award to modernize their Internet labs.

Mr. Speaker, the e-rate program has been very effective in bringing the Internet to libraries and classrooms across America. As a strong supporter of that program, I was disturbed to learn that crucial e-rate funding was going unspent because recipients were not following through with their paperwork confirming receipt of service. The Universal Service Administrative Company (USAC) is working to improve the timely utilization of authorized grants to approved school and library systems, but there will always be some unexpended funds in the program.

Because any unspent e-rate funding is lost at the end of each program year, my legislation will create a new funding mechanism, using any unspent monies, that will allow Title I schools to update their computer hardware. Specifically, the legislation directs the Federal Communications Commission (FCC) to establish a lottery system for Title I schools to enter and be eligible to receive up to \$25,000 to modernize their computer hardware.

In light of President Bush's commitment to strengthen and streamline the e-rate program, I believe we must ensure that all funding made available through the USAC be spent on improving our children's access to new and innovative technology. While I understand USAC has taken steps to speed the grant process and close the unexpended funding gap, I still believe there will always be some unallocated funding at the end of each program year. In these instances, my legislation will provide an additional benefit to truly needy schools that are struggling to improve the delivery of Internet services to their students.

Our children are our future; without innovating new approaches to provide better tools in our classroom, the now-passable digital divide will become an impenetrable digital barrier, unbreachable no matter how much funding we throw at the problem.

Mr. Speaker, this is a complimentary piece of education legislation when compared with President Bush's proposals and will further enhance the educational opportunities of our children.

## NOTCH BABY HEALTH CARE RELIEF ACT

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, today I am again introducing legislation to assist the over 6 million senior citizens who have been negatively impacted the Social Security Amendments of 1977. Seniors born between the years of 1917 and 1926—the Notch Babies—have received lower Social Security monthly payments that those seniors born shortly before or after this ten year period. My legislation, the Notch Baby Health Care Relief Act, will offset the reduction in Social Security benefits by providing a tax credit for Medicare Part B premiums.

The approach taken in this bill is different than taken by my Notch Baby Act of 2001 or in any other Notch bill that has been introduced. This legislation is particularly noteworthy because it was suggested to me by one of my constituents—adjust Medicare Part B premiums for senior citizens born between the years 1917 and 1926, their spouses and their widows or widowers. The bill also eliminates the Medicare Part B premium late enrollment penalty for these individuals.

As health care expenses can take up a large portion of a senior's retirement income, this tax credit can go a long way to both correct the inequity caused by the Notch and to help seniors meet their health care needs. I urge my colleagues to review the Notch Baby Health Care Relief Act, to discuss this legislation with the seniors in their districts, and to join me in cosponsoring this important legislation.

## HONORING THE CONCLUSION OF ALAMEDA BOARD OF EDUCATION TRUSTEE ANNA ELEFANT'S TENURE ON THE SCHOOL BOARD

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise to honor Anna Elefant on the completion of her second term as trustee of the Alameda Board of Education.

An eight-year veteran on the school board, Ms. Elefant has the maximum number of terms allowed under district term limits. In 1997 and 2001 she served as Board President, and as Board Chair of the successful 2001 "Measure A" School Parcel Tax Campaign.

Ms. Elefant has also served the Board as a member of the Superintendent's Woodstock Child Development Center Advisory Team, as Board Representative to the California School Age Families' Education program at Island

High School, as Board Chair of the search for a new superintendent of schools in 2000, and as Board Representative to the City of Alameda Economic Task Force.

Ms. Elefant is a passionate advocate of educational excellence. She has supported innovative programs such as year-round education, developmental education, and open enrollment for special programs.

A persistent lobbyist, she has worked at state and local levels to increase funding for the Alameda Unified School District. In November of 2001 she successfully rallied the community to pass the city's first school funding parcel tax. She provided courageous leadership to settle a historic 3-year closed salary contract, and helped district employee groups in rebuilding trust in the district.

The mother of three children attending Alameda public schools, Ms. Elefant was the first PTA co-president of Bay Farm Elementary School when it opened its doors in 1992.

I am honored to commend Anna Elefant for her years of service to the Alameda Board of Education. A dedicated member of the Board of Education, Elefant has continually worked to expand the District's vision of meeting the educational needs of all students.

## SOCIAL SECURITY PRESERVATION ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PAUL. Mr. Speaker, I rise to protect the integrity of the Social Security trust fund by introducing the Social Security Preservation Act. The Social Security Preservation Act is a rather simple bill which states that all monies raised by the Social Security trust fund will be spent in payments to beneficiaries, with excess receipts invested in interest-bearing certificates of deposit. This will help keep Social Security trust fund monies from being diverted to other programs, as well as allow the fund to grow by providing for investment in interest-bearing instruments.

The Social Security Preservation Act ensures that the government will keep its promises to America's seniors that taxes collected for Social Security will be used for Social Security. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

The return of massive federal deficits, and the accompanying pressure for massive new raids on the trust fund, make it more important than ever that Congress protect the trust fund from big spending, pork-barrel politics. I call upon all my colleagues, regardless of which proposal for long-term Social Security reform they support, to stand up for America's seniors by cosponsoring the Social Security Preservation Act.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

# IN SUPPORT OF THE LABOR RELATIONS FIRST CONTRACT NEGOTIATIONS ACT

## HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise today in support of the Labor Relations First Contract Negotiations Act.

The National Labor Relations Act guarantees the right of employees to organize and bargain collectively to improve living standards and working conditions. The right to organize is a basic civil right, and unions are an avenue to equity, fair treatment, and economic stability for working people. Free enterprise includes the freedom to organize as a unit to bargain collectively. Unfortunately, current law hinders this ability. To remedy this serious situation, I have introduced the Labor Relations First Contract Negotiations Act.

My legislation requires mediation and, if necessary, binding arbitration of initial contract negotiation disputes. Under this proposed bill, if an employer and a newly elected representative have not reached a collective bargaining agreement within 60 days of the representative's certification, the employer and the representative will jointly select a mediator to help them reach an agreement. If they cannot agree on a mediator, one will be appointed for them by the Federal Mediation and Conciliation Service. In the event that the parties do not reach an agreement in 30 days, the remaining issues may be transferred to the Federal Mediation and Conciliation Service for binding arbitration. Let us make sure that everyone has a fair opportunity to negotiate a collective bargaining agreement. I urge my colleagues to join me in cosponsoring this legislation.

# THE ANSONIA POP WARNER JUNIOR PEEWEE CHEERLEADERS ON THEIR TRIP TO THE NATIONAL CHAMPIONSHIPS

## HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Ms. DeLAURO. Mr. Speaker, it is with the greatest pride that I rise today to extend my sincere congratulations and very best wishes to the Ansonia Pop Warner Junior PeeWee Cheerleaders as they make their way to Orlando, Florida to compete in the National Championships. The Junior PeeWee Cheerleaders join the Ansonia Coppers Midget Football team who are also in Orlando for their National Championship game. The Ansonia community certainly has cause for celebration with the tremendous accomplishments of these young people.

A squad of eighteen girls between the ages of eight and ten, the Ansonia Junior PeeWee Cheerleaders have worked very hard over the last several months to be able to compete in this year's competitions. Coming together in August, the girls practiced for two hours four nights a week and, after the start of the school year, three nights a week. This fall, the squad was able to perform live, cheering for the Ansonia Coppers every Sunday.

The dedication and commitment these girls have demonstrated is truly inspiring. They have worked so hard to master the required high-level tumbling skills and the necessary symmetry of their movements. The girls haven't missed a beat, even when, during the regional competition, a judge accidentally stopped their music halfway through their routine. In Orlando, the girls will face seventeen other teams. They should certainly be very proud of what they have already been able to accomplish and I have no doubt that they will represent Ansonia and Connecticut well in the Championships.

I am also pleased to recognize Judy Banks, a Pop Warner cheerleading coach for thirteen years, who has worked with the girls since August of this year. Her leadership and energy has been the driving force behind the success of the Ansonia Junior PeeWee Cheerleaders. In addition, I would also extend a note of thanks and appreciation to the parents and volunteers whose support has enabled the girls to practice and travel for their competitions. Without their efforts, the success of the Ansonia Junior PeeWee Cheerleaders would not be possible.

I am thrilled to join the Ansonia community in extending my sincere congratulations and very best wishes to the Ansonia Pop Warner Junior PeeWee Cheerleaders as they head to their National Championship competition. I, as well as the entire community, will be rooting for you! Win or lose, you have made us very proud!

## INTRODUCTION OF LEGISLATION

## HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, I rise today to introduce the Notch Baby Act of 2003, which would create a new alternative transition computation formula for Social Security benefits for those seniors born between 1917 and 1926. These seniors, who are generally referred to as "Notch Babies," have been receiving lower monthly Social Security benefits than seniors born the years just prior to or after this ten year period.

There are those who dispute the existence of a Notch problem. However, take into consideration the following example presented in a 1994 report by the Commission on Social Security Notch issue. There are two workers who retired at the same age with the same average career earnings. One was born on December 31, 1916 and the other was born on January 2, 1917. Both retired in 1982 at the age of 65. The retiree born 1917 received \$110 a month less in Social Security benefits than did the retiree born just two weeks before in 1916. Also take into consideration that there are currently millions of seniors in our Nation who are faced with this painfully obvious inequity in the Social Security benefit computation formula.

By phasing in an improved benefit formula over five years, the Notch Baby Act of 2003 will restore fairness and equality in the Social Security benefit computation formula for the Notch Babies. For once and for all this legislation would put to rest the Notch issue, and it would put an end to the constant barrage of

mailings and fundraising attempts, which target our Nation's seniors in the name of Notch reform. Our seniors deserve fairness and equality in the Social Security system. They deserve an end to the repeated Congressional stalling on this issue. I urge my colleagues in the House to discuss this issue with the seniors in their districts, and to join me in ensuring that the Notch issue is addressed in the 108th Congress.

# HONORING SAN LORENZO UNIFIED SCHOOL BOARD OF EDUCATION MEMBER BETTY MOOSE'S TENURE ON THE SCHOOL BOARD

## HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise today to honor Betty Moose for twenty-one years of exemplary service to the San Lorenzo Unified School District as a member of the Board of Education.

First elected to the Board in 1981, Betty was elected by her fellow Board members to serve as president of the Board from December 2000 to December 2001. Previously, she was vice-president and clerk of the Board.

As a Board Member, Betty has been strongly committed to helping children in all aspects of their development and education. She has proudly represented the San Lorenzo Unified School District on numerous local and state committees and commissions. She is especially pleased with her accomplishments as a 17-year member of the Hayward Area Shoreline Planning Agency and as a member of the San Leandro Collaborative for Children, Youth, and their Families.

Betty has also worked on the San Lorenzo Unified School District Drug Advisory Council, the Citizens Advisory Committee to the Sheriff, the San Lorenzo Area Youth Advisory Commission, and the California School Boards Association Legislative Network.

An active and dynamic community activist, Betty has served on the boards of many organizations. She has been president of the San Lorenzo Area Friends of the Library, the Gray Panthers of Southern Alameda County, and the San Lorenzo Heritage Society. She is a member and first co-chair of the National Women's Political Caucus of Southern Alameda County.

Betty has also served as Vice-President of the Fairmont Hospital Campus Service League and the Church Women United of the Eden Area and Chair of the Alameda County Consumer Affairs Commission and the San Lorenzo Youth Resource Group. Betty's other memberships include the Eden Area League of Women Voters and the California Women's Association for Education reform.

Betty has been married to Claude C. Moose for 56 years, and the couple has lived in San Lorenzo for 50 years. Their five children attended San Lorenzo schools, and graduated from Arroyo High School.

I am honored to commend Betty Moose for her years of service to the San Lorenzo Board of Education. Although San Lorenzo will no longer have the benefit of Betty's wisdom and experience as a School Board member, I know she will continue to be involved in the

community. We look forward to her continued contributions. I value her longtime friendship and appreciate all she does for others.

# "SAY 'NO' TO UNESCO" ACT

## HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PAUL. Mr. Speaker, I rise today to introduce a bill expressing the sense of the Congress that the United States should not rejoin the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

Mr. Speaker, in 1984 President Ronald Reagan withdrew the United States from membership in that UNESCO, citing egregious financial mis-management, blatant anti-Americanism, and UNESCO's general anti-freedom policies. President Reagan was correct in identifying UNESCO as an organization that does not act in America's interest, and he was correct in questioning why the United States should fund 25 percent of UNESCO's budget for that privilege.

Those calling for the United States to rejoin UNESCO claim that the organization has undertaken fundamental reforms and therefore the United States should re-join. It is strange that in the 18 years since the United States left UNESCO, we only started reading about the beginnings of reform in the year 2000. Are we to believe that after nearly two decades of no change in UNESCO's way of mis-managing itself things have changed so much in just two years? Is it worth spending \$60 million per year on an organization with such a terrible history of waste, corruption, and anti-Americanism?

Mr. Speaker, even if UNESCO has been "reforming" its finances over the past two years, its programmatic activities are still enough to cause great concern among those of us who value American sovereignty and honor our Constitution. Consider the following as a partial list of UNESCO's ongoing highly questionable activities:

UNESCO meddles in the education affairs of its member-countries and has sought to construct a U.N.-based school curriculum for American schools.

UNESCO has been fully supportive of the United Nations' Population Fund (UNFPA) in its assistance to China's brutal coercive population control program.

UNESCO has designated 47 U.N. Biosphere Reserves in the United States covering more than 70 million acres, without Congressional consultation.

UNESCO effectively bypasses Congressional authority to manage federal lands, by establishing management policies without Congressional consultation or approval.

Mr. Speaker, I hope all members of this body will join me in opposing renewed U.S. membership in the United Nations Educational, Scientific, and Cultural Organization by co-sponsoring this "Say 'No' to UNESCO" act.

HONORING WILLIAM H. CARBONE  
FOR HIS CONTRIBUTIONS TO THE  
CONNECTICUT JOB CORPS CEN-  
TER

## HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the Connecticut Job Corps Center in honoring one of our community's most active leaders and my dear friend, William H. Carbone. For his outstanding contributions and invaluable assistance, Bill will receive an honorary membership in the Job Corps Alumni Association as the Connecticut Job Corps Center celebrates the graduation of eighty students.

Since its inception only six years ago, the Connecticut Job Corps Center has helped hundreds of students between the ages of sixteen and twenty-four develop the skills and training they need to obtain jobs that will allow them to provide for themselves and their families. By building partnerships with businesses throughout Greater New Haven, students who successfully complete the Center's rigorous program have access to real careers.

Upon the announcement of its opening in 1996, the Center found an immediate advocate and resource in Bill Carbone. Knowing that young people who have access to job training and a job are likely to stay away from the state's correctional system, Bill initially contacted the Center in an effort to provide a positive step for young people completing the Alternative Incarceration Program. Through this effort, three Job Corps Judicial Liaisons have guided nearly two hundred young people to successfully participate in the Connecticut Job Corps Center's judicial program. Many of these young people have attained their GED, completed vocational training, obtained jobs and so much more. Bill's efforts have created invaluable opportunities for these young people, giving them one of life's most precious gifts—hope.

Our communities would not be the same without the generosity and compassion of those who dedicate themselves to enriching the lives of others. Throughout his career, Bill has worked hard to ensure that some of our community's most vulnerable citizens have access to opportunity. The Greater New Haven area is certainly fortunate to have an individual like Bill working on our behalf. He is a true community treasure.

It is with my deepest thanks and appreciation that I rise today to join the Connecticut Job Corps Center in paying tribute to William H. Carbone. His unwavering support and tireless efforts have touched countless lives and has left an indelible mark on this community.

IN SUPPORT OF THE LOW INCOME  
FAMILIES FLOOD INSURANCE  
ACCESS ACT

## HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, in June of 2001, Texas and other States witnessed the

damage wrought by Tropical Storm Allison after it swept through Texas and up the East Coast, and the importance of the National Flood Insurance Program (NFIP) really hit home. Thousands of my constituents suffered substantial flood damage to their homes and businesses, but many of these losses were mitigated because they had federal flood insurance.

Unfortunately, not all my constituents who needed flood insurance could afford to purchase a policy. Because of a recent redraw of Houston's Flood Insurance Rate Map (FIRM) many of my low-income folks were brought into the 100-year flood plain, but could not afford the insurance. As a consequence of my constituents' experience, I rise today to introduce the Low Income Families Flood Insurance Access Act.

This legislation helps bridge the insurance gap between those that can afford a flood policy and those that cannot. The bill would provide discounted flood insurance over a five-year term for low-income homeowners or renters whose primary residence is placed within a Special Flood Hazard Area (flood plain) by a redraw of the Flood Insurance Rate Map (FIRM). If their property is worth no more than \$75,000, they would be eligible to receive a 50% discount on their flood insurance premiums for a five-year period.

It also provides for limited retroactivity if their residence is placed within the flood plain within two years of the enactment of the legislation; otherwise, the five years would begin upon the placement of the property within the flood plain. I hope that this legislation will not only increase participation in the National Flood Insurance Program (NFIP), but make this program more affordable for the economically disadvantaged. It provides an incentive for those who are most vulnerable to huge losses in floods to get the protection they need at a price they can afford.

The NFIP plays a crucial role in lessening the impact of a major flooding disaster, but to make the program operate most effectively we need greater participation. I believe my legislation will extend the helping hand associated with flood insurance down to those people in greatest need of assistance.

Mr. Speaker, I hope that we can speed this bill through the 108th Congress.

MILITARY RETIREE HEALTH CARE  
TASK FORCE ACT

## HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, I am here today to introduce the Military Retiree Health Care Task Force Act of 2003. This legislation will establish a Task Force that will look into all of the health care promises and representations made to members of the Uniformed Services by Department of Defense personnel and Department literature. The Task Force will submit a comprehensive report to Congress which will contain a detailed statement of its findings and conclusions. This report will include legislative remedies to correct the great injustices that have occurred to those men and women who served their country in good faith.

Let us not forget why we are blessed with freedom and democracy in this country. The sacrifices made by those who served in the military are something that must never be overlooked. Promises were made to those who served in the Uniformed Services. They were told that their health care would be taken care of for life if they served a minimum of twenty years of active federal service.

Well, those military retirees served their time and expected the government to hold up its end of the bargain. They are now realizing that these were nothing more than empty promises. Those who served in the military did not let their country down in its time of need and we should not let military retirees down in theirs. It's time military retirees get what was promised to them and that's why I am introducing this legislation.

#### SHRIMP IMPORTATION FINANCING FAIRNESS ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PAUL. Mr. Speaker, I rise to introduce the Shrimp Importation Financing Fairness Act. This bill aids America's struggling domestic shrimping industry by placing a moratorium on restrictive regulations affecting the shrimping industry. This bill also prevents tax dollars from going to the domestic shrimping industry's major foreign competitors.

The United States domestic shrimping industry is a vital social and economic force in many coastal communities across the United States, including several in my congressional district. A thriving shrimping industry benefits not only those who own and operate shrimp boats, but also food processors, hotels and restaurants, grocery stores, and all those who work in and service these industries. Shrimping also serves as a key source of safe domestic foods at a time when the nation is engaged in hostilities abroad.

Given the importance of a strong shrimping industry to so many Americans, it seems strange that the federal government continues to burden shrimpers with excessive regulations. For example, the federal government has imposed costly regulations, dealing with usage of items such as by catch reduction devices and turtle excluder devices (TEDS), on the industry. The mandatory use of these devices results in a significant reduction in the amount of shrimp caught by domestic shrimpers, thus damaging their competitive position and market share.

Many members of Congress have let the National Marine Fisheries Service, which is the lead federal agency with responsibility to regulate the domestic shrimp industry, know of their displeasure with the unreasonable regulatory burden imposed upon the industry. In response, the agency held briefings with House and Senate staffers as well as industry representatives to discuss how the agency's actions are harming shrimpers.

However, even after hearing first-hand testimony from industry representatives and representatives of communities whose economies rely on a thriving shrimping industry, the agency refuses to refrain from placing regulatory encumbrances upon the domestic shrimping

industry. Therefore it is up to Congress to protect this industry from overzealous regulators. The Shrimp Importation Financing Fairness Act provides this protection by placing an indefinite moratorium on all future restrictive regulations on the shrimping industry.

Seven foreign countries (Thailand, Vietnam, India, China, Ecuador, Indonesia, and Brazil) have taken advantage of the domestic shrimping industry's government-created vulnerabilities. These countries each exported in excess of 20,000,000 pounds of shrimp to the United States in the first 6 months of 2002. These seven countries account for nearly 70 percent of all shrimp consumed in the United States in the first six months of this year and nearly 80 percent of all shrimp imported to this country in the same period!

Adding insult to injury, the federal government is forcing American shrimpers to subsidize their competitors! Since 1999, the United States Government has provided more than \$1,800,000,000 in financing and insurance for these foreign countries through the Overseas Private Investment Corporation (OPIC). Furthermore, according to the latest available figures, the U.S. current exposure relative to these countries through the Export-Import Bank totals some \$14,800,000,000. Thus, the United States taxpayer is providing a subsidy of at least \$16,500,000,000 to the home countries of the leading foreign competitors of American shrimpers! Of course, the American taxpayer could be forced to shovel more money to these countries through the International Monetary Fund (IMF).

Many of the countries in question do not have free-market economics. Thus, the participation of these countries in United States-supported international financial regimes amounts to a direct subsidy by American shrimpers to their international competitors. In any case, providing aid to any of these countries indirectly grants benefits to foreign shrimpers because of the fungibility of money.

In order to ensure that American shrimpers are not forced to subsidize their competitors, the Shrimp Importation Financing Fairness Act ends all Export-Import and OPIC subsidies to the seven countries who imported more than 20 million pounds of shrimp in the first six months of 2002. The bill also reduces America's contribution to the IMF by America's pro rata share of any IMF aid provided to one of those seven countries.

Mr. Speaker, it is time for Congress to rein in regulation-happy bureaucrats and stop subsidizing the domestic shrimping industry's leading competitors. Otherwise, the government-manufactured depression in the price of shrimp will decimate the domestic shrimping industry and the communities whose economies depend on this industry. I, therefore, hope all my colleagues will stand up for shrimpers by cosponsoring the Shrimp Importation Financing Fairness Act.

#### HONORING THE ANSONIA COPPERS ON THEIR TRIP TO THE NATIONAL CHAMPIONSHIPS

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Ms. DELAURO. Mr. Speaker, it is with the greatest pride that I rise today to extend my

very best wishes to the Ansonia Coppers Junior Midget Football team as they head to the National Championships in Orlando. This group of 24 have worked hard throughout the regular and post seasons for this tremendous opportunity. In addition, their loudest cheering section, the Junior Pee Wee Girls will be on their way to their National Championship competition as well. The Ansonia community certainly has reason to celebrate the accomplishments of these fine young people!

The Ansonia Coppers, a team made up of twenty four boys, ages eleven through thirteen, are undefeated and have played through four rounds of post season games for the opportunity to play in the National Championships. Throughout this season, the Coppers have not only defeated every challenger they have faced, but, more importantly, they have learned one of life's most valuable lessons—teamwork. Football, like all sports, teaches us the value of team work, practice, comradery, and commitment to excellence. These skills will serve these young people well as they begin to make a difference in the world. Working together, they have already accomplished so much. I have every confidence that they will celebrate a great victory in Orlando.

The Ansonia Coppers are members of the Pop Warner Midget Football League which is unique in that all of their support comes from volunteers. From coaches to travel, almost every aspect of the team's playing is due to the support of community volunteers. It is with great pleasure that I also recognize Head Coach Ron Commune, Assistant Coaches Bob Jones, Bill Mikita, Mike Simon, Carl Williams, and Jay Frattalone, and Team Mom Michelle Spader—all of whom have worked hard to give these young people the chance to play! Without their efforts, the success of the Ansonia Coppers would not be possible.

I am thrilled to join the Ansonia community in extending my sincere congratulations and very best wishes to the Ansonia Coppers as they head to their National Championship game. I, as well as the entire community, will be rooting for you! Win or lose, you have made us very proud!

#### IN SUPPORT OF THE HUD HOUSING AND SECURITY FLEXIBILITY ACT

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I would like to call to the attention of the House an innovative program created by the Houston office of the Department of Housing and Urban Development (HUD) in conjunction with local law enforcement agencies in the Houston area. This program, utilizing grant money from the Operation Safe Home program, hires off-duty law enforcement officers to provide security and patrol housing complexes and apartments that are owned by or receive funds from HUD. This program has been a great success, and has made residents feel safer and more secure in their homes.

Unfortunately, this program turned out to be too innovative. Although this initiative has been an unqualified success, it turns out that HUD did not have the authority to make these

types of security decisions. I believe that we should allow our local communities and those who know them best the flexibility to pursue the solutions that will decrease violence, drug use, and other crimes that plague much of the public housing in our nation today. I do not believe that Americans who need assistance with housing costs should be forced to live in fear.

That is why I am reintroducing the HUD Housing Security and Flexibility Act. This legislation would allow HUD to hire local law enforcement agencies for these purposes. It authorizes offices that receive or administer funds under either of the aforementioned programs to enter into contracts with police departments and other agencies. These contracts would be limited to three years in length, and would be solely for security, patrols, or other protective services at HUD-owned or -assisted housing.

Mr. Speaker, I feel that this legislation will go a long way towards eliminating crime in our public housing, and making Americans feel safer in their homes. I hope that the Congress will take up this important legislation during the 108th Congress.

#### PROTECT OUR FLAG

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of our nation's flag. The flag is a revered symbol of America's great tradition of liberty and democratic government, and it ought to be protected from acts of desecration that diminish us all.

As you know, there have been several attempts to outlaw by statute the desecration of the flag. Both Congress and state legislatures have passed such measures in recent years, only to be overruled later by decisions of the Supreme Court. It is clear that nothing short of an amendment to the Constitution will ensure that Old Glory has the complete and unqualified protection of the law.

The most common objection to this kind of amendment is that it unduly infringes on the freedom of speech. However, this objection disregards the fact that our freedoms are not practiced beyond the bounds of common sense and reason. As is often the case, there are reasonable exceptions to the freedom of speech, such as libel, obscenity, trademarks, and the like. Desecration of the flag is this kind of act, something that goes well beyond the legitimate exercising of a right. It is a wholly disgraceful and unacceptable form of behavior, an affront to the proud heritage and tradition of America.

Make no mistake, this constitutional amendment should be at the very top of the agenda of this Congress. We owe it to every citizen of this country, and particularly to those brave men and women who have stood in harm's way so that the flag and what it stands for might endure. I urge this body to take a strong stand for what is right and ensure the protection of our flag.

HONORING THE CONCLUSION OF  
ALAMEDA BOARD OF EDUCATION  
TRUSTEE BERRSFORD BINGHAM'S  
TENURE ON THE SCHOOL BOARD

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise today to honor Berresford "Berry" Bingham on the completion of his second term as trustee of the Alameda Board of Education.

An eight-year veteran on the school board, Berry has served the maximum number of terms allowed under district term limits. In 1998 he served as Board President, and he was chair of the District Base Reuse Committee, which monitored the impact on Alameda Schools of the closure of the Alameda Naval Air Station.

The First African-American elected to the Alameda Board of Education, Berry has served as president-elect of the California School Board Association (CSBA) Black Caucus and as a member of CSBA's statewide Parent Task Force. He is also the first Alameda School Board Member to serve in the CSBA Delegate Assembly, where he served four years.

A long time advocate for quality education, Berry has served as Board Representative in negotiating joint agreements with the City of Alameda regarding increased developers' fees, as a Board Member of the Alameda Education Foundation, and as Board Representative to the Oakland-Alameda Regional Occupational Program Advisory Board. Also, he has served as a member of the Urban School Board Council in Sacramento.

Berry is a passionate advocate for innovative educational programs, and he has pushed for district accountability in improving student performance. He holds the district to high academic standards for all students, and he is a tireless supporter of the role of early-childhood education in laying the foundation for academic success.

A deeply caring, "hands-on" board member, Berry has made himself accessible to the community at any time of the day or night. When Alameda's Woodstock Child Development Center was at risk of closing due to a large budget deficit, Berry contributed his monthly Board stipend to help offset expenses.

The father of three Alameda public school graduates, Berry is past PTA president of Woodstock Elementary School and Chipman Middle School.

A courageous school board member, Berry never wavered in making decisions that put students first. I am honored to commend Berresford "Berry" Bingham for his years of dedicated service to the Alameda Board of Education.

#### IDENTITY THEFT PREVENTION ACT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PAUL. Mr. Speaker, today I introduce the Identity Theft Prevention Act. This act pro-

tections the American people from government-mandated uniform identifiers that facilitate private crime as well as the abuse of liberty. The major provision of the Identity Theft Prevention Act halts the practice of using the Social Security number as an identifier by requiring the Social Security Administration to issue all Americans new Social Security numbers within five years after the enactment of the bill. These new numbers will be the sole legal property of the recipient and the Social Security administration shall be forbidden to divulge the numbers for any purposes not related to Social Security administration. Social Security numbers issued before implementation of this bill shall no longer be considered valid federal identifiers. Of course, the Social Security Administration shall be able to use an individual's original Social Security number to ensure efficient administration of the Social Security system.

Mr. Speaker, Congress has a moral responsibility to address this problem because it was Congress which transformed the Social Security number into a national identifier. Thanks to Congress, today no American can get a job, open a bank account, get a professional license, or even get a driver's license without presenting their Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license!

One of the most disturbing abuses of the Social Security number is the congressionally-authorized rule forcing parents to get a Social Security number for their newborn children in order to claim them as dependents. Forcing parents to register their children with the state is more like something out of the nightmares of George Orwell than the dreams of a free republic which inspired this nation's founders.

Congressionally-mandated use of the Social Security number as an identifier facilitates the horrendous crime of identity theft. Thanks to Congress, an unscrupulous person may simply obtain someone's Social Security number in order to access that person's bank accounts, credit cards, and other financial assets. Many Americans have lost their life savings and had their credit destroyed as a result of identity theft—yet the federal government continues to encourage such crimes by mandating use of the Social Security number as a uniform ID!

This act also forbids the federal government from creating national ID cards or establishing any identifiers for the purpose of investigating, monitoring, overseeing, or regulating private transactions between American citizens, as well as repealing those sections of the Health Insurance Portability and Accountability Act of 1996 that require the Department of Health and Human Services to establish a uniform standard health identifier. By putting an end to government-mandated uniform IDs, the Identity Theft Prevention Act will prevent millions of Americans from having their liberty, property and privacy violated by private-and-public sector criminals.

In addition to forbidding the federal government from creating national identifiers, this legislation forbids the federal government from blackmailing states into adopting uniform standard identifiers by withholding federal funds. One of the most onerous practices of Congress is the use of federal funds illegitimately taken from the American people to bribe states into obeying federal dictates.

Mr. Speaker, of all the invasions of privacy proposed in the past decade, perhaps the most onerous is the attempt to assign every American a "unique health identifier"—an identifier which could be used to create a national database containing the medical history of all Americans. As an OB/GYN with more than 30 years in private practice, I know the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given to their doctor will be placed in a government accessible database?

Some members of Congress may claim that the federal monitoring of all Americans will enhance security. However, the fact is that creating a surveillance state will divert valuable resources away from investigating legitimate security threats into spying on innocent Americans, thus reducing security. The American people would be better served if the government focused attention on ensuring our borders are closed to potential terrorists instead of coming up with new ways to violate the rights of American citizens.

Other members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that in a constitutional republic, the people are never asked to sacrifice their liberties to make the job of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure that citizens' rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the federal government from mandating national identifiers. Legislative "privacy protections" are inadequate to protect the liberty of Americans for several reasons:

First, it is simply common sense that repealing those federal laws that promote identity theft is more effective in protecting the public than expanding the power of the federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputation as a result of identity theft.

Federal laws are not only ineffective in stopping private criminals, but have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses by the Clinton and Nixon administrations.

Just last month, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the federal government has been creating proprietary interests in private information for certain state-favored special interests. Perhaps the most outrageous example of

phony privacy protection is the "medical privacy" regulation, which allows medical researchers, certain business interests, and law enforcement officials' access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, "privacy protection" laws have proven greatly inadequate to protect personal information when the government is the one providing or seeking the information.

The primary reason why any action short of the repeal of laws authorizing privacy violations is insufficient is because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and "bind (the federal government) down with the chains of the Constitution."

Mr. Speaker, those members who are unpersuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the opposition of the American people toward national identifiers. The overwhelming public opposition to the various "Know-Your-Customer" schemes, the attempt to turn driver's licenses into National ID cards, as well as the numerous complaints over the ever-growing uses of the Social Security number, show that American people want Congress to stop invading their privacy. Furthermore, according to a survey by the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID. Several other recent polls show most Americans remain skeptical that a national ID card would enhance their security or preserve their liberty.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

IN SUPPORT OF THE LAW ENFORCEMENT OFFICERS FLAG MEMORIAL ACT OF 2002

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Law Enforcement Officers Flag Memorial Act of 2002. I am deeply sad that Harris County, where my hometown of Houston is located, is leading the Nation in the grim category of peace officers killed according to the National Law Enforcement Officers' Fund.

Peace officers and their families know better than anyone the perils and risks involved in their job. Yet every day, they put on a badge and make our Nation a safer place. While we should never forget these officers, we also need to remember their spouses, their children and friends who miss them dearly. Our hearts go out to those survivors who are trying to cope with saying good-bye to a loved one. We are indebted to the survivors for the courage of these officers, and we share their grief and offer kind words knowing that it is a poor substitute for their loss.

Every day, ordinary men and women make an extraordinary commitment when they put on a badge that symbolizes the oath they take to protect and serve. The badge also makes them a target. Every day, they leave their families behind not knowing if they will come home tonight.

Mr. Speaker, I invite my colleagues to join me as a cosponsor of the Law Enforcement Officers' Flag Memorial Act of 2002. This legislation seeks to honor slain law enforcement officers by providing their families a Capitol-flown U.S. flag.

While a Capitol flag is a meaningful and true symbol of our nation's gratitude, Congress should continue to make sure that we keep our commitment to the law enforcement community by providing funding for more officers, better equipment, and advanced training. Doing so not only saves the lives of officers, but it makes our families, our homes, and our neighborhoods a safer place.

DEFEND THE RIGHT TO LIFE

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of the right to life. Tragically, this most basic of human rights has been disregarded, set aside, abused, spurned, and sometimes altogether forgotten. Even more tragically, the United States government has been a willing partner in this affair, and the sad consequence is the sacrifice of something far more important than just principle.

One of the things that sets America apart from the rest of the world is the fact that in this country, everyone is equal before the law. Regardless of race, religion, or background, each person has fundamental rights that are guaranteed by the law. However, we too often overlook the rights of perhaps the most vulnerable among us—the unborn. When abortion is legal and available on demand, then where are the rights of the unborn? When abortion is sanctioned and sometimes paid for by the government, then how do we measure the degree to which life has been cheapened? When an innocent life is taken before its time, then how can one say that this is justice in America?

My amendment would establish beyond a doubt the fundamental right to life. Congress has an obligation to do what it has failed to do for so long, fully protect the unborn. I urge this body to move forward with this legislation to put an end to a most terrible injustice.

HONORING SUPERVISOR MEL  
VARRELMAN UPON HIS RETIRE-  
MENT

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Mel Varrelman as he retires from the Napa County Board of Supervisors. Mel's tenure as a Napa County Supervisor is a model for all those who are in public office and for all those who value community service.

During my service in Congress and the California State Senate, I have consistently turned to Mel for advice, assistance, and friendship. Since Mel was first elected to the St. Helena City Council in 1976 and then to the Board of Supervisors in 1982, he has represented his district, which includes my home in St. Helena, with sincerity, pragmatism and vision. Whether being on the winning side or the losing side of votes, Mel always cast his vote in the way he believed would improve the lives of his constituents. He has repeatedly demonstrated that true leadership often requires taking an unpopular position before time is eventually allowed to prove its benefits to all.

Mel shares a passion for agriculture and open space, particularly in the Napa Valley. Mel's steadfast commitment to the preservation of open space and agricultural lands in Napa County has allowed our Valley to remain as both an economic engine for the region and as one of the most beautiful places in the country. During his tenure, Mel helped enact measures including a landmark plan to require a vote of the people to rezone land, a hillside ordinance, a 160-acre minimum parcel requirement for agriculture, watershed and open space lands, a groundwater ordinance and a watershed ordinance.

As a private citizen, Mel has also contributed to the well being of those in our community. As an accountant and certified financial planner, he has helped individuals and small businesses navigate the tax code and the confusing world of finance. I often seek Mel's analysis of how national tax and fiscal policy will affect the lives of the hardworking people of the First Congressional District.

In addition to serving on the Board of Supervisors, Mel also serves on the Napa County Emergency Medical Care Committee, the Upper Valley Waste Management Agency, the Napa County Transportation Planning Agency, the Local Agency Formation Commission and the Government Finance Committee of the California State Association of Counties.

Mel lives in my hometown of St. Helena with his wife, Rose. They have two great children and are wonderful neighbors.

Mr. Speaker, I am honored today to recognize Napa County Supervisor and my friend Mel Varrelman for his tremendous contributions to the Napa Valley and its residents. Even as Mel retires as the District 3 Supervisor, I am confident that he will continue to provide leadership in Napa County for many years to come.

RECOGNITION OF VINCENT  
KRASINSKI

### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of Vincent Krasinski, a highly respected and influential member of the Glaziers Local Union 1087 who recently announced his retirement. In his 32 years as a member, Vincent was a leading voice for labor in Nassau and Suffolk County, and New York City. He joined the union in 1970 and quickly became a leader. First, he was elected to the LU 1087 executive board in 1979 and then being elected in 1987 as a Business Agent for LU 1087.

Vincent proudly served his country in the United States Air Force during the Vietnam War from 1969 to 1970. Upon returning from his tour of duty he married Jennifer, his wife of almost 33 years. They have two wonderful children, Jennifer and Laurie, and are the proud grandparents of Vincent, Alyssia, Chloe and Casey.

While serving as a member of the union's executive board, and raising a family, Vincent still found time to work on many political campaigns for labor friendly candidates. I am proud to say I am one of them. He has volunteered his time for the St. Francis Hospital Heart Center in Roslyn, New York and currently sits on Bob Gaffney's Labor Advisory Board.

Vincent Krasinski is responsible for the current strength of LU 1087. He leaves behind a strong legacy and is a good example of the difference one person can make. I applaud Vincent for his dedication to our community and thank him on behalf of the people of not only for the 4th Congressional District, but the rest of Nassau and Suffolk County and New York City who benefitted from his hard work and commitment.

IN SUPPORT OF THE LOW-INCOME  
HOME ENERGY ASSISTANCE EQ-  
UITY ACT OF 2002

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Low-Income Home Energy Assistance (LIHEAP) Equity Act of 2002. Most people associate LIHEAP with home heating assistance to needy families in the wintertime, and that is an extremely important purpose of the program. However, while many people are in danger each year because they cannot afford to properly heat their homes, many across the South but also all over the country are in danger every year because they cannot afford to cool their homes.

I am introducing this legislation to bring parity to the LIHEAP program between regions that are more likely to use LIHEAP for heating and for cooling. My hometown of Houston can see many consecutive days of above 100 degree temperatures, combined with high humidity. This is a potentially lethal combination for the poor, often elderly, residents who cannot

afford an air conditioner or afford to pay the electricity bill. In addition, the Northern part of the country sees too many preventable heat related deaths.

According to the National Weather Service, heat related deaths and injuries far outpaced cold related deaths and injuries. In 2000, there were 158 heat related deaths and 26 cold related deaths. In addition, there were over 400 heat related injuries also in 2000. In 2001, the difference was even more pronounced with 166 heat related fatalities and 4 cold related fatalities.

It is time Congress and the LIHEAP program recognize the dangerous reality the heat waves pose in this country and begin to offer residents in danger from hot weather as much energy assistance as we offer to residents in danger from cold weather. Let us work together to bring some equity to LIHEAP and prevent more, senseless, fatalities of the elderly, infirm, and children who cannot afford air conditioning. I urge my colleagues to support the Low-Income Home Energy Assistance (LIHEAP) Equity Act of 2002.

BALANCED FEDERAL BUDGET

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. Mr. Speaker, this afternoon I fulfill the pledge I made to the citizens of southern Missouri to introduce and work tirelessly to pass an amendment to the Constitution of the United States, that requires a balanced Federal budget. Over the course of the past several decades, fiscal irresponsibility has produced a Federal debt that is fast approaching \$5 trillion. That's trillion, with a 't,' Mr. Speaker. A debt of \$5 trillion is a mind-boggling figure, but it can be placed in a much clearer perspective. A child born today immediately inherits nearly \$20,000 of debt, owed directly to Uncle Sam. The same is true for every American. The era of continuing annual budget deficits must end, and it is clear that the only way to restore conservative fiscal values to the Nation's budget is to pass the balanced budget amendment to the Constitution.

The stakes in this debate could not be more important. The fiscal future of the United States hinges on the ability of Congress and the President to make the difficult choices required to balance the Federal budget. It's more than debating trillion dollar figures. It's about making our economy stronger and providing every working American family with a better chance to make ends meet. A balanced budget will strengthen every sector of our economy with lower interest rates that will help families stretch each paycheck further. Home mortgages, automobiles, and a better education will become more affordable to every working family, making the American Dream closer to reality for all.

Mr. Speaker, I am committed to working with my colleagues in the new Congress to see that the balanced budget constitutional amendment is passed and sent to the States for ratification. A constitutional amendment is certainly no substitute for direct action on the part of the Congress. However, we have seen time and time again instances where those who object to conservative fiscal responsibility



find convenient excuses to deny the American people a balanced budget. An unbreakable enforcement mechanism is clearly needed to ensure that those who would continue to spend our children's future further into debt are not able to do so.

I also want to make plain that the Social Security trust fund has no place in this debate. The independent trust fund is a sacred trust between generations and must never be used to balance the budget or hide the true size of the deficit.

Commonsense conservatives in Congress and the American people are committed to balancing the budget. I look forward to working throughout this session with all of my colleagues and the White House to pass the balanced budget constitutional amendment on a bipartisan basis. The obligations we owe to hard working American families, their children, and our Nation's future generations deserve nothing less than decisive action to preserve our future by balancing the budget. A constitutional amendment will ensure this outcome.

HONORING THE RETIREMENT OF  
SAN LEANDRO CITY COUNCIL-  
MEMBER GARRY LOEFFLER

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise today to recognize San Leandro City Councilmember Garry Loeffler on his retirement after 8 years of distinguished service on the Council and a lifetime of leadership in the San Leandro Unified School District.

First elected to the City Council in 1994, Loeffler has served on many committees dedicated to improving the city, including Disaster Council, Rules and Communications, School Liaison, Finance, Human Relations, and Facilities.

He is a strong supporter of the Seniors Commission, and a founding member of the San Leandro Collaborative for Families and Youth. Beyond the Council, Loeffler is active on regional groups including the Association of Bay Area Governments and the League of California Cities.

Dedicated to education, Loeffler was Principal or Vice-Principal of six of San Leandro's eight elementary schools during his 33-year career in education. Prior to his teaching career, he served active duty in the Army from 1963 until 1965. He remained in the Army Reserves until 1983, retiring as Lieutenant Colonel.

I am honored to congratulate Garry Loeffler on his retirement. The City of San Leandro is a better place today thanks to his years of dedicated service.

RECOGNITION OF CARLO  
CARRIERE

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of Carlo Carriere, a highly

respected and influential member of the Glaziers local Union 1087 who recently announced his retirement. In his 32 years as a member, Carlo was a leading voice for labor. He joined the union as an apprentice in 1970 and quickly became a leader.

Carlo proudly served his country in the United States Army from 1966 to 1968 where he attained the rank of Staff Sergeant. After the terrorist attacks of 9/11, he again served his country by leading a contingent of Glaziers in rescue and clean up of the World Trade Center site.

As a member of LU 1087, Carlo was elected District Council Delegate in 1973 and just three years later was elected to the Executive Board in 1976. He continued his accession in 1982 when he was elected as Vice President of the LU 1087. During his tenure as Vice President Carlo, became a Business Representative and was elected Chairman of the National Glaziers and Glass Workers Apprenticeship Program in 1990. He also served as a Trustee to the Union Funds beginning in 1986. In 1995 he was elected Business Manager of LU 1087. Just one year later, upon the full affiliation of LU 1087 with District Council 9, Carlo was appointed Assistant Secretary-Treasurer.

Carlo Carriere is responsible for the current strength of LU 1087. He leaves behind a strong legacy and is a good example of the difference one person can make. I applaud Carlo for his dedication to our community, and thank him on behalf of the people of the 4th Congressional District who have benefitted from his hard work and commitment.

INTRODUCTION OF THE KEEPING  
CHILDREN AND FAMILIES SAFE  
ACT OF 2003

**HON. PETER HOEKSTRA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HOEKSTRA. Mr. Speaker, today I introduce the "Keeping Children and Families Safe Act of 2003" to reauthorize the Child Abuse Prevention and Treatment Act (CAPTA), the Adoption Opportunities program, the Abandoned Infants Act, and the Family Violence Prevention and Services Act (FVPSA).

Unfortunately, last Congress the House and Senate were unable to reach agreement on all issues pertaining to the reauthorization of CAPTA and its related programs and acts. The bill I am introducing today once again puts forth our bipartisan effort and ongoing commitment to ensuring that programs aimed at the prevention of child abuse and neglect continue.

The Keeping Children and Families Safe Act of 2003 supports the continued provision of important federal resources for identifying and addressing the issues of child abuse and neglect, and supports effective methods of prevention and treatment. It also continues local projects with demonstrated value in eliminating barriers to permanent adoption and in addressing the circumstances that often lead to infant abandonment.

This bill emphasizes the prevention of child abuse and neglect before it occurs. It retains language promoting partnerships between child protective services and private and com-

munity-based organizations to ensure that services are more effectively provided, and retains important language supporting public education on child abuse and neglect by strengthening the public's understanding of the role of the child protection system and appropriate methods for public reporting of suspected incidents of child maltreatment.

This bill also continues to foster cooperation between parents and child protective services workers by requiring case workers to inform parents of the allegations made against them, and improves the training opportunities and requirements for child protective services personnel regarding the extent and limits of their legal authority and the legal rights of parents and guardians.

Lastly, this bill ensures the safety of foster and adoptive children by requiring states to conduct criminal background checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household.

Mr. Speaker, I urge my colleagues on both sides of the aisle to back this important bipartisan legislation that supports improved services for children and families in the prevention and treatment of child abuse, neglect and family violence.

DESIGNATING "GOD BLESS AMERICA"  
AS OUR NATIONAL HYMN

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce a simple piece of legislation that will provide all Americans with another important national symbol which they can lean on during times of national stress. The legislation will designate "God Bless America" as our National Hymn. The first words of this song, "God Bless America, land that I love," say it all. They are simple, direct, and they truly reflect the spirit of our country during this latest challenge.

Although nothing can surpass the importance or meaning of the "Star Spangled Banner" as our preeminent national anthem, "God Bless America" is almost always the second song our citizens fall to in times of great national tragedy. America's unofficial national anthem was composed by Irving Berlin, an immigrant who left Siberia for America when he was only five years old.

While originally written for a musical in 1918, Berlin realized that this was more than a light-hearted musical number. So he set it aside for a more appropriate time. That time came shortly before the Second World War. Berlin released "God Bless America" in November of 1938.

As the nation prepared to enter World War II, it was evident that the whole country—from the mountains, to the prairies, to the oceans white with foam—would need to stay strong, to protect our home sweet home.

"God Bless America" unified all Americans with its simple sentiment, and it unifies us again today.

This song is the heart and soul of our country, and we should honor it by designating it as our National Hymn.

Thank you Mr. Speaker.



INTRODUCTION OF THE CITIZENS  
INVOLVEMENT IN CAMPAIGNS  
(CIVIC) ACT

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to establish a program of limited tax credits and tax deductions to get average Americans involved in the political process. My bill, the Citizens Involvement in Campaigns (CIVIC) Act, will broaden the base of political contributors and limit the influence of big money donors in federal elections.

Members of Congress can be forgiven for being exhausted by the recent debates over campaign finance reform that last year concluded with passage of the Bipartisan Campaign Reform Act (BCRA). Although that legislation will curb some of the worst abuses of our current campaign system, such as the unlimited soft money loophole, the reality is that special interests and high-income donors still will have a disproportionate level of influence in our political system. We cannot stop here, with the job only partly complete.

As the next step in the process of campaign finance reform, we need to take a fresh look at innovative approaches, including ways that encourage, and not restrict, people's participation in our campaigns. Toward this end, I have been advocating tax credits and deductions for small political contributions for many years. An updated tax credit system would be a simple and effective means of balancing the influence of big money donors and bringing individual contributors back to our campaigns. The impact of this counterweight will reduce the burden of raising money, as well as the appearance of impropriety that accompanies the money chase.

Most would agree that the ideal way to finance political campaigns is through a broad base of donors. But, as we are all painfully aware, the economic realities of modern-day campaigning lead many candidates to focus most of their efforts on collecting funds from a few large donors. This reality alienates many Americans from the political process.

The concept of empowering small donors is not a new idea. For example, from 1972 to 1986, the federal government offered a tax credit for small political contributions. This provided an incentive for average Americans to contribute to campaigns in small amounts while simultaneously encouraging politicians to solicit donations from a larger pool of contributors. Currently, six geographically and politically diverse states (Oregon, Minnesota, Ohio, Virginia, Arkansas, and Arizona) offer their own tax credits for political contributions. These state-level credits vary in many respects, but all share the same goal of encouraging average Americans to become more involved.

The CIVIC Act can begin the process of building this counterweight for federal elections. This bill is designed to encourage Americans who ordinarily do not get involved in politics beyond casting a vote every two or four years (that is, if they bother to vote at all) to become more active participants in our political process.

The CIVIC Act will reestablish and update the discontinued federal tax credit. Taxpayers

can choose between a 100 percent tax credit for political contributions to federal candidates or national political parties (limited to \$200 per taxable year), or a 100 percent tax deduction (limited to \$600 per taxable year). Both limits, of course, are doubled for joint returns. As long as political parties and candidates promote the existence of these credits, the program can have a real impact and aid in making elections more grassroots affairs than they are now.

A side benefit of this legislation will be to strengthen political parties, which, many feel, have been weakened by the passage of BCRA. Under the CIVIC Act, only federal candidates and national party committees count as eligible recipients for purposes of the tax benefits. This will allow the parties to tap new sources of revenue and begin to replace the massive soft-money donations that have been cut off.

In conclusion, a limited tax credit for political contributions can be a bipartisan, cost-efficient method for helping balance the influence of large money donors in the American electoral process. Instead of driving away most Americans from participation in political life, we can invite them in. It seems to me that this will be a fruitful way to clean up our system, while at the same time convincing Americans that they actually have a meaningful stake in elections.

VOLUNTARY SCHOOL PRAYER

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. EMERSON. I rise today to introduce a constitutional amendment to ensure that students can choose to pray in school. Regrettably, the notion of the separation of church and state has been widely misrepresented in recent years, and the government has strayed far from the vision of America as established by the Founding Fathers.

Our Founding Fathers had the foresight and wisdom to understand that a government cannot secure the freedom of religion if at the same time it favors one religion over another through official actions. Their philosophy was one of even-handed treatment of the different faiths practiced in America, a philosophy that was at the very core of what their new Nation was to be about. Somehow, this philosophy is often interpreted today to mean that religion has no place at all in public life, no matter what its form. President Reagan summarized the situation well when he remarked, "The First Amendment of the Constitution was not written to protect the people of this country from religious values; it was written to protect religious values from government tyranny." And this is what voluntary school prayer is about, making sure that prayer, regardless of its denomination, is protected.

There can be little doubt that no student should be forced to pray in a certain fashion or be forced to pray at all. At the same time, a student should not be prohibited from praying, just because he/she is attending a public school. This straightforward principle is lost on the liberal courts and high-minded bureaucrats who have systematically eroded the right to voluntary school prayer, and it is now necessary to correct the situation through a con-

stitutional amendment. I urge my colleagues to support my amendment and make a strong statement in support of the freedom of religion.

HONORING THE MEMORY OF  
WAYNE OWENS

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HASTINGS of Florida. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of our colleague and good friend Congressman Wayne Owens. His death on December 18, 2002, was, indeed, unexpected. Today, we are left with a void that will undoubtedly remain unfilled for a long time to come.

A four term Member of Congress, Wayne Owens experienced this institution from the inside during two very trying times in American history. As a member of the House Committee on the Judiciary, in 1973, Congressman Owens voted to recommend the impeachment of then President Richard M. Nixon. Additionally, in 1991, during his final term in the House of Representatives, Congressman Owens joined with 44 of his Democratic colleagues to sue then President George H. W. Bush to prevent him from taking offensive action against Iraq without first obtaining a Congressional declaration of war or "other explicit authority from the Congress." While the suit only succeeded to delay war for a brief period, it reaffirmed the Congress' constitutional authority to make war.

Congressman Owens remained a continued advisor to many of us still serving today long after he left the House of Representatives in 1992. In 1989, Congressman Owens co-founded the Center for Middle East Peace and Economic Cooperation where he quickly became a leading voice advocating a peaceful solution to a historically deadly conflict. Many of us were often left in true admiration of his passion and commitment to educating policy makers and public citizens that peace in the Middle East is not a pipe dream, but rather a real possibility. During my tenure on the House Committee on International Relations, I often sought Congressman Owens advice and guidance, especially when considering legislation affecting the Middle East. While Middle Eastern leaders continue down the difficult path toward peace, Congressman Owens' voice of reason and understanding will truly be missed.

Mr. Speaker, the United States must work harder to fulfill the aspirations of peace that Wayne Owens sought for so long. Peace in the Middle East is not a pipe dream. Wayne Owens knew that and the Center that he founded is evidence. Without doubt, it would be a fitting legacy to the memory of Wayne Owens for Middle Eastern leaders to recommit themselves today to a life of peace, harmony, and coexistence. Congressman Owens wouldn't have wanted it any other way.

RECOGNIZING CHICO STATE UNIVERSITY POLITICAL SCIENCE PROFESSOR CHARLES M. PRICE ON THE OCCASION OF HIS RETIREMENT

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the significant achievements of Charles M. Price, a retiring political science professor at Chico State University in Chico, California.

Dr. Price began his outstanding work at Chico State in 1965. During the 37 years that followed, he taught through some of our Nation's most turbulent times. The assassinations of President Kennedy, Martin Luther King Jr. and Robert Kennedy, the Vietnam War, the civil rights movement and 9/11. These events shook the world and drastically impacted our college-aged youth. However, rather than allow frustration and confusion to rob his students of their confidence in government, Dr. Price used his unique talents to uplift and inspire students. He taught his students hope for a better tomorrow through our government, not in spite of it.

Dr. Price is a frequently sought-after commentator on direct democracy, California government and politics. His articles appear regularly in both local and national newspapers and the textbook he authored is the leading text on California government. He has received many accolades including several university merit awards. Yet as impressive as Dr. Price's resume is, his legacy lays in the civic involvement he has evoked from his students.

For over 10 years, Dr. Price served as director of the California Assembly Fellows program where students were able to gain a deep and thorough understanding of California's state government. He created and directs the Chico State University Sacramento Internship program, which provides Chico State students the opportunity to secure political internships and often jobs in politics. Several of Dr. Price's students have moved on to hold public office.

To have so many students become politically active is rare for many political science professors. For Dr. Price, it is the norm.

I earned my undergraduate degree from Chico State University. There, I had the privilege of being one of Dr. Price's political science students. The encouragement and motivation I received was profound as Dr. Price taught my class that we could, and should, make a difference in government. Dr. Price has the ability to make you believe that you can reach out and touch government; he made me believe I could get involved.

Mr. Speaker, for his invaluable contributions to Chico State University, his students Californian state government and our Nation, it is most appropriate that we honor Dr. Charles M. Price.

ELIMINATING THE 24-MONTH WAITING PERIOD FOR MEDICARE

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, more than 56 million Americans currently live with some kind of disability. These disabilities include blindness, paralysis, mental illness, hearing loss, physical ailments, and a host of other conditions.

The federal government has recognized the unique challenges faced by these Americans by allowing qualified disabled individuals to receive health insurance under the Medicare program. Unfortunately, the law includes a 24 month waiting period before disabled individuals can qualify for coverage.

This waiting period poses a serious problem for many newly disabled Americans. Faced with the loss of their employment due to their disability, their situation is only made worse because they cannot access the health care services they need. The Medicare program was designed to help people in need—not make their situations worse by denying them necessary health care.

That is why I am introducing legislation to eliminate the 24-month waiting period under the Medicare program. This legislation would allow individuals to enroll in Medicare immediately upon their disability determination. This is a necessary change in the law which will help countless Americans access the health care they need upon becoming disabled.

APPLES DON'T FALL FAR FROM THE TREE

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I commend to your attention the following editorial, "No interest like self-interest," written by Alexandra Pelosi.

Ms. Pelosi is a television news producer who co-directed the documentary "Journeys with George," a behind the scenes look at George W. Bush's 2000 presidential campaign. She is also the daughter of the House Democratic Leader, Representative NANCY PELOSI.

It is clear that apples don't fall far from the tree. The values, commitment and leadership NANCY PELOSI exemplifies resound here in the eloquent words of her daughter. I commend Alexandra Pelosi for her straightforward insight. She is right to call on the President to put the common good ahead of self-interest and to challenge all Americans to the same.

The following is a reprinted version of Ms. Pelosi's editorial that appeared in the San Francisco Chronicle on December 3, 2002:

NO INTEREST LIKE SELF-INTEREST

Watching President Bush on television this election cycle at those staged, made-for-TV photo-ops as he stumped for the congressional candidate du jour made me nostalgic.

Back in 2000, when I was an NBC News producer covering his campaign, then candidate Bush sat down with me and my absentee bal-

lot during the primaries. This is the pitch Bush made to me, a declared Democrat, for why I should vote for him: "You're in a key position. You happen to know me, you can read me like a book, you are able to share thoughts with the people of NBC in such a way that no one else will. And if I lose, you're out of work baby, you're off the plane, baby. It's in your interests." He appealed to my ambition and my pocketbook. He didn't push my country's interest—but rather, my own.

His pitch struck me as a cynical appeal to the personal good over the public good. So I asked, "But is that why people are supposed to vote? Are they supposed to vote just for themselves? What about the little people? I have a good job, I have a good life. BUT what about the people who really need my vote: the hungry, the unemployed, the homeless?" He didn't really have an answer for me, all he had to give me was a kiss.

A lot has changed since Bush became president. A new patriotic fervor and a spirit of sacrifice swept the nation after Sept. 11. Remember the endless lines of New Yorkers celebrating the rescue workers near Ground Zero, the generous donations coming in from across our country? America showed the kind of selfless spirit that has defined some of the best moments of our history. We were "stronger, more united." Remember?

If the days after Sept. 11 taught us anything, it was that the American way of "me first, me only" just isn't going to make it in the new millennium. We were willing to admit that "what is good for you, may not be good for your country." It felt like a new day was dawning.

So when I saw Bush campaigning last month, I was surprised to see him using his old line. Here is the pitch he made to the people of New Hampshire for why they should vote for JOHN SUNUNU, the Republican senator-elect: "It doesn't matter whether you're a Republican or Democrat or independent, it's in your interest, it's in your personal interest and it's in your state interest that you have one of your own be the chairman of one of the most vital committees in the United States Senate."

These midterm elections made me wonder. Have we learned nothing in the last two years? What happened to the Sept. 11 lesson of selflessness and sacrifice?

The political commentators love to marvel at how President Bush has grown up in office. And people who see "Journeys With George" always ask me about how he has "risen to the occasion." For evidence of his evolution, they point to the scene in my movie that takes place 60 days before the 2000 presidential election. I ask Bush how he changed during the campaign. "I started out as a cowboy," he says. "And I'm now a statesman."

"Are you?" I ask.

For a second, he bristles at my imper-tinence, then says, "If you have to ask, I think we're in trouble."

There's a difference between a cowboy and a statesman. A cowboy is a rodeo performer or a wild loner roaming the land just looking out for himself. A statesman looks out for and leads us all.

As he did in 2000, Bush went state to state in 2002, bringing the message to America that a vote for one of his hand-picked candidates was "in their interest." Apparently, that tactic worked, for now he has a pliant Republican Congress, ready to do the bidding of a population acting only in its own self-interest.

I thought we'd all grown a little since Sept. 11, that we've embraced our inner statesman. But have we? And if I have to ask, I think we're in trouble.

# INTRODUCTION OF THE MUSEUM AND LIBRARY SERVICES ACT OF 2003

## HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HOEKSTRA. Mr. Speaker, today I am introducing a bill to reauthorize federal assistance to museums and libraries through fiscal year 2009. The Museum and Library Services Act of 2003 maintains the modest but essential federal support for museums and libraries across the country; authorizes funds for the one federal agency—the Institute of Museum and Library Services—devoted exclusively to museums and libraries; and encourages model cooperation between museums and libraries.

Last Congress, the Committee on Education and the Workforce reported H.R. 3784, the Museum and Library Services Act of 2002. That bill had 94 cosponsors, was supported by the Administration, and was endorsed by the American Library Association, the Chief Officers of State Library Agencies and the American Association of Museums.

The Museum and Library Services Act of 2003 makes several modifications to current law to streamline and strengthen museum and library services, and will help build on the bipartisan progress made by the Committee during the 107th Congress.

Generally, this legislation authorizes the federal library and museums program under the Institute of Museum and Library Services. Specifically, the Museum and Library Services Act of 2003: Requires the Director of the Institute of Museum and Library Services to establish procedural standards for making grants available to museums and libraries (ensuring that the criteria are consistent with the statutory purposes); Prohibits projects that are determined to be obscene from receiving funding; Ensures that library activities are coordinated with activities under the No Child Left Behind Act of 2001; Consolidates museum and library advisory board activities under a single statute; Authorizes the IMLS Director to issue National Awards for Library Service and National Awards for Museum Service; and Ensures that administrative funds are also used to conduct annual analyses of the impact of museum and library services to evaluate and identify needs and trends of services provided under funded programs.

The Museum and Library Services Act of 2003 makes common sense reforms to authorized museum and library activities, includes provisions important to Members on both sides of the aisle and reauthorizes a program that should be supported by the Congress.

I hope that my colleagues on both sides of the aisle cosponsor the Museum and Library Services Act of 2003. I look forward to completing this legislation this Congress so we can ensure that our nation's museums and libraries are getting the best assistance we are able to provide from the federal level.

# COMMENDING THE PEOPLE AND GOVERNMENT OF KENYA

## HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to express my total support for the people and the newly elected government of Kenya. The hard work and perseverance on the part of the people of Kenya is commendable, as they march along the difficult road of peace and democracy. In much of the developing world, we have witnessed, time and again, countries whose efforts have fallen short of that needed to fully implement a democratic tradition.

The determined Kenyan voters ignored unseasonably heavy rains and provided a solid mandate to the new president, the parliament, and local councilors throughout the country. It is refreshing to see the change of government at the ballot box of free and fair elections and not at the end of rifles. Local and international observers who witnessed the election of President Mwai Kibaki described it as the fairest in Kenya's 39-year history. I urge this body to support and commend the Kenyans for the positive measures they have taken to establish a solid democratic foundation.

This body, the House of Representatives, along with the Senate and the executive branch should provide assistance to this country as it continues to build its economy and political institutions.

# INTRODUCTION OF THE GERIATRIC CARE ACT OF 2003

## HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce the Geriatric Care Act of 2003, an important piece of legislation which will help our nation prepare for the health care pressures associated with the aging of the baby boom generation.

Americans are living longer than ever, with the average life expectancy rising to 80 years old for women and 74 years old for men. While this is generally a positive development, there are costs associated with the aging of America. As seniors live longer, they face greater risks of disease and disabilities, such as Alzheimer's, diabetes, cancer, stroke, and heart disease.

Geriatricians are physicians who are uniquely trained to help care for the aging and elderly. By promoting a comprehensive approach to health care, including wellness and preventive care, geriatricians can help seniors live longer and healthier lives.

It is critical that our nation have a sufficient number of geriatricians to help manage the aging of the baby-boom generation. Unfortunately, there are currently only 9,000 certified geriatricians, and that number is expected to decline dramatically in the coming years. Of the approximately 98,000 medical residency and fellowship positions supported by Medicare in 1998, only 324 were in geriatric medicine and geriatric psychiatry. The Alliance for

Aging Research estimates that the United States will need approximately 36,000 geriatricians to counter the aging population. We must do more to promote geriatric residency programs.

There are two barriers preventing physicians from entering geriatrics: insufficient Medicare reimbursements for the provision of geriatric care and inadequate training dollars and positions for geriatricians.

A MedPac survey found that Medicare's low reimbursement rates serve as a major obstacle to recruiting new geriatricians. Due to their higher level of chronic disease and multiple prescriptions, seniors require additional care to ensure proper diagnosis and treatment. Medicare's reimbursement rates do not factor the complex needs of elderly patients. Because geriatricians treat seniors exclusively, they are especially affected by Medicare's low reimbursement rates.

Additionally, the Balanced Budget Act placed limits on the numbers of residents a hospital can have, based on 1996 numbers. This cap serves as a disincentive for some hospitals, and has caused them to eliminate or reduce their geriatric Graduate Medical Education (GME) programs.

The legislation I am introducing today would remedy both of these problems, so that America is prepared for the aging baby boom generation. The Geriatric Care Act would modernize the Medicare fee schedule to more accurately reflect the cost of providing care for seniors. It also would allow for additional geriatric residency slots, so that we can develop an adequate supply of geriatricians for the next generation.

I urge all of my colleagues to join me as cosponsors of this legislation. Thank you, Mr. Speaker, I yield back the balance of my time.

# INTRODUCTION OF THE MEDICARE MARKET ACQUISITION DRUG PRICE ACT

## HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Market Acquisition Drug Price Act. This bill would correct a long-standing and well-documented problem with the way Medicare pays for the few outpatient prescription drugs it covers today. This bill would save the government billions of dollars and lower cost-sharing for Medicare beneficiaries who are paying a substantial share of the industry's bloated prices today. Congress should enact this bill immediately.

This problem must be resolved—this year—whether or not we succeed in creating a new Medicare prescription drug benefit. We have had hearings, we have had GAO and Inspector General reports, and we have had bipartisan consensus that this is a problem, but due to pharmaceutical industry efforts, we have had no congressional action. This problem was not addressed in the prescription drug legislation passed by the House Republican leadership last Congress. In the absence of congressional action, the Centers for Medicare and Medicaid Services, CMS, at the Department of Health and Human Services recently took modest steps to trim overpayments resulting from the current system. I applaud

CMS's efforts and urge them to take any actions within their authority to ensure that Medicare pays reasonable prices for drugs.

However, the ultimate solution to this problem requires legislation. Despite the House Republican leadership's persistent neglect of the issue, I believe there is bipartisan consensus that Medicare should not continue to pay exorbitant prices for prescription drugs. I urge my colleagues to join me in supporting this bill.

Medicare currently pays for only a limited number of outpatient drugs, generally ones that a patient cannot self-administer, such as chemotherapy drugs. Medicare spends over \$5 billion every year on these drugs. Under current rules, Medicare vastly over-pays for these drugs, because it bases payments on the artificially high "average wholesale price," AWP, reported by the drug's manufacturer—regardless of the actual price a provider pays for the drug. There is abundant evidence that drug manufacturers have boosted their own drug sales and increased their profits, at great taxpayer expense, by manipulating the AWP of their drugs. Simply put, drug manufacturers report inflated prices, sell providers the drugs for much less, and then encourage providers to bill Medicare for the maximum allowable amount—95 percent of the inflated AWP reported by the manufacturer.

This bill offers a straightforward solution to this problem. It would require Medicare payments to be based on the actual market prices at which manufacturers sell their drugs. This price, called the average acquisition price, would be verifiable. The Secretary would have the authority to audit drug companies' reports. Drug companies would be subject to steep fines for deliberately filing false or incomplete information.

Mr. Speaker, the current Medicare AWP rules are a sham and must be changed. Consider the following:

The General Accounting Office has described the AWP as "neither 'average' nor 'wholesale'; it is simply a number assigned by the product's manufacturer." The GAO found that Medicare's payments for physician-administered outpatient drugs were at least \$532 million higher than providers' potential acquisition costs in 2000. Similarly, the GAO found that Medicare paid at least \$483 million more for supplier-billed drugs than suppliers' potential acquisition costs in 2000. Some drugs were available at prices averaging less than 15 percent of the manufacturer's reported AWP, while Medicare continued to pay 95 percent of AWP.

In a real-life example, Mr. Bob Harper of Florida wrote to me about the high costs of one of his wife's chemotherapy drugs, Leucovorin. According to a September 2001 GAO report, this drug is widely available for just 14.4 percent of the AWP. Yet beneficiaries can be charged as much as 19 percent of the AWP—more than the actual price of the drug. Mr. Harper stated that his wife is being charged a co-payment of \$155.27 for 36 treatments, or a total out-of-pocket charge of \$5,589.72 for this drug. As Mr. Harper said, "This is outrageous!"

The Office of the Inspector General, OIG, at the Department of Health and Human Services found that Medicare could save \$761 million per year by paying the actual wholesale prices available to physicians and suppliers for just 24 of the outpatient drugs currently covered by Medicare.

Numerous states, consumer groups, and private health plans have sued drug manufacturers for fraudulently inflating Medicare drug prices.

These suits follow on the heels of a record Medicare and Medicaid fraud settlement by TAP Pharmaceutical Products. In October 2001, TAP pleaded guilty to a charge of conspiracy to violate federal law. TAP agreed to pay \$875 million—the largest criminal fine ever levied by the government for health care fraud—to settle the suit, in which the government alleged the company artificially inflated the AWP of the company's prostate cancer drug Lupron.

In October 2002, the OIG issued draft compliance program guidance to pharmaceutical companies. This guidance specifically highlighted pharmaceutical companies' manipulation of the average wholesale price as fraudulent behavior: "A pharmaceutical manufacturer's purposeful manipulation of the AWP to increase its customers' profits by increasing the amount the Federal health care programs reimburse its customers implicates the anti-kick-back statute."

Mr. Speaker, the problem is well known. The solution is straightforward. Both the GAO and the OIG have recommended that we revise Medicare's drug payment policies to reflect actual market prices, accounting for rebates and other discounts available from manufacturers. That is exactly what this bill does.

Manufacturers would be required to report the actual average market acquisition prices for their drugs as a condition for Medicare coverage of those drugs. Each manufacturer would have to certify the accuracy of its reports and the Secretary of HHS would be empowered to audit price information to verify the accuracy of the reports. Drug manufacturers would be subject to unlimited civil monetary penalties for filing false reports and would be subject to a penalty of \$100,000 for each day they fail to provide timely information.

The bill is also carefully crafted to ensure that the reimbursement revisions will not adversely impact Medicare beneficiaries' access to care. First, to ensure these drugs are available in areas of the country where providers must purchase covered drugs at prices above the average, the actual reimbursement level to providers would be set 5 percent above the average acquisition price. Second, Medicare would pay dispensing fees to reflect differences in the costs of dispensing different drugs and biologics. Third, the bill would ensure continued access to cancer treatment. Oncologists have argued that inflated AWP reimbursements are necessary to compensate for the administration of cancer medicines. This bill would correct this anomaly by revising Medicare payments for oncology services to appropriately account for these indirect costs, in accordance with GAO recommendations.

Mr. Speaker, I sincerely hope that Congress will act to provide a meaningful Medicare prescription drug benefit this year. On top of the many other serious concerns I have with the so-called drug benefit bills offered by the Republican leadership in recent years, I am deeply disappointed that they have not addressed the abuses of the current AWP system. We must not shirk our responsibility to ensure that Medicare properly pays for the limited outpatient prescription drugs it already covers. There is no need for taxpayers to continue to fill pharmaceutical companies' coffers

with the ill-gotten gains of the current AWP system. I hope all of my colleagues will join me in passing this important legislation.

## PASS 21ST CENTURY WATER COMMISSION ACT

**HON. JOHN LINDER**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. LINDER. Mr. Speaker, over the past year, major newspapers reported almost daily on water problems, as over half of the United States experienced drought conditions. Rivers and wells dried up, aquifers were challenged by saltwater intrusion, and fish, wildlife, and crops were threatened. In many states, the droughts continue today, with no relief in sight. Even without the problems caused by drought, projected population growth for the United States indicates that water demand will continue to increase in coming years. It is critical that states across the nation find ways to store more fresh water to meet growing needs.

Water resources managers will be faced with unavoidable, life-threatening challenges in the 21st century, and we must prepare for these challenges now through extensive research and coordination of objectives among all levels of water management—federal, state, local, and the private sector. I am introducing a bill today to begin this process.

My bill would create the "21st Century Water Commission" to recommend strategies for meeting 21st century water challenges. The commission, composed of seven members appointed by the President, is charged with assessing future water supply and demand, evaluating federal water programs and the coordination of federal agencies, and researching contemporary technologies for increasing fresh water resources. The commission would also make recommendations for conserving fresh water, storing excess water for use in times of drought, and repairing aging, leaky infrastructures.

The legislation I am introducing today is designed to bring our nation's premier water experts and managers together to the discussion table to share their ideas for the future. This bill is in no way intended to federalize our nation's water policies; it should create a resource and a research engine to enable local communities to better solve their water problems.

In John Steinbeck's novel, *East of Eden*, the narrator observes, "It never failed that during the dry years the people forgot about the rich years, and during the wet years they lost all memory of the dry years. It was always that way." I have been told over and over again that the United States only reevaluates its water policies when a crisis hits. But failure to plan for future water shortages is a recipe for disaster. We must begin now to advance the science and knowledge that will be necessary to deal with 21st century water challenges.

Last March, EPA Administrator Christie Whitman expressed that, "Water is going to be the biggest environmental issue that we face in the 21st century, in terms of both quantity and quality." I couldn't agree more. Mr. Speaker, we must begin working today to meet this challenge, by passing the "21st Century Water Commission Act."

INTRODUCTION OF THE AMERICAN  
WORKER TEMPORARY RELIEF ACT**HON. TODD TIAHRT**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. TIAHRT. Mr. Speaker, today I am introducing the American Worker Temporary Relief Act, legislation which will extend for 13 weeks unemployment compensation for those Americans whose benefits expired on December 28. If enacted, this bill will enable approximately 800,000 Americans—including 6,000 laid-off workers in my state of Kansas—to begin receiving benefits again.

The American Worker Temporary Relief Act is an important step in helping our workers through these tough economic times. Many have been severely affected by a lingering recession and the economic effects of the September 11, and we, as elected representatives of the people, cannot turn our backs on them.

While this measure is important for immediate relief, I must emphasize its title, "The American Worker Temporary Relief Act." Make no mistake: This is short term aid. I believe the best and most responsible approach Congress can take is to adopt policies designed to get our economy growing again. We should work to create a climate in which businesses, especially small businesses, can grow and create jobs that America needs. We should work to guarantee that hard-working Americans are able to keep more of their money to spend in our economy.

I represent the Fourth District of Kansas, which includes Wichita, the Aviation Capital of the World. In the greater Wichita area, we have had in excess of 10,000 layoffs in the aircraft manufacturing industry as a result of the downturn following the attacks on September 11, and have, by far, the highest unemployment rate of any area in the state. And while many of these laid-off workers will benefit from the bill I am introducing today, they have been unable to qualify for additional unemployment benefits available to other high unemployment states due to the relative economic health of other areas in our state.

While I am truly grateful that other parts of my state have been spared the high unemployment which is prevalent in the Wichita area, I believe we must review the formula for determining the qualifications for more benefits when a particular area has been hard hit. In the coming weeks, I will be introducing legislation to fundamentally change the procedure for dispersing, unemployment benefits.

Under the current formula, hard-hit areas of a particular state often do not meet the "trigger" for unemployment benefits due to the more robust economic health of the rest of the state. This policy change, if enacted, will guarantee that unemployment assistance will not be contingent on an overall state unemployment rate, but a more localized approach designed to assist areas of greatest need.

Mr. Speaker, this change will undoubtedly take time. I look forward to working with my colleagues to correct this unjust method of measuring economic hardship and I will seek their support as we work to provide assistance for those areas most in need.

In the meantime, I urge my colleagues to support legislation to extend the unemployment benefits of all Americans whose assist-

ance lapsed on December 28. Support the American Worker Temporary Relief Act.

## FLAG PROTECTION AMENDMENT

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CUNNINGHAM. Mr. Speaker, I rise today to reintroduce legislation which would amend the Constitution to prevent desecration of the American flag. This measure is identical to H.J. Res. 36, which I sponsored in the last session of Congress, and language adopted by the House four times. It is necessary to restore protections for the symbol of our nation and all its honored traditions, which were sadly wiped away in the 1989 Supreme Court ruling on *Texas v. Johnson*.

In that fateful 5-4 ruling, the Court cast aside longstanding national laws and 48 state laws recognizing the flag's special status and honoring its place in American society—ruling that its desecration is protected under the First Amendment. For those who see our flag as a revered symbol of freedom and the great sacrifices that were made to sustain it at home and abroad, that decision was a horrible affront—and the call to action was immediate.

Inspired to preserve our national trademark and unalloyed symbol of unity, Congress quickly moved to pass a law restoring flag protections. But in its 5-4 ruling on *United States v. Eichman* in 1990, the Supreme Court once again found that flag protections were inconsistent with free expression rights accorded under the First Amendment. That ruling made it clear that restoration of flag protections would require a Constitutional Amendment.

Since that ruling, the House has four times passed a Flag Protection Constitutional Amendment with well over the two-thirds majority required. The Senate has also acted, failing to achieve the two-thirds votes necessary to move the amendment forward to the states for ratification by a mere handful of votes. Since that time, our nation has endured some of its most difficult challenges and we have been reminded once again how important the flag is in unifying our nation, demonstrating our resolve and honoring those who have sacrificed to protect the lives and liberties of the American people.

Each color on the flag, each star and each stripe evokes emotion in me, and together they stand as a symbol of everything I believed in about this country when I fought to defend it. When I heard that some in my country were opposing my military's involvement in Vietnam, that flag reminded me of our tolerance for differences and our endurance through unity. It was a steady symbol of the liberties we enjoy—a way of life that should be protected for future generations and defended for others who aspire to it. From the soldier deployed or detained abroad to the policemen and firefighters protecting citizens in communities, it has stood as a symbol of the country we love, the reason we serve and most important, the sacrifices that have been made.

There have been several major incidents of flag burning since the Court ruling in 1990. These incidents tear at me, and represent a direct attack on all I hold dear about this country. The Constitution was not designed to pro-

tect actions which jeopardize others' rights, and the government has long acted to restrict speech and conduct that could cause harm to others. Those who want to express their anger against this country have options that don't involve destroying the sacred symbol that belongs to all citizens.

At a time when we are faced with increasing youth violence and cultural breakdown, restoring our most recognized sign of unity would be a positive step in the right direction—providing a steady reminder that living free comes with responsibility to respect others. Since 9-11, the flag has come to represent even more for all Americans and a reminder of those who were lost protecting us. Allowing its desecration is an insult to all those who perished.

Mr. Speaker, the state of Israel has laws protecting not only its flag, but the flags of its allies as well. It is inexplicable to me that the United States is being told by its courts to tolerate such acts of hatred and violence against its flag when our allies go to such great lengths to protect it. Over seventy-five percent of Americans consistently agree: the time to restore protections for our flag is long overdue. I ask my colleagues to join me in support of this Constitutional Amendment, and to move it back to the American people for speedy ratification.

TRIBUTE TO PUNCH WOODS, RE-  
TIRING EXECUTIVE DIRECTOR  
OF THE TUCSON COMMUNITY  
FOOD BANK**HON. JIM KOLBE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. KOLBE. Mr. Speaker, I rise today to pay tribute to Punch Woods, the retiring Executive Director of the Tucson Community Food Bank who has served his community in this important role for the past 25 years.

Mr. Speaker, it is hard to imagine what Tucson would be like without the contributions Punch has made to helping people who are hungry and needy. Just as important, however, has been his work to raise the awareness of the rest of the community, who do not suffer from hunger, of what it means to those who do. An entire generation of school children has grown up in southern Arizona bringing cans of food to school, to their Girl Scout meetings and even to birthday parties because of Punch's efforts. Now, many of them are parents themselves and are raising their kids to do the same.

I've had the privilege of serving on the Community Food Bank Board for some 20 years now. I don't know if I have contributed much to the work of the Food Bank over the years, but I know how much it has personally benefited to me. It has been so rewarding to be associated with an organization that is both compassionate and practical and to understand these are not mutually exclusive terms. We always say that we wish the Community Food Bank didn't have to be in business, and that is true. But hunger and poverty are—sadly—facts of life in our community today, and it is heartening to know that the Community Food Bank has been there to serve our families and neighbors in need with an ever-increasing array of services. The very fact that Punch

and I—one Democrat and one Republican—could work so well together to tackle the problems of hunger in our community is proof that there is no partisanship in these issues. But none of this could happen without his vision, dedication, determination and the personal sacrifices that he has made over the years.

Mr. Speaker, the Tucson Community Food Bank will not only survive but will grow even stronger because of the base that Punch Woods has built for it.

TRIBUTE TO ROBERT E. "BOB"  
BOWEN

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mrs. CAPITO. Mr. Speaker, The Polymer Alliance Zone (Polymer) was developed in 1996 as a private/public partnership designed to promote the polymer industry in West Virginia. Polymer has been cited as one of West Virginia's most successful initiatives and has been emulated in the chemical and wood industries throughout the world.

One man, Robert E. "Bob" Bowen has served with great distinction as the Chairman of the Board of Directors since Polymer's inception. During that time, his leadership has brought the organization to a level of success that far exceeded all expectations, creating thousands of jobs and millions of dollars in new investments.

Mr. Bowen has leveraged resources from education, labor, management and government to bring worldwide recognition to Polymer and focus attention on the many opportunities available for companies and workers in West Virginia.

Mr. Bowen has dedicated countless hours toward facilitating and managing the many successes of the Polymer Alliance Zone, and has served as mentor to other alliances now forming among West Virginia industries.

After six years of successful leadership, Mr. Bowen is retiring as the Chairman of the Board of Directors. His vision and skill have secured the jobs of thousands of West Virginia families and growth for the future of many communities.

Mr. Speaker, I rise today to express the appreciation of the citizens of West Virginia to Robert E. "Bob" Bowen for the invaluable contribution he has made to our beloved state.

H.R. 100, THE SERVICEMEMBERS  
CIVIL RELIEF ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. SMITH of New Jersey. Mr. Speaker, today Mr. EVANS of Illinois and I are introducing H.R. 100, the Servicemembers Civil Relief Act, a bill to restate, clarify and strengthen the legal protections afforded our men and women who serve on active duty in our armed forces. This measure would modernize and rename the current Soldiers' and Sailors' Civil Relief Act, which has had only a few changes since it was passed during World

War II. While it has always provided extremely important legal protections, this law is badly in need of comprehensive redrafting in modern legislative language so that it has a more inclusive name, is easier to understand and interpret, and, most importantly, provides updated protections to reflect the considerable changes in American society that have occurred over the past fifty years.

During the 107th Congress, I introduced H.R. 5111, a bill of the same name. H.R. 100 is a continuation of that initiative, and it may be possible to make more improvements as the new bill is considered. I think the timing of this legislation is important. Our Nation is engaged in a war against terrorism and once again contemplates the possibility of a war to prevent Saddam Hussein from developing weapons intended to terrorize the world. Our servicemembers need to know their elected representatives are working to reduce the burdens they and their loved ones face as they protect our freedoms and way of life. That is why we are introducing this bill on the first day of the 108th Congress.

Mr. Speaker, H.R. 100 is intended to make the Soldiers' and Sailors' Civil Relief Act (SSCRA) easier to understand by restating it in plain language, to incorporate generally accepted procedural practices, and to adjust its provisions to developments in American life since 1940. Major improvements to the SSCRA in H.R. 100 would:

1. Expand the SSCRA provision temporarily suspending legal proceedings that may prejudice the civil legal rights of military personnel to include administrative as well as judicial proceedings;

2. Add a section pertaining to Legal Representatives that clarifies the term "servicemember," as used in the Act, and incorporates by reference the concept of a legal representative (the SSCRA is silent on this issue);

3. Establish a 90-day automatic stay of proceedings when military duty requirements materially affect the servicemember's ability to appear in a judicial or administrative proceeding;

4. Clarify the 6 percent interest rate cap by specifying that interest in excess of 6 percent per year is forgiven;

5. Improve eviction protections by precluding evictions from premises occupied by servicemembers for which the monthly rent does not exceed \$1,700, rather than the current ceiling of \$1,200;

6. Add leases to the provision protecting servicemembers who, prior to entry into military service, have entered an installment contract for the purchase of real or personal property by prohibiting creditors without court action from terminating contracts and repossessing property for nonpayment or breach occurring prior to or during military service;

7. Expand the termination of the real property leases provision by adding a clause stating that, if a servicemember while in military service executes a lease and thereafter receives military orders for a permanent change of station (PCS) move or a deployment order of 90 days or more, the servicemember can terminate the lease by giving the landlord written notice;

8. Clarify that protections regarding taxes on personal property include all forms of property owned by a servicemember or jointly held by a servicemember and the servicemember's spouse;

9. Add a provision that states "a tax jurisdiction may not use the military compensation of the non-resident servicemember to increase the tax liability imposed on other income earned by the nonresident servicemember or spouse subject to tax by the jurisdiction"; and

10. Include legal services as a professional service specifically named under the provision that provides for suspension and subsequent reinstatement of existing professional liability insurance coverage for designated professionals serving on active duty.

Mr. Speaker, during the last Congress, with Public Law 107-330 we amended the Soldiers' and Sailors' Civil Relief Act to expand coverage to National Guard members activated under title 32 to respond to national emergencies declared by the President. Just in the past few days, some members of the reserve components have received notices that they will be called up for active duty, and Congress should consider more ways to encourage citizen service in the armed forces both by reducing its burdens and increasing its incentives. I hope to do that during this Congress. What was once called the Militia is now the National Guard and the Reserves, but the purpose remains the same, to give the people themselves the opportunity and responsibility to voluntarily contribute their time and talents to the national defense.

Mr. Speaker, I am hopeful that the House will consider and pass H.R. 100 early in this session. Our servicemembers should be uppermost in our minds and in our prayers during these dangerous times. As we depend on them, we must also do our part.

JUAN NEPOMUCENO SEGUIN  
POSTAGE STAMP

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GREEN of Texas. Mr. Speaker, I rise to introduce a resolution which urges the United States Postal Service to commission a postage stamp commemorating Juan N. Seguin, hero of Texas' War for Independence.

Juan Seguin believed in the freedoms that we enjoy today, many of which we take for granted.

He was fair minded, did not tolerate injustice, and fought for basic human rights for all people, despite the constant risk of imprisonment or death.

He was one of the key leaders of Texas' War for Independence.

As territorial governor of Texas, he protested the dismantling of the Mexican Republic of General Antonio Lopez de Santa Ana, and was the first to sound the alarm in response to Santa Ana's tyrannical actions.

He renounced General Santa Ana's overturning of the Mexican Constitution of 1824, which had granted all citizens and subjects of Mexico their basic human rights.

This was what the men in the Alamo were fighting to restore, as represented by the famous image of the Mexican flag with the number "1824" painted across the middle.

In October 1934, Seguin convened the first revolutionary meeting protesting the actions of Santa Ana's government.

Once the revolution was underway, he fought in the successful battle to retake San Antonio from General Martin Perfecto de Cos.



Later he was one of the 189 defenders of the Alamo, and his life was spared by Colonel William Travis' decision to send him with a request for reinforcements to Colonel James Fannin at Goliad, Texas.

He left on March 5, 1836, the day before the fall of the Alamo and the slaughter of its defenders.

He was able to rejoin the remainder of the Texas Army under General Sam Houston, and thus became the only man to fight at both the Alamo and San Jacinto.

Juan Seguin was a legendary leader in the Texas Revolution and an unsung hero of Texas. Though he is seldom given credit for his contributions, he helped establish the Texas that we are so proud of today.

I urge my colleagues to join me in support of this resolution.

#### STATEMENT AGAINST A PREVENTIVE WAR IN IRAQ

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. FRANK of Massachusetts. Mr. Speaker, on Monday night, literally on the eve of our swearing in as members of the 108th Congress, I spoke in Wellesley, Massachusetts at the Unitarian Universalist Society of Wellesley Hills at the invitation of that society. The topic they asked me to address was the potential war in Iraq, and I spoke to a crowd of several hundred people expressing my reasons for opposing a war in Iraq at this time. I was struck by the extremely large turnout—overflowing the hall—on a weeknight, and on a day when there had been a significant snowstorm, leaving the roads in difficult condition.

At the conclusion of the question and answer period, a representative of the society presented me with the attached statement, signed by approximately 160 people in the group. (I should note that the attendance at the meeting was much larger because not everyone who attended had been previously solicited to sign the statement.)

Mr. Speaker, given the grave nature of the question of whether or not to go to war, and the strong interest expressed by these citizens, I welcome their contribution to our debate and I ask that the Statement Against A Preventive War In Iraq presented by Members and Friends of the Unitarian Universalist Society of Wellesley Hills be printed here.

#### INTRODUCTION OF THE PUSH POLL DISCLOSURE ACT OF 2003

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to increase the disclosure requirements for telephone "push polls." As many candidates for public office have learned through personal experience, these push polls are not legitimate telephone surveys, but campaign devices designed to smear a candidate under the guise of a standard opinion poll.

Imagine a voter, who has been identified as a supporter of candidate X, being asked in a

survey if this support would continue if it was learned that candidate X was guilty of a terrible indiscretion or an outright crime. It doesn't matter whether the allegations are true because the idea that candidate X is somehow unfit for office has been planted successfully. This is a telephone push poll.

My legislation, the Push Poll Disclosure Act of 2003, requires that each participant in a poll conducted for a candidate for a Federal office seeking the opinion of more than 1,200 households be told the identity of the survey's sponsor. It also requires further disclosures when a survey's results are not to be released to the public. In this case, the cost of the poll and the sources of its funding must be reported to the Federal Election Commission, along with a count of the households contacted and a transcript of the questions asked.

The Push Poll Disclosure Act of 2003 is a simple bill. It will not hinder the traditional use of polling, nor will it burden polling firms with excessive regulations. What this bill does do, however, is regulate push polls for what they are—campaign activities, and questionable ones at that. This legislation is noncontroversial and should be bipartisan, and its passage will make campaigns for Federal office a little bit cleaner.

#### INTRODUCTION OF THE FED UP HIGHER EDUCATION TECHNICAL AMENDMENTS ACT OF 2003

**HON. JOHN A. BOEHNER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. BOEHNER. Mr. Speaker, today I would like to join my colleague from California, the Chairman of the 21st Century Competitiveness Subcommittee, Representative HOWARD P. "BUCK" MCKEON, in reintroducing the FED UP Higher Education Technical Amendments Act. This bipartisan bill, cosponsored by Education & the Workforce Democrat committee members CAROLYN MCCARTHY (D-NY) and DAVID WU (D-OR), provides for technical amendments to the Higher Education Act, which will be up for reauthorization later this year.

Representative MCKEON, a leader in the House on higher education issues, along with the late Representative Patsy Mink (D-HI), initiated the FED UP process to make it easier for Hispanic-Serving Institutions to receive Federal aid, help college students avoid defaulting on their student loans, clarify that Federal scholarship aid can go to low-income and minority students for law school, and improve higher education access in other ways recommended by the higher education community.

The FED UP project is a unique effort, utilizing the Internet to get input directly from those most affected by current Federal higher education regulations—students and school officials themselves. The project solicited comments from student aid professionals from across the country in an effort to pinpoint unnecessary Federal rules and red tape that could be streamlined without jeopardizing the integrity of America's student financial assistance programs.

The response was phenomenal, both in terms of the number of comments received and in the reaction from the higher education

community. Many of those responding commented that this is the first time Congress has put forward an effort to hear directly from those on the front lines of assisting students. Another said this is the way government should work, Congress listening to the experts and getting input, rather than just dictating a course of action. This bill is intended to address noncontroversial, budget neutral changes to the Higher Education Act that will assist in reducing red tape. It also clears the decks of clerical and technical problems within the act to set the stage for the Committee to begin the reauthorization process later this year.

This year I hope we can move this legislation through the floor in a swift manner. As part of an ongoing election-year effort to disrupt proceedings in the House, Democrat leaders in July 2002 blocked floor passage of the noncontroversial, bipartisan FED UP initiative. Twenty-seven House Democrats, including the late Representative Patsy Mink, broke with the Democratic leadership and joined Republicans in voting "yes" on the measure, which is also strongly backed by the higher education community.

This legislation was created in an effort to do what is right for students, institutions and others involved in providing higher education. The FED UP measure will help to untie the hands of students and institutions through a series of common-sense steps that will make a difference while paving the way for the reauthorization of the Higher Education Act in the 108th Congress.

#### INTRODUCTION OF THE FED UP HIGHER EDUCATION TECHNICAL AMENDMENTS ACT OF 2003

**HON. HOWARD P. "BUCK" MCKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. MCKEON. Mr. Speaker, today, I am proud to join my colleague, the Chairman of the House Education and the Workforce Committee, John Boehner, in introducing the FED UP Higher Education Technical Amendments Act of 2003. This legislation is the result of a great deal of effort to improve the efficiencies and effectiveness of the Title IV student aid programs through the review of overly burdensome and outdated regulations.

During the 107th Congress, the House Education and the Workforce Committee launched the FED UP project (short for "Upping the Effectiveness of our Federal Student Aid Programs") to identify and simplify burdensome regulations in the Higher Education Act of 1965 (HEA) that work against college students and personnel. The initiative, which was started to bring some sense to the regulations that students and the higher education community must deal with on a daily basis, received over 3,000 responses from college officials, administrators and other personnel who operate America's institutions of higher learning. After all of the responses were catalogued, the Department of Education initiated a negotiated rulemaking process to consider the regulatory changes included in the project, and have since published final regulations implementing many of the FED UP proposals.

These proposed amendments to the Higher Education Act of 1965 continue this effort to



identify and simplify burdensome regulations that work against college students and personnel, and are non-controversial and technical in nature. They provide for improvements that will reduce red tape for colleges and universities and will improve the financial aid process for students. Enacting these changes now will allow the House Education and Workforce Committee to address larger, more intricate proposals during the reauthorization of the HEA without being bogged down with technical and clerical issues.

This legislation provides for the streamlining and increased effectiveness of many provisions within the HEA. It reinstates two provisions beneficial to both students and institutions that expired on September 30, 2002. Specifically, schools with default rates under 10 percent for three consecutive fiscal years will be permitted to waive a 30-day delay requirement for first-year, first-time borrowers. Schools meeting the same low default rate standard would also be permitted to request one term loans in a single disbursement, rather than the required multiple disbursements. These provisions act as an incentive to schools to keep their default rates low and assist students in getting access to their loan funds on a timelier basis.

The FED UP Higher Education Technical Amendments Act of 2003 also corrects an error in an overly broad implementation of a provision affecting a student's eligibility for Title IV financial aid once convicted of a federal drug offense. Only those students enrolled and receiving Title IV aid when convicted will be affected once this correction is implemented.

A drafting error during the 1998 reauthorization of the HEA inadvertently removed the eligibility of not-for-profit foreign veterinary schools from participation in the Federal Family Education Loan (FFEL) Program. This legislation will correct that error and keep hundreds of students from losing their loan eligibility.

This legislation also provides clarification for financial aid officers in the return of Title IV funds. It clarifies how the return of Title IV funds should be implemented for schools utilizing clock hours, and what percentage of funds need to be included in any return. The language also makes clear that Leveraging Educational Assistance Partnership (LEAP) funds may be removed from the return of Title IV funds formula due to the mix of State and Federal funds at the school level. It clarifies that students who have been home schooled, and are treated as such under State law, are eligible for admittance into an institution of higher education as defined in the HEA and are eligible to receive financial aid. It also allows aid professionals to use professional judgment in determining financial need for a student who is declared a ward of the court.

This bill allows for the use of technology wherever possible to enhance and improve communication and the transfer of information. This includes reporting by States in providing information on teacher quality and providing students with voter registration materials.

This legislation allows student loan borrowers to receive more timely assistance from their lenders when they are seeking forbearance of loan payments. It allows a lender to accept a request for assistance over the telephone as long as a confirmation notice of the agreement reached is provided to the bor-

rower and the borrower's file is updated. This eliminates the need for borrowers to sign paper documents requesting help and agreeing in writing to what they already have agreed to verbally.

The FED UP Higher Education Technical Amendments Act of 2003 corrects an administrative issue in the payment of insurance to lenders and reinsurance to guaranty agencies on borrower default claims when the borrower failed to establish eligibility for that loan. This change reinstates long-standing policy of the Department of Education in the payment of these specific claims, which was altered by a new reporting process put in place via a forms change.

This legislation allows Hispanic Serving Institutions (HSIs) to apply for HSI grants without having to wait two years in between applications. It also clarifies allowable uses of grant funds within the Thurgood Marshall Legal Educational Opportunity Program. It also provides clarification within the Federal TRIO programs that institutions with more than one campus may apply for separate grants to serve different populations at different campuses.

This legislation also provides clarification as to what items must be included within the annual report of the Department of Education's Performance Based Organization (PBO). Finally, the bill corrects the names of the authorizing committees throughout the HEA.

The FED UP Higher Education Technical Amendments Act of 2003 will take us one step closer to reducing burdensome rules and allow financial aid administrators and others in the higher education community to do their jobs more efficiently and effectively. Program integrity and service to students remain the priority and this legislation accomplishes both.

This legislation also brings forward, as an addition to FED UP, the provisions passed by the House of Representatives in the previous Congress that deal with the forgiveness of student loans for spouses of victims of the tragedy of September 11th and provides for the additional innovation of the delivery of post-secondary education by eliminating the rule prohibiting institutions of higher education from offering more than 50 percent of their coursework through distance education. This provision provides for a controlled look at increasing the availability of distance education, while protecting the integrity of the student aid programs.

We will be beginning the reauthorization of the Higher Education Act with this Congress and this is a very positive, productive and efficient first step. FED UP has accomplished its goal of streamlining the current regulatory system to the extent possible, while maintaining or improving program integrity, and I urge my colleagues to support this legislation.

#### INTRODUCTION OF THE SOCIAL SECURITY GUARANTEE PLUS ACT OF 2003

**HON. E. CLAY SHAW, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. SHAW. Mr. Speaker, whether we live in prosperous or uncertain times, American families need economic security—the kind of economic security that Social Security provides.

For 68 years, Social Security has protected workers and their families from falling into poverty if a breadwinner retires, suffers disability, or dies. Social Security has endured, unlike many other government programs, because its architects designed it to be owned by workers and to treat all workers fairly.

Social Security has evolved over the decades, strengthening its protections and finances along the way. However, our nation's demographics and economics are fundamentally changing, and Social Security's ability to continue meeting its promises is threatened. The Social Security Guarantee Plus Plan I am introducing today will enable Social Security to continue fulfilling its vital role in the lives of all Americans.

First, the Guarantee Plus Plan keeps intact the Social Security safety net. Promised benefits, including cost of living increases, are guaranteed for people receiving benefits today, tomorrow and for all future generations.

Second, the plan treats all workers fairly. Workers have paid into the system, it's their money, and we must protect and enhance their investment. It's not fair to workers to raise their payroll taxes or lower their benefits. Nor is it fair for the government to tell workers to work longer. That's why my plan does not raise taxes, does not lower benefits, and does not change the retirement age.

Third, Social Security payroll taxes belong to the workers who paid them. My plan gives workers a real ownership stake in Social Security by allowing them to choose to receive a tax cut to invest directly in prudent, individually-selected, market investments. For the first time, a nation of savers, not the government, will own and control the assets backing Social Security. Should an individual die before becoming eligible, the balance of their money will be passed along to their heirs.

Fourth, under my plan, Social Security can be counted on for the next 75 years, and beyond. Real assets guarantee current and future benefits, establishing a sound and sustainable financial footing. No longer will there be a need to periodically increase taxes or lower benefits to keep the program working.

Beyond keeping these promises to all Americans, we must also do more to improve Social Security for the women of our nation. Because of their longer life expectancies and lower earnings, women are more likely to suffer poverty in old age. Social Security is a vital safety net for these women. In addition, because benefits are based on earnings, women are disadvantaged when they choose to stay home to raise their children. The Guarantee Plus Plan protects our daughters, our mothers, our aunts and our grandmothers, not only by securing the future of Social Security and guaranteeing full benefits, but also by enhancing benefits for widows, divorced spouses, and working mothers. These benefits become available immediately in my bill.

Here's how the Social Security Guarantee Plus Plan works. The plan guarantees full, promised, current law benefits for all workers, whether you are 6 or 65. Just as companies must back your pension plan with real assets, the Guarantee Plus Plan saves Social Security by setting aside real assets, not IOUs, to pre-fund benefits. These assets are saved in each worker's own account, thereby providing workers the opportunity to create real wealth for themselves and their families.

Workers who choose to participate will receive a refundable credit of up to 4 percent of

their earnings to establish their own Social Security Guarantee Account. Workers, not the government, would select where to invest their Guarantee Account funds. The assets in these accounts would grow tax-free. No withdrawals would be permitted until a worker starts receiving benefits to ensure that the money is preserved for retirement.

At retirement or when the worker becomes disabled, a portion of the Guarantee Account is paid directly to the worker and the rest is used to help pay full, guaranteed Social Security benefits. But that's not all.

In addition to the much needed improvements in benefits for women I mentioned, my plan eliminates the retirement earnings penalty for all workers age 62 and older and reduces the so-called Government Pension Offset affecting spouse and survivor benefits to certain government workers.

Other plans may cost less, because they cut benefits or raise taxes. If our goal is to pay full promised benefits, boost women's benefits, and return Social Security to financial independence, the Guarantee Plus Plan is the lowest-cost proposal to date. The Guarantee Plus Plan does all this and pays for itself over the seventy five-year actuarial period, and that's confirmed by the Social Security Administration's Office of the Actuary. Even under the most conservative estimates, the Guarantee Plus Plan allows the new Social Security system to generate surplus cash in the latter part of the century, actually adding black ink to the government's bottom line.

My plan uses general revenues to fund the accounts. Even assuming borrowing for a transitional period, my plan pays back every borrowed dollar plus interest within the seventy five-year evaluation period. Not only would we pay off the mortgage on Social Security, we would leave workers with substantial account balances and the federal government with excess cash.

The Guarantee Plus Plan also meets or exceeds all of the President's principles for reform—pays promised benefits to retirees, near-retirees, and all workers; no tax increases; no government investing; fully preserves disability and survivor benefits; offers individually controlled, voluntary personal retirement accounts that will augment Social Security. In addition, my plan is consistent with the first option to establish personal accounts recommended by the President's Commission to Strengthen Social Security. My plan also accomplishes the objectives agreed to by the House during the 107th Congress to guarantee current law promised benefits, with cost-of-living adjustments to current and future retirees, without increasing taxes.

This past November, we witnessed yet another election cycle featuring Social Security as a key issue. Once again, Americans showed their willingness to explore new ideas to strengthen this vital program, since the old ways must be improved upon for future generations. Once again candidates who took a stand on ways to save Social Security not only held their own, they won. Yet, once again, not one penny has been invested in saving our nation's most successful retirement program. The result—while politicians debate, the price tag for saving Social Security only goes up and up.

From the time of Social Security's enactment until today, the history of the program's evolution has demonstrated that while every-

body has his or her own ideas on how to strengthen the program, progress toward that goal is only achieved through bipartisan cooperation. It's long past time for us to lay all our best thoughts on the table and work together to build on our success to make a stronger Social Security system that is an asset to all and not a liability to our children and grandchildren.

IN HONOR OF DR. WILLIAM  
CLAIBORN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. MORAN of Virginia. Mr. Speaker, I rise today to acknowledge the accomplishments of Dr. William Claiborn during his 21 years of outstanding and dedicated service as Executive Director of the Alexandria Community Services Board and Director of Mental Health, Mental Retardation and Substance Abuse.

Over the course of his career, Dr. Claiborn has taken the Alexandria Community Services Board from an organization of four facilities to a nationally recognized provider serving over 4,000 Alexandrians in 63 facilities. Under his dynamic leadership, the Community Services Board has made many tremendous accomplishments. From creating a nationally recognized Sober Living Unit at the Alexandria Detention Center to establishing the Parent-Infant Education Program that assists infants with developmental disabilities and their families, Dr. Claiborn has consistently gone above and beyond the call of duty to help others.

Dr. Claiborn's extraordinary commitment to improving the lives of his fellow Alexandrians, Virginians and Americans suffering from mental health problems; mental retardation and substance abuse has been a true blessing to those in need. His work in partnering with state and regional leaders led to the development of new Medicaid rules in 1989, representing a major positive change in social policy. Dr. Claiborn also spearheaded a regional cooperative effort to provide funding and carry out the discharge of people from state hospitals into the care of the Community Services Boards, where they would receive better treatment and higher quality care.

Mr. Speaker, it is with the greatest pleasure that I recognize Dr. Claiborn today. He is a brilliant and exceptionally compassionate public servant who has devoted his life to the betterment of our society and the people of Alexandria, Virginia, a city in which he has long served. The benefits of Dr. Claiborn's tireless efforts on behalf of the less fortunate will resonate not only in the present, but throughout Alexandria's history for decades to come.

SPECIAL TRIBUTE TO CHARLES F.  
KURFESS FOR HIS YEARS OF  
DEDICATED PUBLIC SERVICE

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to

an outstanding gentleman, and good friend, from Ohio. The Honorable Charles Kurfess, from Bowling Green, is retiring from his current post as Common Pleas Judge in Wood County. His retirement marks the conclusion of a distinguished career dedicated to the service of others.

Mr. Speaker, upon his graduation from Bowling Green State University in 1951, Judge Kurfess was drafted into the Army where he was assigned to the Counter Intelligence Corp. He spent thirteen months in Tokyo and then returned home to enroll in law school at The Ohio State University.

While in law school at Ohio State, Chuck was elected to the Ohio House of Representatives. After ten years as a member of the House, Judge Kurfess was elected Speaker and served in that capacity for six years.

Judge Kurfess has had a significant impact on public policy in Ohio. He has also been a strong proponent of justice during his tenure on the bench. He has reached out nationally in an attempt to improve the lives of all citizens living in this great land. This is evidenced by his service as a Past President of the National Legislative Conference (now the National Conference of State Legislatures) and his service to Presidents Nixon and Ford on the Advisory Commission on Intergovernmental Relations. Serving his community, the state of Ohio and his country was not only Chuck's duty, but also his honor. These chances to give back to the public have brought him a lifetime of both personal and professional achievement. Judge Kurfess truly is a valued asset to Wood County and beyond.

Judge Kurfess has been a great resource and a true friend to everyone around him. Respected by his colleagues in the legislature and in the private sector, Chuck has shown the ability to improve the environment around him. He has been the recipient of many awards that reflect his service, to include being named the Outstanding Young Man of 1965 by the Bowling Green Jaycees, the Outstanding Freshman Representative by the Ohio Statehouse News Corp, he received the Distinguished Alumnus Award from Bowling Green State University, and was the recipient of the Distinguished Achievement Award for Contribution to Public Service from Wayne State University.

Judge Kurfess will be missed in the public arena. His wisdom, honesty and forthrightness are attributes to which all public servants should aspire. He has set an example for everyone on how to live a life of service, putting the greater interests of the community before one's own.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Judge Charles F. Kurfess. Our communities are served well by having such honorable and giving citizens, like Charles, who care about their well being and stability. We wish Judge Kurfess, his wife Helyn and their three children all the best as we pay tribute to one of our nation's finest citizens.

## TRIBUTE TO CLAUDIA GAMAR

## HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. DOOLITTLE. Mr. Speaker, today I wish to express warm thanks and congratulations to Claudia Gamar, the outgoing mayor of the City of Roseville, upon her retirement from the city council. After nine busy years of service on the council, including two terms as mayor, Claudia is able to enjoy private life once again.

Following her studies in journalism and business at the University of Nevada, Reno, and the Reno Business College, Claudia embarked on a business career by directing client relations and convention booking at various hotels and casinos in Reno. In 1980, she came to Roseville, California, as the owner and operator of Gamar & Associates, a marketing and public relations firm.

Since that time, Claudia has been a prominent part of Roseville's community fabric. Her civic involvement is manifest in her participation with numerous boards, commissions, business organizations, service clubs, and charitable causes. Most significantly, she committed herself to the sacrifices required of public officials when she was elected to the Roseville City Council in 1993.

Roseville has experienced the most dynamic phase of its history during Claudia's tenure. Under her leadership, the city has developed several outstanding public amenities, including the recently-dedicated Roseville Civic Center, the new Police Department headquarters, the Roseville Aquatics Center, the Roseville Sports Center, the Woodcreek Oaks Golf Course, and numerous parks. In addition to the fine city projects to which she contributed, Claudia has also helped to create an environment in Roseville that fosters high levels of private investment. For example, she personally traveled to Japan three times to meet with NEC officials regarding the company's \$1 billion of assets in Roseville. Perhaps the most recognizable example of this probusiness attitude she helped foster is the 1.12 million square foot regional mall, known as the Roseville Galleria, which opened in the year 2000. Due to this aggressive economic development, the city is now regarded as one of the Sacramento region's premier retail centers and dining destinations.

Roseville, which was once a sleepy railroad town, is now a vibrant, well-planned community with award-winning parks, law enforcement, and city management. It is home to nationally-recognized, high-performing public schools. Its railroad past blends with its newer high-tech industry and thriving commercial centers. Its residential areas include dynamic new developments as well as historic neighborhoods. In short, Roseville is a model community with a bright horizon. My good friend Claudia Gamar is part of the reason why.

I join with a grateful community to thank her for her efforts. Now that she is somewhat removed from the immediate glare of public scrutiny, demands on her time, and strains on her privacy and family life, may she and her husband, Bill, find fulfillment in the quality of life she helped generate.

## PRESIDENT CARTER'S NOBEL LECTURE

## HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HOLT. Mr. Speaker, I rise today to call the attention of my colleagues to the powerful and eloquent lecture former President Carter delivered upon receiving the Nobel Peace Prize last December.

With the establishment of the Carter Center in 1982, President Carter embraced one of the humanity's loftiest and most widely shared goals—the alleviation of human suffering. The Carter Center has worked to virtually eliminate the crippling Guinea worm disease in Africa and treat millions of others who suffer from river blindness and trachoma. The Center's efforts to promote peace and democracy throughout the world are also well-known, monitoring elections in emerging democracies such as Sierra Leone and East Timor while promoting peaceful conflict resolution in places like the Sudan.

There is certainly little doubt that Jimmy Carter has earned the title of elder statesman and has become a voice of authority on foreign policy issues. His Nobel lecture was an affirmation of the principles that have guided his efforts for so many years. He articulated his vision of a world sharing the goals of "peace, freedom, human rights, environmental quality, the alleviation of suffering, and the rule of law." But he also sounded a stern warning, a reminder that we live in a dangerous time that requires international cooperation and resolve, rather than preemptive unilateral action.

Mr. Speaker, I ask unanimous consent that the text of President Carter's Nobel lecture, delivered December 10, 2002, be placed in the RECORD.

NOBEL LECTURE  
(By Jimmy Carter)

Your Majesties, Members of the Norwegian Nobel Committee, Excellencies, Ladies and Gentlemen:

It is with a deep sense of gratitude that I accept this prize. I am grateful to my wife Rosalynn, to my colleagues at The Carter Center, and to many others who continue to seek an end to violence and suffering throughout the world. The scope and character of our Center's activities are perhaps unique, but in many other ways they are typical of the work being done by many hundreds of nongovernmental organizations that strive for human rights and peace.

Most Nobel laureates have carried out our work in safety, but there are others who have acted with great personal courage. None has provided more vivid reminders of the dangers of peacemaking than two of my friends, Anwar Sadat and Yitzhak Rabin, who gave their lives for the cause of peace in the Middle East.

Like these two heroes, my first chosen career was in the military, as a submarine officer. My shipmates and I realized that we had to be ready to fight if combat was forced upon us, and we were prepared to give our lives to defend our nation and its principles. At the same time, we always prayed fervently that our readiness would ensure that there would be no war.

Later, as President and as Commander-in-Chief of our armed forces, I was one of those who bore the sobering responsibility of maintaining global stability during the height of

the Cold War, as the world's two superpowers confronted each other. Both sides understood that an unresolved political altercation or a serious misjudgment could lead to a nuclear holocaust. In Washington and in Moscow, we knew that we would have less than a half hour to respond after we learned that intercontinental missiles had been launched against us. There had to be a constant and delicate balancing of our great military strength with aggressive diplomacy, always seeking to build friendships with other nations, large and small, that shared a common cause.

In those days, the nuclear and conventional armaments of the United States and the Soviet Union were almost equal, but democracy ultimately prevailed because of commitments to freedom and human rights, not only by people in my country and those of our allies, but in the former Soviet empire as well. As president, I extended my public support and encouragement to Andrei Sakharov, who, although denied the right to attend the ceremony, was honored here for his personal commitments to these same ideals.

The world has changed greatly since I left the White House. Now there is only one superpower, with unprecedented military and economic strength. The coming budget for American armaments will be greater than those of the next fifteen nations combined, and there are troops from the United States in many countries throughout the world. Our gross national economy exceeds that of the three countries that follow us, and our nation's voice most often prevails as decisions are made concerning trade, humanitarian assistance, and the allocation of global wealth. This dominant status is unlikely to change in our lifetimes.

Great American power and responsibility are not unprecedented, and have been used with restraint and great benefit in the past. We have not assumed that super strength guarantees super wisdom, and we have consistently reached out to the international community to ensure that our own power and influence are tempered by the best common judgment.

Within our country, ultimate decisions are made through democratic means, which tend to moderate radical or ill-advised proposals. Constrained and inspired by historic constitutional principles, our nation has endeavored for more than two hundred years to follow the now almost universal ideals of freedom, human rights, and justice for all.

Our president, Woodrow Wilson, was honored here for promoting the League of Nations, whose two basic concepts were profoundly important: "collective security" and "self-determination." Now they are embedded in international law. Violations of these premises during the last half-century have been tragic failures, as was vividly demonstrated when the Soviet Union attempted to conquer Afghanistan and when Iraq invaded Kuwait.

After the second world war, American Secretary of State Cordell Hull received this prize for his role in founding the United Nations. His successor, General George C. Marshall, was recognized because of his efforts to help rebuild Europe, without excluding the vanquished nations of Italy and Germany. This was a historic example of respecting human rights at the international level.

Ladies and gentlemen:

Twelve years ago, President Mikhail Gorbachev received your recognition for his preeminent role in ending the Cold War that had lasted fifty years.

But instead of entering a millennium of peace, the world is now, in many ways, a more dangerous place. The greater ease of travel and communication has not been

matched by equal understanding and mutual respect. There is a plethora of civil wars, unrestrained by rules of the Geneva Convention, within which an overwhelming portion of the casualties are unarmed civilians who have no ability to defend themselves. And recent appalling acts of terrorism have reminded us that no nations, even superpowers, are invulnerable.

It is clear that global challenges must be met with an emphasis on peace, in harmony with others, with strong alliances and international consensus. Imperfect as it may be, there is no doubt that this can best be done through the United Nations, which Ralph Bunche described here in this same forum as exhibiting a "fortunate flexibility"—not merely to preserve peace but also to make change, even radical change, without violence.

He went on to say: "To suggest that war can prevent war is a base play on words and a despicable form of warmongering. The objective of any who sincerely believe in peace clearly must be to exhaust every honorable recourse in the effort to save the peace. The world has had ample evidence that war begets only conditions that beget further war."

We must remember that today there are at least eight nuclear powers on earth, and three of them are threatening to their neighbors in areas of great international tension. For powerful countries to adopt a principle of preventive war may well set an example that can have catastrophic consequences.

If we accept the premise that the United Nations is the best avenue for the maintenance of peace, then the carefully considered decisions of the United Nations Security Council must be enforced. All too often, the alternative has proven to be uncontrollable violence and expanding spheres of hostility.

For more than half a century, following the founding of the State of Israel in 1948, the Middle East conflict has been a source of worldwide tension. At Camp David in 1978 and in Oslo in 1993, Israelis, Egyptians, and Palestinians have endorsed the only reasonable prescription for peace: United Nations Resolution 242. It condemns the acquisition of territory by force, calls for withdrawal of Israel from the occupied territories, and provides for Israelis to live securely and in harmony with their neighbors. There is no other mandate whose implementation could more profoundly improve international relationships.

Perhaps of more immediate concern is the necessity for Iraq to comply fully with the unanimous decision of the Security Council that it eliminate all weapons of mass destruction and permit unimpeded access by inspectors to confirm that this commitment has been honored. The world insists that this be done.

I thought often during my years in the White House of an admonition that we received in our small school in Plains, Georgia, from a beloved teacher, Miss Julia Coleman. She often said: "We must adjust to changing times and still hold to unchanging principles."

When I was a young boy, this same teacher also introduced me to Leo Tolstoy's novel, "War and Peace." She interpreted that powerful narrative as a reminder that the simple human attributes of goodness and truth can overcome great power. She also taught us that an individual is not swept along on a tide of inevitability but can influence even the greatest human events.

These premises have been proven by the lives of many heroes, some of whose names were little known outside their own regions until they became Nobel laureates: Albert John Lutuli, Norman Borlaug, Desmond Tutu, Elie Wiesel, Aung San Suu Kyi, Jody Williams, and even Albert Schweitzer and

Mother Teresa. All of these and others have proven that even without government power—and often in opposition to it—individuals can enhance human rights and wage peace, actively and effectively.

The Nobel prize also profoundly magnified the inspiring global influence of Martin Luther King, Jr., the greatest leader that my native state has ever produced. On a personal note, it is unlikely that my political career beyond Georgia would have been possible without the changes brought about by the civil rights movement in the American south and throughout our nation.

On the steps of our memorial to Abraham Lincoln, Dr. King said: "I have a dream that on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at a table of brotherhood."

The scourge of racism has not been vanquished, either in the red hills of our state or around the world. And yet we see ever more frequent manifestations of his dream of racial healing. In a symbolic but very genuine way, at least involving two Georgians, it is coming true in Oslo today.

I am not here as a public official, but as a citizen of a troubled world who finds hope in a growing consensus that the generally accepted goals of society are peace, freedom, human rights, environmental quality, the alleviation of suffering, and the rule of law.

During the past decades, the international community, usually under the auspices of the United Nations, has struggled to negotiate global standards that can help us achieve these essential goals. They include: the abolition of land mines and chemical weapons; an end to the testing, proliferation, and further deployment of nuclear warheads; constraints on global warming; prohibition of the death penalty, at least for children; and an international criminal court to deter and to punish war crimes and genocide. Those agreements already adopted must be fully implemented, and others should be pursued aggressively.

We must also strive to correct the injustice of economic sanctions that seek to penalize abusive leaders but all too often inflict punishment on those who are already suffering from the abuse.

The unchanging principles of life predate modern times. I worship Jesus Christ, whom we Christians consider to be the Prince of Peace. As a Jew, he taught us to cross religious boundaries, in service and in love. He repeatedly reached out and embraced Roman conquerors, other Gentiles, and even the more despised Samaritans.

Despite theological differences, all great religions share common commitments that define our ideal secular relationships. I am convinced that Christians, Muslims, Buddhists, Hindus, Jews, and others can embrace each other in a common effort to alleviate human suffering and to espouse peace.

But the present era is a challenging and disturbing time for those whose lives are shaped by religious faith based on kindness toward each other. We have been reminded that cruel and inhuman acts can be derived from distorted theological beliefs, as suicide bombers take the lives of innocent human beings, draped falsely in the cloak of God's will. With horrible brutality, neighbors have massacred neighbors in Europe, Asia, and Africa.

In order for us human beings to commit ourselves personally to the inhumanity of war, we find it necessary first to dehumanize our opponents, which is in itself a violation of the beliefs of all religions. Once we characterize our adversaries as beyond the scope of God's mercy and grace, their lives lose all value. We deny personal responsibility when we plant landmines and, days or years later,

a stranger to us—often a child—is crippled or killed. From a great distance, we launch bombs or missiles with almost total impunity, and never want to know the number or identity of the victims.

At the beginning of this new millennium I was asked to discuss, here in Oslo, the greatest challenge that the world faces. Among all the possible choices, I decided that the most serious and universal problem is the growing chasm between the richest and poorest people on earth. Citizens of the ten wealthiest countries are now seventy-five times richer than those who live in the ten poorest ones, and the separation is increasing every year, not only between nations but also within them. The results of this disparity are root causes of most of the world's unresolved problems, including starvation, illiteracy, environmental degradation, violent conflict, and unnecessary illnesses that range from Guinea worm to HIV/AIDS.

Most work of The Carter Center is in remote villages in the poorest nations of Africa, and there I have witnessed the capacity of destitute people to persevere under heart-breaking conditions. I have come to admire their judgment and wisdom, their courage and faith, and their awesome accomplishments when given a chance to use their innate abilities.

But tragically, in the industrialized world there is a terrible absence of understanding or concern about those who are enduring lives of despair and hopelessness. We have not yet made the commitment to share with others an appreciable part of our excessive wealth. This is a potentially rewarding burden that we should all be willing to assume.

Ladies and gentlemen:

War may sometimes be a necessary evil. But no matter how necessary, it is always an evil, never a good. We will not learn how to live together in peace by killing each other's children.

The bond of our common humanity is stronger than the divisiveness of our fears and prejudices. God gives us the capacity for choice. We can choose to alleviate suffering. We can choose to work together for peace. We can make these changes—and we must.

#### DIGITAL MEDIA CONSUMERS' RIGHTS ACT OF 2002

**HON. RICK BOUCHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. BOUCHER. Mr. Speaker, I am pleased to join with my colleague from California, Mr. DOOLITTLE, in re-introducing the Digital Media Consumers' Rights Act (DMCRA).

The Digital Millennium Copyright Act of 1998 (DMCA) tilted the balance in our copyright laws too heavily in favor of the interests of copyright owners and undermined the long-standing fair use rights of information consumers, including research scientists, library patrons, and students at all education levels. With the DMCRA, we intend to restore the historical balance in our copyright law that has served our nation well in past years.

In order to reduce growing consumer confusion and to reduce a burden on retailers and equipment manufacturers caused by the introduction of so-called "copy protected CDs," we have also included in the bill comprehensive statutory provisions to ensure that consumers will receive adequate notice before they purchase these non-standard compact discs that they cannot record from them and that they

might not work as expected in computers and other popular consumer electronics products. Consumers shouldn't have to learn after they get home that the product they just purchased can't be recorded onto the hard drive of a personal computer or won't play in a standard DVD player or in some automotive CD players.

As my colleagues know, we introduced the bill at the end of last year to make clear that enactment of the legislation would be a high priority this year. We are now prepared to start the debate in earnest.

#### BACKGROUND AND NEED FOR LEGISLATION

Before describing the provisions of the bill in detail, I think it useful to provide a general overview of what has occurred over the past five years and why we need to recalibrate the DMCA in light of that experience.

As my colleagues may recall, in 1997 the Administration proposed legislation to implement two international copyright treaties intended to protect digital media in the 21st century. At the time, motion picture studios, record companies, book publishers, and other owners of copyrighted works indicated that the treaty implementing legislation was necessary to stop "pirates" from "circumventing" technical protection measures used to protect copyrighted works. As the bill was being formulated, it was clear that the proclaimed effort to crack down on piracy would have potentially harmful consequences for information consumers. Nonetheless, copyright owners asserted that the proposed legislation was not intended to limit fair use rights.

At the time, libraries, universities, consumer electronics manufacturers, personal computer manufacturers, Internet portals, and others warned that enactment of overly broad legislation would stifle new technology, would threaten access to information, and would move our nation inexorably towards a "pay per use" society. Prior to 1998, the American public had enjoyed the ability to make a wide range of personal non-commercial uses of copyrighted works without obtaining the prior consent of copyright owners. These traditional "fair use" rights have long been at the foundation of the receipt and use of information by the American public, and have been critical to the advancement of important educational, scientific, and social goals.

Congress has warned that overly broad legislation could have potentially harmful effects. Manufacturers of consumer electronic and other multiple purpose devices, for example, pointed out that a VCR or PC, among other popular devices, could be deemed to be an illegal "circumvention" device. In response to these concerns, the Administration limited the prohibition to devices that are primarily designed or produced for the purpose of circumventing; have only a limited commercially significant purpose or use other than to circumvent; or are marketed for use in circumventing. Even with this modification, however, the provision still contained a fundamental defect: it prohibited circumvention of access controls for lawful purposes, and it prohibited the manufacture and distribution of technologies that enabled circumvention for lawful purposes. In apparent response to expressions of concern, the Administration proposed a "savings" clause (ultimately enacted as section 1201(c)(1)), which states that section 1201 does not affect rights, remedies, limitations, or defenses to copyright infringement, including

fair use. However, as at least some of us understood at the time, and two courts have since confirmed, the fair use defense to copyright infringement actions is not a defense to the independent prohibition on circumvention contained in Chapter 12 of the DMCA. Since Chapter 12 actions are not grounded in copyright law, the so-called "savings clause" preserving fair use defenses to copyright infringement actions is meaningless in the context of actions under the DMCA.

Other problems were seen with the Administration's original draft. As Congress became aware that the Administration's proposal prohibited many other legitimate activities, our colleagues agreed to graft numerous exceptions onto section 1201. The House Committee on Commerce, in particular, sought to more carefully balance the interests of copyright owners and information consumers by including provisions dealing with encryption research, reverse engineering, and security systems testing. We can now see in retrospect, however, that these provisions did not go far enough.

Congress made other changes in an effort to right the balance. Principally at the urging of consumer electronics manufacturers, Congress adopted the so-called "no mandate" provision to give equipment manufacturers the freedom to design new products without fear of litigation. Section 1201(c)(3) provides that, with one exception (set forth in section 1201(k)), manufacturers of consumer electronics, telecommunications, and computing products are not required to design their products to respond to any particular technological protection measure. (The only requirement imposed on device manufacturers is to build certain analog VCRs to conform to the copy control technology already in wide use in the market.) The "no mandate" provision was essential to addressing the legitimate concerns of the consumer electronics, telecommunications, and computer industries, which feared that section 1201 otherwise might require VCRs, PCs, and other popular consumer products to respond to various embedded or associated codes, or other unilateral impositions by content owners without the assurance of corresponding protections for equipment consumers. Moreover, through legislative history, Congress also made clear that equipment manufacturers were free to make adjustments to products to remedy "playability" problems created by unilaterally developed technical measures.

In the end, however, these changes were not enough to achieve the appropriate level of balance. In the end, the DMCA dramatically tilted the balance in the Copyright Act towards content protection and away from information availability.

Given the breadth of the law and its application so far, the fair use rights of the public at large clearly are at risk. From the college student who photocopies a page from a library book for use in writing a report, to the newspaper reporter excerpting materials from a document for a story, to the typical television viewer who records a broadcast program for viewing at a later time, we all depend on the ability to make limited copies of copyrighted material without having to pay a fee or to obtain prior approval of the copyright owner. In fact, fair use rights to obtain and use a wide array of information are essential to the exercise of First Amendment rights. In my view,

the very vibrancy of our democracy is dependent on the information availability and use facilitated by the fair use doctrine.

Yet, efforts to exercise those rights increasingly are being threatened by the application of section 1201 of the DMCA. Because the law does not limit its application to circumvention for the purpose of infringing a copyright, all kinds of traditionally accepted activities may be at risk.

Consider the implications. A time may soon come when what is now available for free on library shelves will only be available on a "pay per use" basis. It would be a simple matter for a copyright owner to technically enshroud material delivered in digital format and then to impose a requirement that a small fee be paid each time the password is used so that a digital book may be accessed by a library patron. Even the student who wants the most basic access to only a portion of an electronic book to write a term paper would have to pay. The DMCA places the force of law behind these technical barriers by making it a crime to circumvent them even to exercise fair use rights. The day is already here in which copyright owners use "click on," "click through," and "shrink wrap" licenses to limit what purchasers of a copyrighted work may do with it. Some go so far as to make it a violation of the license to even criticize the contents of a work, let alone to make a copy of a paragraph or two.

To address these and other concerns that have been voiced since enactment of the DMCA, the bill we have introduced would amend sections 1201 (a)(2) and (b)(1) to permit otherwise prohibited conduct when engaged in solely in furtherance of scientific research into technological protection measures. Current law permits circumvention of technological protection measures for the purpose of encryption research. The bill expands the exception to include scientific research into technological protection measures, some of which are not encryption. This change is intended to address a real concern identified by the scientific community. It does not authorize hackers and others to post trade secrets on the Internet under the guise of scientific research, or to cloak otherwise unlawful conduct as scientific research.

Since September 11, 2001, we have all become more aware of the importance of improving the security of computer networks against hacking. Our computer scientists must be allowed to pursue legitimate research into technological protection measures to determine their strengths and shortcomings without fear of civil litigation or criminal prosecution under the DMCA. The public needs to know the genuine capabilities of the technological protection measures. The proposed amendment provides computer scientists with a bright line rule they can easily follow, and would encourage them to engage in research for the public's benefit.

The bill we have introduced does what the proponents of section 1201(c)(1) of the DMCA said it did, namely, to preserve the fair use rights of consumers under section 107 of the Copyright Act and under section 1201. (In 2001, for example, the presidents of the Business Software Alliance and the Interactive Digital Software Associations citing the "savings clause" stated in a letter to the editor of the Washington Post that "[t]he DMCA did nothing to upset existing fair use rules that still permit a variety of academic inquiries and

other activities that might otherwise be infringing.") The bill amends the "savings clause" to make clear that it is not a violation of section 1201 to circumvent a technological measure in connection with gaining access to or using a work if the circumvention does not result in an infringement of the copyright in the work. In short, if a consumer may make a fair use of a copyrighted work, he may gain access to it and then make use of it without liability under section 1201. At the same time, if his or her conduct does not constitute fair use under section 107, liability may attach under section 1201.

In this connection, I think it important to stress that, when the DMCA was being debated equipment manufacturers unsuccessfully sought to clarify the savings clause in section 1201. Since enactment of the DMCA, these same manufacturers have had to build business plans that incorporate copy protection technologies into their digital product offerings in order to ensure that content will be made available to consumers in digital formats. At the same time, these manufacturers have worked to ensure that those technologies are used in ways that are consistent with consumers' customary recording and viewing practices. I recognize that because the determination of whether or not a particular use is considered a "fair use" depends on a highly fact specific inquiry, it is not an easy concept to translate into a technological implementation. Our bill is not intended to encourage consumers to disable copy protection systems in order to gain increased access to protected works where the technology has been implemented in a manner that seeks to accommodate the consumer's fair use expectations. Instead, this proposal is in pursuance of a larger objective of ensuring that existing copy protection measures are implemented in ways that respect consumers' customary practices and ensuring that, as future technologies are developed, they incorporate means by which fair use of content can be made. As Congress demonstrated in developing section 1201(k) of the DMCA, there are ways to balance legislatively the interests of content owners and consumers when technological solutions that respect fair use practices can be agreed upon by all parties.

In addition to restrictions on their fair use rights, consumers face a new problem as record companies increasingly introduce into the market non-standard "copy-protected compact discs." As widely reported in the press, consumers have found that these ordinary-looking CDs do not play in some standard consumer electronics and computer products and that they cannot be copied on computer hard drives or in CD recorders. Without question, record companies should have the freedom to innovate, but they also have the responsibility to provide adequate notice to consumers about the "recordability" and "playability" of these discs. They have not done so. For that reason, I believe it is appropriate for Congress to now step in. Our bill will ensure that non-standard discs are properly labeled to give consumers adequate notice of all dysfunctions.

In this connection, I think it is important to note that the conferees to the DMCA expected all affected industries to work together in developing measures to protect copyrighted works. As the conferees pointed out, "[o]ne of the benefits of such consultation is to allow

testing of proposed technologies to determine whether there are adverse effects on the ordinary performance of playback and display equipment in the marketplace, and to take steps to eliminate or substantially mitigate those effects before technologies are introduced." That process does not appear to have been employed with regard to the new unilaterally developed methods being used to protect compact discs.

In closing, I think it important to stress that, for over 150 years, the fair use doctrine has helped stimulate broad advances in scientific inquiry and in education, and has advanced broad societal goals in many other ways. We need to return to first principles. We need to achieve the balance that should be at the heart of our efforts to promote the interests of copyright owners while respecting the rights of information consumers. The DMCRA of 2003 will restore that balance.

We urge our colleagues to join us as co-sponsors of this important legislation.

#### TRIBUTE TO MS. KATHERINE DUNHAM

#### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CONYERS. Mr. Speaker, today, I rise to commemorate Katherine Dunham for her extraordinary contributions to dance, culture, history and the world. Ms. Dunham has been called the "Matriarch of black dance." Her unprecedented blend of cultural anthropology with the artistic genre of dance in the early 1930's, produced groundbreaking forms of movement, and in the United States, established black dance as an art form in its own right. Global awareness of folk dance in Haiti can be chiefly attributed to the work of Katherine Dunham.

It is important to share the history of this amazing woman. After various stays in Jamaica, Martinique, and Trinidad, Ms. Dunham arrived in Haiti in 1935. She chose to visit the Caribbean in order to study the intensity, depth and the African influence of the Caribbean dance culture. The Caribbean nations of Haiti and Jamaica provided Dunham with new insights, as the villagers began to trust her and invited her to join in some of their most sacred dance rituals. She would ultimately claim Haiti as her second home and even adopt their Vodum (or Voodoo) religion. She later chronicled much of her time spent in Haiti in a book entitled, *Island Possessed*. Shortly after leaving Haiti she completed a thesis on the dances of Haiti, entitled *Las Danzi de Haiti*. In 1983, the Center for Afro-American Studies at UCLA published a revised version, incorporating a long campaign of subsequent research. It was through her dance compositions that Ms. Dunham introduced the Haitian based vocabulary of movement to the world. This form of dance later became known as the Dunham technique.

Ms. Dunham's formal career began in 1931, when the "First Negro Dance Recital in America" was presented in New York. At the time she was a 21 year old University of Chicago student who also served as the group's choreographer, teacher and chief dancer. The multitude of roles that she played in this initial

endeavor were indicative of her great career which would span the next 50 years. In 1935, Ms. Dunham was given the opportunity to study both academic and practical aspects of dance when she received a Rosenwald fellowship which enabled her to undertake an anthropological study of dance in the Caribbean. As a result of her research, Ms. Dunham determined that African influences dominated three aspects of Black folk dance. These include: the incorporation of African religious dance into new ritual behaviors; the secularization of the African religious dance; and the interaction of African secular dance with European secular dance.

Upon returning to the United States, Ms. Dunham reconstituted her dance group focusing primarily on her Caribbean experiences, particularly in Haiti. She choreographed and produced numerous productions, *Pins and Needles*, *Tropics*, *Le Jazz Hot—From Haiti to Harlem*, *Cabin in the Sky*, *Tropical Revue*, *Carib Song*, *Bal Begre* which played in various locations, including New York and Los Angeles. Ms. Dunham's company also appeared in the film *Stormy Weather* with Lena Horne and Bill Robinson. Specifically, the dance troupe is featured in fog-drenched "Stormy Weather" dream sequence.

Later, Ms. Dunham returned to the international stage by opening Caribbean Rhapsody, *Tropics*, *Son*, *Chorus*, *Nanigo*, *Bahian*, *Shango*, *LaG Ya'*, *Rites of de Passage*, *Flaming Youth* and *Blues in Europe*. Ms. Dunham's success in Europe led to considerable imitation of her work in European revues. Her company also toured South America, Africa and Mexico. Ms. Dunham's dance troupe was so successful that it became the most widely recognized American dance company in the world. This distinction was later inherited by the Alvin Ailey American Dance Theater in 1970's.

The Dunham company made its last appearance in New York in 1962. It performed a production entitled *Bamboche!* which featured a contingent from the Royal Troupe of Morocco. In 1963 in Aida, Dunham continued to secure her place in artistic history by becoming the first African-American to choreograph for the Metropolitan Opera. Dunham first appeared in films in 1940 in *Carnival of Rhythm*. Her other film credits include *Cabin in the Sky*, *Star Spangled Rhythm*, *Casbah*, and *Pardon My Sarong*.

In 1945, the Katherine Dunham School of Arts and Research opened and was comprised of a Department of Theater, Cultural Studies and the Institute for Caribbean research. It offered two, three and five year courses leading to professional, teaching and research certificates. The faculty numbered thirty, and the school's curriculum included classes such as dance notation ballet, modern and primitive techniques, psychology and philosophy. It also offered courses in acting, music, visual design, history and languages. During the 1940's and 50's, Dunham's School of Dance became the premier training facility for African American dancers by providing instruction in dance described as "arresting," and "highly theatrical." The student body was interracial and numbered approximately four hundred. The cost to run this school was enormous and absorbed most, if not all of profits earned by Ms. Dunham. However, during its tenure some of its more famous students included Marlon Brando, James Dean and Shelley Winters.



In 1967, Miss Dunham joined the faculty of Southern Illinois University in Edwardsville, to create a performing arts training center and dance anthropology program. In 1969, Miss Dunham created the Katherine Dunham Center for the Arts and Humanities, a community-based arts education program in East St. Louis. The center provided East St. Louis residents with the opportunity to witness and participate in fine, performing, and cultural arts.

Further, The Katherine Dunham Dynamic Museum is also located at Southern University in St. Louis. This landmark building appears on the Illinois Historic Register, and houses Miss Dunham's superb collection of African, West African, and South American art. It is also located in the Pennsylvania Avenue Historic District which is registered with the National Trust for Historic Preservation. The museum houses an outstanding collection of symbolic and functional art, including more than 250 African and Caribbean art objects from more than 50 countries. Tapestries, paintings, sculpture, musical instruments and ceremonial costumes from these and other areas of the world celebrate the human spirit. The museum also displays costumes, photographs, programs, letters, awards and mementos from Miss Dunham's career as a dancer, choreographer, teacher, writer and dance company owner.

Additional accolades attributed to Ms. Dunham include advisor on the First World Festival of Negro Arts, which was the subject of a television special entitled, "Divine Drumbeats: Katherine Dunham and Her People." In addition, she received the Kennedy Center Honors Award in 1983, and has been inducted into the Black Filmmakers Hall of Fame. Dunham has also been given a star on the St. Louis Walk of Fame for the field of Acting and Entertainment.

On January 7th, when the 108th Congress convenes, I will introduce this letter into the CONGRESSIONAL RECORD, adding this commendation to the tidal wave of many others. Thank you Katherine Dunham for your wonderful and marvelous contributions to the world.

#### COMMEMORATING THE PROSPECT HILL FLAG RAISING

#### HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CAPUANO. Mr. Speaker, I rise today to commemorate a moment of tremendous historical significance to our great country. January 1, 2003, marks the 227th anniversary of the raising on Prospect Hill, Somerville (then in Charlestown) the first flag of the United American Colonies. It is also the 100th anniversary of the building of the monument on Prospect Hill to recognize this event.

On January 1, 1776, General George Washington authorized that the Grand Union Flag be flown to celebrate the formation of the Continental Army. Thus, the Grand Union Flag, also known as the Great Union Flag, the Continental Union Flag and the Congress Flag, was raised at the fort sited on Prospect Hill. The brigade of Continental troops commanded by the legendary General Nathaniel Greene stationed at Prospect Hill produced a rousing

cry and fired a salute of thirteen guns as the flag proudly flew on that cold winter's morning. Washington himself fondly recalled the scene, writing in a letter to his friend Colonel Joseph Reed, "we hoisted the Union Flag in compliment to the United Colonies."

Our first flag itself bears only a similarity to our current flag, although, surprisingly, it bears a strong resemblance to the flag flown during the 18th century by the East India Company. The Grand Union Flag was an alteration of the British meteor flag. It featured thirteen alternating red and white stripes to signify the thirteen American colonies. A contemporary British Union flag—the red cross of St. George and the White cross of St. Andrew on a blue background—formed its canton. It was felt that this combination aptly reflected the unity the colonists felt in their struggle and the loyalty many still felt to England. While the Continental Congress never passed a resolution recognizing the Grand Union Flag as the official American flag, it was used until mid-1777 by the Continental Army and is considered the first flag of the United States. I am proud that it was first raised on Prospect Hill, Somerville, in what is now the 8th Congressional District of Massachusetts.

#### COMMENDING TWO NEWLY NAMED RHODES SCHOLARS FROM KANSAS

#### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. MOORE. Mr. Speaker, I am pleased to report that two Rhodes Scholars from Kansas were named last week. I include in the Record for the House's review a wire story from the Associated Press concerning these two exemplary young Kansans, Robert Chamberlain of Topeka, and Ben Champion of Olathe, but particularly want to take note of Ben Champion, a constituent who interned in my Overland Park and Washington, D.C., congressional offices last summer. I also include a recent story from The Olathe News concerning Ben.

Ben Champion, who is hoping to pursue a career in politics and public policy, is majoring in chemistry, natural resources and environmental sciences at Kansas State University. His goal is to bridge the gap between the sciences and the political arena by first specializing in the sciences, especially chemistry, and subsequently by working in the policy arena to develop and implement sound environmental policy. My constituents in Kansas' Third District were fortunate to have him serving them in their congressional offices last summer, and I join with our staff in congratulating Ben and wishing him well on this exciting new challenge.

#### KANSAS STUDENT NAMED RHODES SCHOLAR

(By The Associated Press)

Two young men from Kansas, one a University of Kansas graduate now in the Army, and the other a senior at Kansas State University, were named Saturday as Rhodes Scholars for 2003.

They are Robert M. Chamberlain of Topeka, who earned a political science degree from Kansas in May, and Ben Champion of Olathe, who is majoring in chemistry, natural resources and environmental sciences at Kansas State.

The prestigious scholarships provide more than \$50,000 for two years of graduate study at Oxford University in England. They were established in 1903 by British philanthropist Cecil Rhodes, and 32 scholarships are awarded every year to students from the United States.

Chamberlain, a second lieutenant in the U.S. Army, is a field artillery officer with the 101st Airborne Division at Fort Sill, Okla., until April 2003, when he transfers to Fort Campbell, Ky.

A finalist for the scholarship a year ago, he is the son of Michael and Judy Chamberlain of Topeka and a graduate of Washburn Rural High School. He plans a public service career in international law.

Chamberlain said his selection for the scholarship was "still sinking in."

"It's such an honor to be selected from such an outstanding group of people," he said.

Chamberlain is the 24th University of Kansas student, and the first since 1994, to win a Rhodes scholarship. Kansas State has had seven Rhodes scholars since 1986.

Champion is a 1998 graduate of Olathe South High School. He is the son of Mike and Paula Champion of Olathe.

[From the Olathe News]

SOUTH GRAD IS RHODES SCHOLAR

(By Kevin Selders)

Ben Champion, a 1998 graduate of Olathe South High School, discovered something Saturday that changed his life.

Champion, who is graduating Saturday from Kansas State University with a degree in chemistry and environmental science, has been chosen as a Rhodes Scholar. He is one of two recipients from Kansas of the two-year, \$50,000 scholarship to University of Oxford in England. "I really don't know what to think about it yet," he said. "It's still sinking in." The Rhodes Scholarships, the oldest international fellowships, were initiated in 1902 after the death of Cecil Rhodes. They allow students from many countries around the world to attend the University of Oxford.

American Rhodes Scholars are selected through a decentralized process by which regional selection committees choose 32 scholars each year from among those nominated by selection committees in each state. Applicants from more than 300 American colleges and universities have been selected as Rhodes Scholars.

The other recipient from Kansas, Robert Chamberlain of Topeka, earned a political science degree from the University of Kansas in May, and is now a second lieutenant in the U.S. Army. Scholarships also were awarded to students from other countries, bringing the total number of scholarships awarded this year to about 95.

Champion, who plans to study renewable energy technologies at Oxford, said he's excited about attending the university, which is known for having the largest chemistry department in the world. "I'm really looking forward to studying at Oxford," he said. "It's going to be a good fit for me." He said that after his time at Oxford, he'd like to conduct research and get into the political process and advise on environmental policy issues.

Rhodes Scholars are selected for two years of study at Oxford, with the possibility of renewal for a third year. All educational costs, such as enrollment, tuition, laboratory and other fees, are paid on the scholar's behalf by the Rhodes Trustees.

Each scholar also receives an allowance adequate to meet necessary expenses for term-time and vacations. The Rhodes Trustees cover the costs of travel to and from Oxford, and upon application, may approve additional grants for research purposes or study-related travel.



Champion, who also is a drummer and vocalist for a band called The Vetivers, attributed his success to having a supportive family, encouraging professors, a solid education from the Olathe school district and 12 years of experience in the Boy Scouts, which resulted in his achievement of Eagle Scout status. Champion also has won the Udall Scholarship for environmental studies and was a finalist for the Truman Scholarship.

Champion's father, Mike, credits his son's success to his positive, focused mind-set, his strong work ethic and his ability to adapt to any situation he's in. "I'm about as excited as a dad can get," he said. "It's one of those things where you pinch yourself to make sure you're awake and not dreaming."

WELCOMING ROTARY INTER-  
NATIONAL PRESIDENT BHICHAIRATTAKUL

### HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize an event that took place in my district yesterday, and to welcome the Rotary International President Bhichai Rattakul to Jacksonville and the United States.

The Rotary Clubs of Greater Jacksonville are dedicated and respected members of the large international humanitarian service organization. The Rotary Clubs of Greater Jacksonville are comprised of business and professional leaders who practice ethical standards in relationships in the community.

The many members of the Rotary Clubs of Greater Jacksonville dedicate their time, skills, expertise and other resources to help improve the lives of others in developing countries by supporting the Rotary Foundation and by working to eradicate polio worldwide; and consistently promote truth, fairness, and try to improve relations among the citizens of northeast Florida.

The Rotary Clubs of Greater Jacksonville provide friendship and fellowship to its members and visiting Rotarians. These dedicated men and women are some of the most active local citizens who motivate and influence community leaders through their efforts on a regular basis. But more importantly, the members of the Rotary Clubs of Greater Jacksonville are citizens of the World who live each day with the goal of "Service Above Self."

It was an honor for me to join the fine men and women of the Rotary Clubs of Greater Jacksonville on January 6, 2003, to welcome Rotary International President Bhichai Rattakul and thank him for his many efforts and his service on behalf of all Rotarians in Jacksonville, the Nation, and the World.

### TRIBUTE TO MARTHA C. MYERS

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. ROGERS of Alabama. Mr. Speaker, on December 30, 2002, Dr. Martha C. Myers died doing what she loved—helping and healing people as a missionary in Yemen.

Her death last Monday was the result of an Islamic extremist who smuggled a gun into her

hospital and opened fire. The gunman killed not only Dr. Myers but also two of her American colleagues and seriously wounded another. This act of senseless brutality against those devoted to goodness reminds us just how dangerous the world is even for those doing God's work.

Dr. Myers, a Jefferson County native, grew up in Montgomery wanting nothing more in life than to be a missionary. The daughter of Dr. Ira and Dorothy Myers, Martha Myers graduated from Robert E. Lee High School in 1963, and after completing her medical degree at the University of Alabama at Birmingham, committed to missionary life and doing what she believed God wanted her to do.

In 1977 she was assigned to Yemen as a missionary for the International Mission Board of the Southern Baptist Convention, working in the 80-bed hospital which treated more than 40,000 patients a year. Dr. Myers' medical career spanned 25 years as an obstetrician and surgeon, saving lives and giving hope.

Her brother Stephen said Martha gave away most of her small medical salary to others she felt more in need. She even recently divested her savings account to help pay the cost of a kidney transplant for one of the hospital patients.

Dr. Myers was a model citizen, a committed Christian, a shining example for us all.

President Bush has promised to bring to justice those responsible for the slayings. I join the President and my fellow citizens in strongly condemning this brutal act of murder and will work to ensure the United States Government and Yemeni officials work together to investigate the causes of this attack. We can not and should not tolerate the merciless killings of innocent Americans working and living abroad.

Let us send our condolences to the family of Dr. Martha Myers and our prayers that their grief may be soothed. But most importantly, let us keep the memory of Dr. Myers alive so her mission may not die in vain, but serve as a shining example for future American missionaries working to spread peace and hope throughout the world.

### MEMORIAL TRIBUTE TO MRS. HELEN DOBSON

### HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. RAHALL. Mr. Speaker, I rise today to pay tribute to my dear friend, Mrs. Helen Dobson, who passed away on December 8, 2002.

Helen will be missed by all of us, but her memories will last forever in our hearts. She was a beautiful flower whose fragrance permeated her surroundings. Her songbird voice soothed the souls of many and brought joy to our hearts. Helen's untiring efforts on behalf of our community never went unnoticed, as she gave unselfishly of herself to meet the needs of others time and time again.

One of my fondest of many memories, is when Helen surprised me by singing "Happy Birthday" and inviting the congregation to join in, during a Sunrise Prayer Service at Central Baptist Church, in conjunction with a visit to my hometown of Beckley, West Virginia, by former U. S. Secretary of Transportation, Rod-

ney E. Slater. Secretary Slater was in awe of Helen's beautiful voice, as she sang her favorite song, "If I Can Help Somebody, Then My Living Shall Not Be In Vain."

I will never forget Helen's efforts on my behalf and the support she gave me throughout the years. I pray that Helen's memories will live forever in our hearts. It is for certain that, "Helen's Living Shall Not Be In Vain" and the West Virginia Hills are alive with the sound of her music.

### U.S. EMPLOYEE, FAMILY UNITY AND LEGALIZATION ACT

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GUTIERREZ. Mr. Speaker, I rise today to announce the introduction of my bill, the "U.S. Employee, Family Unity and Legalization Act" or the "U.S.E.F.U.L. Act."

I am very pleased to reintroduce legislation that reflects the global reality of our economy and the migratory nature of the labor market. Today, more than ever, immigrants play a critical role in our country's well-being and competently fill voids in our workforce and add strength and stability to our society.

My bill will help many immigrants realize their potential and our Nation's promise. Tax payers, home and business owners, parents and grandparents, neighbors and friends will no longer be forced to hide in the shadows of a country with a broken immigration system.

The USEFUL Act will enable immigrants now in the country to become eligible for permanent residency if they have lived in the U.S. for at least 5 years, regardless of their current immigration status. My bill calls for an immediate revision of the "date of registry", a provision in current immigration law that allows people to apply for permanent resident status if they had entered the United States by a specific date.

Updating the registry date has been a sensible practice of our nation's immigration policy since 1929, yet Congress has allowed the registry date to remain set at January 1, 1972. As a result, the historic and fair recognition of valuable contributions of long-term, law-abiding, tax-paying residents of the United States has been undermined.

The 1972 registry date has essentially become obsolete. My bill would immediately update the registry date to January 1, 1998, thus granting legal status to any immigrant who can establish that he or she was living in the United States by that time. The registry date would then roll forward by one year at a time every subsequent year until 2009. Thus, my bill would eventually grant permanent residency to every immigrant who entered the United States by January 1, 2003.

Some people might say that this legislation is bold, ambitious, and faces an uphill battle. I agree.

This bill is all of those things, but it is also legislation that is sound, sensible, and will ultimately be successful. My proposal will not only benefit deserving immigrants who have adopted the United States as their home, but all people who rely on safe communities and a sound and sustainable economy.

Immigrants are vital to the health and strength of a number of economic sectors,

such as the agricultural, service and construction industries. Immigrants are also vital to the smooth running of our daily lives—they educate our children, wash our dishes, mow our lawns, take care of our aging parents and grandparents, serve our food and clean our homes.

If these workers are able enough, are responsible enough to care for our children, parents, and grandparents, should they not at least be afforded the benefits they have rightfully earned?

A study highlighting the economic contributions of immigrants released just last month by the Center for Labor Market Studies at Northeastern University reported what many of us have understood for some time: Immigrant labor is absolutely essential to the health of the U.S. economy, both in terms of filling gaps in the labor market and expanding the nation's tax base.

Despite the well-documented contributions of immigrants, some people still might say, in light of the attacks of September 11, that this is a bill whose time cannot come.

I would strongly disagree. In fact, I would say that this bill is long overdue.

We must not let our national security concerns cast a dark shadow over the importance and real contributions of immigrants to our country. We should not allow terrorists to destroy the hopes and quest for a better life that is inherent in each and every immigrant seeking a better life while making a considerable contribution to our workforce.

Given the difficult lessons we learned from the tragedies of September 11th and our subsequent efforts to make this country safer for all of us, I would say we need this kind of bold immigration reform, like we have never needed it before. In fact, our national security demands it.

We are all aware that an estimated 8 to 9 million undocumented immigrants live in this country. Imagine this community of people currently living in the shadows brought forward to live openly in our society as legal permanent residents.

Imagine the relief it will provide to parents who, like the immigrants before them, came in search of a better life for their families.

Imagine the relief of employers who depend on the work of these immigrants to keep their hotels, restaurants, factories, and businesses afloat.

As a nation, we have committed immense resources to make our communities safer and to root out terrorists. Imagine our collective relief as Americans when we, alongside our immigrant friends who have come to build this Nation, are better able to focus our efforts on identifying and delivering justice to those that come to tear down this Nation.

The United States has been and always will be a country of immigrants. I believe the USEFUL Act will go far toward easing the plight of long-term U.S. residents who, for all practical purposes are here to stay, but who under current immigration law remain vulnerable. Ultimately, we will all benefit from a stronger, more stable workforce.

I also believe my bill will be extremely useful in our efforts to better secure the homeland and to protect us from future terrorist attacks.

I urge my colleagues to help achieve needed immigration reform by supporting the USEFUL Act.

## CONGRATULATING THE WESTERN KENTUCKY UNIVERSITY HILLTOPPERS FOOTBALL TEAM

### HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to congratulate the Western Kentucky University Hilltoppers on their first NCAA Division I-AA football championship.

Today in Bowling Green, they are putting up seven new signs for drivers to see when they come into the city, signs recognizing the Toppers as national champions. Here in Washington, I introduced a resolution congratulating the Hilltoppers on their win, and my Kentucky colleague Jim Bunning has introduced the same resolution in the Senate.

The 15th ranked Hilltoppers defeated top-ranked McNeese State 34–14 to take the championship on December 20. Western brought their best game to the playoffs and the championship, defeating the three highest ranked teams on their way to winning the title.

Just as they had all season, the Hilltoppers relied on their tough defense and strong running game. Jon Frazier rushed for 159 yards and two touchdowns, bringing his season total to 1,537 yards and moving him into second place in Western's running records. The defense combined for three interceptions and a sack, holding McNeese State well below its season scoring average.

In his 14th year at Western Kentucky, coach Jack Harbaugh saw the team's hard work pay off. He has built a successful program over the years that the university, the Bowling Green community and the state can be proud of.

After starting the season with a 2–3 record, and a loss to McNeese State, the Hilltoppers relied on their teamwork and dedication to win 10 straight games, finishing the season with the national championship.

I join Western Kentucky University and all of Bowling Green in congratulating the Hilltopper football team for its success. Go Big Red!

## THE FAILED CHILD WELFARE SYSTEM

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. GEORGE MILLER of California. Mr. Speaker, there is an urgent need for the Congress to overhaul the failed child welfare system.

In 2000, almost 3 million instances of child abuse or neglect were reported and more than 870,000 incidents substantiated, and 556,000 children lived in foster care. A particularly horrendous example of abuse, and the failure of state agencies to address it, fills the newspapers today in reporting the tragedy in Newark, NJ.

Despite spending billions of dollars on child welfare, we continue to fail these and other children every day. Recent audits by the Department of Health and Human Services have found that *every state examined is out of compliance with federal regulations to protect children.*

Unfortunately, nearly every Member can find horrific stories in their own state about the failure of the child welfare system. In the most recent New Jersey tragedy, despite the state welfare system being repeatedly notified about abuse in this family over 10 years, two young brothers were found starving and neglected with their brother laying dead in another part of the basement. Serious reform at the local, state and federal levels is long overdue.

In November 2002, Representatives RANGEL and CARDIN and I convened a Child Welfare Summit that brought together child welfare experts, administrators, judges, and academicians to discuss the state of child welfare reform. Summit participants discussed the great need for reform and the communities in which improvements have been achieved. They called for more community involvement and partnerships, better investment in prevention, standards of accountability for welfare systems and improved caseworker training, supervision and retention.

The following article from The Washington Post discusses the urgent need for reform and some of the recommendations of the Summit. Congress needs to act without delay to review these findings and implement changes to safeguard our most vulnerable children.

[From the Washington Post, Jan. 2, 2003]

BEFORE THE NEXT TRAGEDY

By Susan Notkin

We have become accustomed to the headlines: A child in foster care is missing. An infant is left alone in a locked car on a hot day. A child dies at the hands of a parent whose acts of abuse or neglect went unnoticed—or, worse, were noticed and ignored by those who might have helped. One week's troubling stories may come from Florida, Michigan or Texas, but the next week it could just as easily be another state, another child in the news.

These tragedies initiate predictable events. Politicians, journalists and others point fingers. A caseworker, supervisor or child welfare commissioner resigns. A blue ribbon panel is convened. But real system reform seems impossible, and the sense of urgency fades until the next headline.

In the year 2000, nearly 3 million cases of child abuse or neglect were reported, with more than 870,000 incidents substantiated. For each day of that year, three children died as a result of abuse or neglect. In 2000, more than half-a-million children were in foster care nationwide, many residing in communities far from their homes and families.

The problem is not lack of caring. Child welfare workers and administrators go to work everyday hoping to do their best for vulnerable children and families. But state and local agencies suffer from inadequate resources, high turnover, poor training, low pay and outrageously heavy caseloads. At present, dozens of states are either involved in child welfare class action lawsuits or are operating under court order for failing to adequately protect abused and neglected children. Still we lack the political will for major reform.

Recently, national child welfare experts and congressional leaders held a Child Welfare Summit to discuss urgent problems confronting child welfare services and to recommend priorities for reform.

Participants called for major changes in our nation's approach to protecting children. They recommended investing in prevention instead of continuing with inadequate after-the-fact responses. They stressed that efforts to hold child welfare systems more accountable must be coupled with relevant standards

for child welfare practice that make accountability possible. They supported measures to build skills and improve compensation for caseworkers, increase caseworker retention and provide rewards for superior performance. Nearly all participants spoke to the need to address the over representation of children of color in our child welfare system.

Perhaps the area of greatest consensus was that government alone cannot effectively protect children. We need much greater community involvement, especially in the form of partnerships between public child welfare agencies and local communities. Such partnerships make keeping children safe everybody's business. Neighbors and community leaders reach out to vulnerable families to talk about good parenting. They carry the challenge of child abuse prevention to neighborhood meeting, block parties, picnics and congregations of different faiths. These partnerships offer individualized services based on a family's needs and give families at risk more say in the decisions that affect their lives.

Because child welfare, mental health, substance abuse and domestic violence agencies typically work with the same families, community partnerships ensure that their services are coordinated. And when children must be placed outside their homes, every effort is made to keep them in their own communities. Community partnerships are already showing great promise in more than 50 locations across the country, including cities as diverse as Jacksonville, Fla., Cedar Rapids, Iowa, and Atlanta.

The task of changing the way we conduct child welfare is demanding, but we have no choice. The terrible cost to children and families who fall in the cracks of the current system is obvious enough, but the financial cost is also daunting. Prevent Child Abuse America reports that we spend more than \$93 billion annually in direct and indirect responses to child abuse and neglect. We could spend this money far more wisely by implementing the types of reforms recommended by the nation's leading child welfare experts. This is the future we must invest in.

## OVERLAPPING ERAS

### HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HOUGHTON. Mr. Speaker, our former colleague, the extraordinary Daniel Patrick Moynihan, notes that from the summer of 1914 the world was at war, with only brief interludes, until the collapse of the Soviet Union. "But now we have to ask if it is once again the summer of 1914. Small acts of terror in the Middle East, in South Asia, could lead to cataclysm, as they did in Sarajevo . . . The eras are overlapping."

Senator Moynihan was speaking in the same forum from which General George C. Marshall summoned the American people to rebuild Europe—the Harvard University Commencement. He said that the end of the Cold War has brought not universal peace, but widespread violence. The new horrors occur on the fault lines between major conflicting cultures.

Recalling that General Marshall had spoken to the graduating class 47 years before, he said: "History summons us once more in different ways, but with even greater urgency. Civilization need not die. At this moment, only

the United States can save it. As we fight the war against evil, we must also wage peace, guided by the lessons of the Marshall Plan—vision and generosity can help make the world a safer place."

I would commend the address in its entirety to my colleagues and would like to insert the text in the RECORD at this point:

COMMENCEMENT ADDRESS, JUNE 6, 2002

(By Daniel Patrick Moynihan)

A while back it came as something of a start to find in *The New Yorker* a reference to an article I had written, and I quote, "In the middle of the last century." Yet persons my age have been thinking back to those times and how, in the end, things turned out so well and so badly. Millions of us returned from the assorted services to find the economic growth that had come with the Second World War had not ended with the peace. The Depression had not resumed. It is not perhaps remembered, but it was widely thought it would.

It would be difficult indeed to summon up the optimism that came with this great surprise. My beloved colleague Nathan Glazer and the revered David Riesman wrote that America was "the land of the second chance" and so indeed it seemed. We had surmounted the depression; the war. We could realistically think of a world of stability, peace—above all, a world of law.

Looking back, it is clear we were not nearly so fortunate. Great leaders preserved—and in measure extended—democracy. But totalitarianism had not been defeated. To the contrary, by 1948 totalitarians controlled most of Eurasia. As we now learn, 11 days after Nagasaki the Soviets established a special committee to create an equivalent weapon. Their first atomic bomb was acquired through espionage, but their hydrogen bomb was their own doing. Now the Cold War was on. From the summer of 1914, the world had been at war, with interludes no more. It finally seemed to end with the collapse of the Soviet Union and the changes in China. But now . . .

But now we have to ask if it is once again the summer of 1914.

Small acts of terror in the Middle East, in South Asia, could lead to cataclysm, as they did in Sarajevo. And for which great powers, mindful or not, have been preparing.

The eras are overlapping.

As the United States reacts to the mass murder of 9/11 and prepares for more, it would do well to consider how much terror India endured in the second half of the last century. And its response. It happens I was our man in New Delhi in 1974 when India detonated its first nuclear device. I was sent in to see Prime Minister Indira Gandhi with a statement as much as anything of regret. For there was nothing to be done; it was going to happen. The second most populous nation on earth was not going to leave itself disarmed and disregarded, as non-nuclear powers appeared to be. But leaving, I asked to speak as a friend of India and not as an official. In twenty years time, I opined, there would be a Moghul general in command in Islamabad, and he would have nuclear weapons and would demand Kashmir back, perhaps the Punjab.

The Prime Minister said nothing; I dare to think she half agreed. In time, she would be murdered in her own garden; next, her son and successor was murdered by a suicide bomber. This, while nuclear weapons accumulated which are now poised.

Standing at Trinity Site at Los Alamos, J. Robert Oppenheimer pondered an ancient Sanskrit text in which Lord Shiva declares, "I am become Death, the shatterer of worlds." Was he right?

At the very least we can come to terms with the limits of our capacity to foresee events.

It happens I had been a Senate observer to the START negotiations in Geneva, and was on the Foreign Relations Committee when the treaty, having been signed, was sent to us for ratification. In a moment of mischief I remarked to our superb negotiators that we had sent them to Geneva to negotiate a treaty with the Soviet Union, but the document before us was a treaty with four countries, only two of which I could confidently locate on a map. I was told they had exchanged letters in Lisbon [the Lisbon Protocol, May 23, 1992]. I said that sounded like a Humphrey Bogart movie.

The hard fact is that American intelligence had not the least anticipated the implosion of the Soviet Union. I cite Stansfield Turner, former director of the CIA in Foreign Affairs, 1991. "We should not gloss over the enormity of this failure to forecast the magnitude of the Soviet crisis . . . The corporate view missed by a mile."

Russia now faces a near-permanent crisis. By mid-century its population could well decline to as few as 80 million persons. Immigrants will press in; one dares not think what will have happened to the nuclear materials scattered across 11 time zones.

Admiral Turner's 1991 article was entitled "Intelligence for a New World Order." Two years later Samuel Huntington outlined what that new world order—or disorder—would be in an article in the same journal entitled "The Clash of Civilizations." His subsequent book of that title is a defining text of our time.

Huntington perceives a world of seven or eight major conflicting cultures, the West, Russia, China, India, and Islam. Add Japan, South America, Africa. Most incorporate a major nation-state which typically leads its fellows.

The Cold War on balance suppressed conflict. But the end of the Cold War has brought not universal peace but widespread violence. Some of this has been merely residual proxy conflicts dating back to the earlier era. Some plain ethnic conflict. But the new horrors occur on the fault lines, as Huntington has it, between the different cultures.

For argument's sake one could propose that Marxism was the last nearly successful effort to Westernize the rest of the world. In 1975, I stood in Tiananmen Square, the center of the Middle Kingdom. In an otherwise empty space, there were two towering masts. At the top of one were giant portraits of two hirsute 19th century German gentlemen, Messrs. Marx and Engels. The other displayed a somewhat Mongol-looking Stalin and Mao. That wasn't going to last, and of course, it didn't.

Hence Huntington: "The central problem in the relations between the West and the rest is . . . the discordance between the West's particularly America's—efforts to promote universal Western culture and its declining ability to do so."

Again there seems to be no end of ethnic conflict within civilizations. But it is to the clash of civilizations we must look with a measure of dread. The Bulletin of the Atomic Scientists recently noted that "The crisis between India and Pakistan, touched off by a December 13th terrorist attack on the Indian Parliament marks the closest two states have come to nuclear war since the Cuban Missile Crisis." By 1991, the minute-hand on their doomsday clock had dropped back to 17 minutes to midnight. It has since been moved forward three times and is again seven minutes to midnight, just where it started in 1947.

The terrorist attacks on the United States of last September 11 were not nuclear, but

they will be. Again to cite Huntington, "At some point . . . a few terrorists will be able to produce massive violence and massive destruction. Separately, terrorism and nuclear weapons are the weapons of the non-Western weak. If and when they are combined, the non-Western weak will be strong."

This was written in 1996. The first mass murder by terrorists came last September. Just last month the vice president informed Tim Russert that "the prospects of a future attack . . . are almost certain. Not a matter of if, but when." Secretary Rumsfeld has added that the attack will be nuclear.

We are indeed at war and we must act accordingly, with equal measures of audacity and precaution.

As regards precaution, note how readily the clash of civilizations could spread to our own homeland. The Bureau of the Census lists some 68 separate ancestries in the American population. (Military gravestones provide for emblems of 36 religions.) All the major civilizations. Not since 1910 have we had so high a proportion of immigrants. As of 2000, one in five school-age children have at least one foreign-born parent.

This, as ever, has had bounteous rewards. The problem comes when immigrants and their descendants bring with them—and even intensify—the clashes they left behind. Nothing new, but newly ominous. Last month in Washington an enormous march filled Pennsylvania Avenue on the way to the Capitol grounds. The marchers, in the main, were there to support the Palestinian cause. Fair enough. But every five feet or so there would be a sign proclaiming "Zionism equals Racism" or a placard with a swastika alongside a Star of David. Which is anything but fair, which is poisonous and has no place in our discourse.

This hateful equation first appeared in a two-part series in Pravda in Moscow in 1971. Part of Cold War "agit prop." It has since spread into a murderous attack on the right of the State of Israel to exist—the right of Jews to exist!—a world in which a hateful Soviet lie has mutated into a new and vicious anti-Semitism. Again, that is the world we live in, but it is all the more chilling when it fills Pennsylvania Avenue.

It is a testament to our First Amendment freedoms that we permit such displays, however obnoxious to our fundamental ideals. But in the wake of 9/11, we confront the fear that such heinous speech can be a precursor to violence, not least here at home, that threatens our existence.

To be sure, we must do what is necessary to meet the threat. We need to better understand what the dangers are. We need to explore how better to organize the agencies of government to detect and prevent calamitous action.

But at the same time, we need take care that whatever we do is consistent with our basic constitutional design. What we do must be commensurate with the threat in ways that do not needlessly undermine the very liberties we seek to protect.

The concern is suspicion and fear within. Does the Park Service really need to photograph every visitor to the Lincoln Memorial? They don't, but they will. It is already done at the Statue of Liberty. In Washington, agencies compete in techniques of intrusion and exclusion. Identity cards and X-ray machines and all the clutter, plus a new life for secrecy. Some necessary; some discouraging. Mary Graham warns of the stultifying effects of secrecy on inquiry. Secrecy, as George Will writes, "renders societies susceptible to epidemics of suspicion."

We are witnessing such an outbreak in Washington just now. Great clamor as to what the different agencies knew in advance of the 9/11 attack; when the President was

briefed; what was he told. These are legitimate questions, but there is a prior issue, which is the disposition of closed systems not to share information. By the late 1940s the Army Signal Corps had decoded enough KGB traffic to have a firm grip on the Soviet espionage in the United States and their American agents. No one needed to know about this more than the President of the United States. But Truman was not told. By order, mind, of Omar Bradley, Chairman of the Joint Chiefs of Staff. Now as then there is police work to be done. But so many forms of secrecy are self-defeating. In 1988, the CIA formally estimated the Gross Domestic Product of East Germany to be higher than West Germany. We should calculate such risks.

The "what-ifs" are intriguing. What if the United States had recognized Soviet weakness earlier and, accordingly, kept its own budget in order, so that upon the breakup of the Soviet Union a momentous economic aid program could have been commenced? What if we had better calculated the forces of the future so that we could have avoided going directly from the "end" of the cold War to a new Balkan war—a classic clash of civilizations—leaving little attention and far fewer resources for the shattered Soviet empire?

Because we have that second chance Riesenman and Glazer wrote about. A chance to define our principles and stay true to them. The more then, to keep our system open as much as possible, with our purposes plain and accessible, so long as we continue to understand what the 20th century has surely taught, which is that open societies have enemies, too. Indeed, they are the greatest threat to closed societies, and, accordingly, the first object of their enmity.

We are committed, as the Constitution states, to "the Law of Nations," but that law as properly understood. Many have come to think that international law prohibits the use of force. To the contrary, like domestic law, it legitimates the use of force to uphold law in a manner that is itself proportional and lawful.

Democracy may not prove to be a universal norm. But decency would do. Our present conflict, as the President says over and again, is not with Islam, but with a malignant growth within Islam defying the teaching of the Q'uran, that the struggle to the path of God forbids the deliberate killing of noncombatants. Just how and when Islam will rid itself of current heresies is something no one can say. But not soon. Christianity has been through such heresy—and more than once. Other clashes will follow.

Certainly we must not let ourselves be seen as rushing about the world looking for arguments. There are now American armed forces in some 40 countries overseas. Some would say too many. Nor should we let ourselves be seen as ignoring allies, disillusioning friends, thinking only of ourselves in the most narrow terms. That is not how we survived the 20th century.

Nor will it serve in the 21st.

Last February, some 60 academics of the widest range of political persuasion and religious belief, a number from here at Harvard, including Huntington, published a manifesto: "What We're Fighting For: A Letter from America."

It has attracted some attention here; perhaps more abroad, which was our purpose. Our references are wide, Socrates, St. Augustine, Francisus de Victoria, John Paul II, Martin Luther King, Jr., Alexander Solzhenitsyn, the Universal Declaration of Human Rights.

We affirmed "five fundamental truths that pertain to all people without distinction," beginning "all human beings are born free and equal in dignity and rights."

We allow for our own shortcomings as a nation, sins, arrogance, failings. But we assert we are no less bound by moral obligation. And finally, . . . reason and careful moral reflection . . . teach us that there are times when the first and most important reply to evil is to stop it.

But there is more. Forty-seven years ago, on this occasion, General George C. Marshall summoned our nation to restore the countries whose mad regimes had brought the world such horror. It was an act of statesmanship and vision without equal in history. History summons us once more in different ways, but with even greater urgency. Civilization need not die. At this moment, only the United States can save it. As we fight the war against evil, we must also wage peace, guided by the lesson of the Marshall Plan—vision and generosity can help make the world a safer place.

Thank you.

## COMMENDING THE KURDS AND TRADE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues three editorials from the Omaha World-Herald.

First, the editorial from the December 11, 2002, edition of the paper, entitled "Kurds set an impressive example," correctly commends the economic, political, and social progress made by the Kurds in northern Iraq despite Saddam Hussein's concerted and well-documented efforts to annihilate Iraq's Kurdish population.

Second, the editorial from the December 16, 2002, edition of the Omaha World-Herald, entitled "Behind Mexico's farm woes," encourages Mexico to pursue new farm policies which fully utilize market opportunities created through the North American Free Trade Agreement (NAFTA) rather than simply continuing to blame U.S. farm subsidies for Mexico's continued ag sector problems.

Finally, the editorial from the January 2, 2003, edition of the paper, entitled "Open trade, open meetings," offers support for U.S. proposals to increase transparency within the World Trade Organization (WTO).

### KURDS SET AN IMPRESSIVE EXAMPLE

The Kurdish area of Iraq shows the progress that is possible once a dictator is freed from a dictator's rule. U.S. Sen. Chuck Hagel visited that zone last week, and he was on the mark in saying the Kurdish area has the potential to serve as a model for what a post-Saddam Iraq could become.

Saddam Hussein's regime devastated the Kurd's territory in the 1980s but lost its grip on the area in 1991 as a result of the Gulf War. Economic development began to surge there in 1996, when the United Nations began channeling a set portion of Iraq's oil revenues to the Kurds. Saddam's government is able to short-circuit or delay various development projects, but the Kurds have still made impressive progress.

Here is how Barham Salih, prime minister of the Kurdistan Regional Government, described that improvement, in an opinion essay this week in *The Washington Post*:

"In 11 years we have rebuilt some 4,000 villages, set up two universities and opened more than 2,700 schools. Protected by U.S. and British air power, we have created an environment of freedom unique in Iraqi history, in which Kurds, Turkomans, Assyrian

Christians and Arabs enjoy cultural and political rights. My home city of Sulaimani alone has more than 130 media outlets, including 13 TV stations and dozens of newspapers—as well as unrestricted access to the Internet and satellite TV.”

The currency in Kurdish-controlled areas is worth more than 100 times its counterpart in the rest of Iraq, the San Francisco Chronicle notes. A Chronicle article described the area's newly paved highways as well as new hotels and open-air restaurants.

The child mortality rate among the Kurds, the Chronicle points out, is about 45 percent less than that for the rest of Iraq. Such a contrast strongly suggests that Saddam's decisions in allocating medical resources are a major factor in bringing misery to average Iraqis.

The Kurds' progress shouldn't be exaggerated. Many Kurds eke out only a modest living, and the area's political system still needs to achieve the orderliness and relative comity associated with democratic systems.

On balance, though, the Kurds' achievement after only a few years offers tremendous hope. In certain respects, it can be a role model not just for Iraq but for many countries in that part of the world.

#### BEHIND MEXICO'S FARM WOES

Tariffs on agricultural trade between Mexico and the United States have fallen in dramatic fashion since the mid-1990s. That embrace of open trade has put pressure on many Mexican farmers, compelling many of them to get out of agriculture altogether.

Some farm activists and commentators are blaming the United States, arguing that its heavy subsidizing of agriculture puts Mexico at an unfair disadvantage.

It's true that U.S. farm subsidies are wide-ranging and second only to those of the European Union (although Mexico's corn subsidies average \$150 a ton, compared to \$85 in this country). But it is woefully simplistic to lay all responsibility at the feet of the United States. Many other important factors are also in play.

Critics tend to sidestep the fact, for instance, that much of the Mexican farm sector is thriving. Under NAFTA, Mexico's agricultural exports have gone up significantly. That growth was made possible in part because many Mexican farmers invested and modernized in preparation for the impending changes.

Other farmers, in contrast, made no adjustments. They are now feeling pressure. True, many Mexican farmers have little flexibility because they own small plots or else communal ones lacking clear title. But that only underscores the reality that such farms have precarious financial prospects to begin with.

The Mexican farm sector has brought some problems on itself by failing, in many cases, to invest in improvements for irrigation and transportation. Mexico has hurt itself, too, by failing to curtail disease in livestock. Disease is so widespread for Mexican hogs, for example, that just two Mexican states are currently allowed to export pork—and only to Japan.

A sensible strategy would be to promote industrial development so that Mexican farmers and laborers can leave unsustainable plots and take on better-paying factory jobs—which, in fact, is the course the Mexican government has been attempting under NAFTA. Anti-globalization activists, regretably, are trying to block the creation of factories in rural Mexico, arguing that the traditional farm economy needs to be preserved in its entirety.

Mexico's farm sector has much to gain from the efficiencies and opportunities that

open markets create. Mexico will toss away those opportunities, however, if it allows farm interests and political activists to block crucial flexibility and diversification.

#### OPEN TRADE, OPEN MEETINGS

The World Trade Organization serves a vital function by overseeing the rules that govern the annual exchange of more than \$7 trillion in goods and services worldwide. Under the WTO's direction, the world is moving slowly, if sometimes unsteadily, toward more open trade. The trend is healthy.

Critics raise a legitimate point, however, when they decry how the WTO conceals its deliberations from public scrutiny.

Defenders rationalize the closed-door nature of much of the WTO's proceedings as necessary to protect companies' proprietary information. But such an arrangement understandably leads to accusations that the deliberations are permitting private horse-trading that should more properly be conducted in public.

The United States, to its credit, has proposed a series of measures to open up the WTO process. Under the U.S. recommendations, hearings would be conducted openly. Legal briefs and final panel reports would be made available to the public in a timely fashion. Meanwhile, procedures would be put in place to ensure that proprietary information that legitimately deserves protection would receive it.

Those would all be positive steps. Some WTO members are balking but the call for greater openness should be heeded. The WTO, whose decisions have enormous ramifications for countries' economic well-being, ought to move its operations into the daylight.

#### A BILL TO CREATE FEDERAL ADVERTISING PROCUREMENT OPPORTUNITIES FOR MINORITY BUSINESS CONCERNS, AND FOR OTHER PURPOSES

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. KILPATRICK. Mr. Speaker, small, disadvantaged businesses have been denied access to prominent contracting and subcontracting opportunities across the spectrum of industry. Many entrepreneurs and small businesses have either been hurt or put out of business by the gross disparity between procurement opportunities they receive and those received by large, majority owned businesses. In response to this inequity, former President Clinton enacted an executive order in October 2000 to improve the situation and rectify the inequity. The executive order's sole focus was to increase opportunities and access for disadvantaged businesses in relation to Federal procurement opportunities.

According to the executive order, each department and agency with procurement authority was to aggressively seek to ensure that small disadvantaged businesses, minority business enterprises and other types of small businesses were intimately involved in prime contracting opportunities. The underlying premise of the order was to contribute to a reduction of inequality within the realm of Federal procurement opportunities.

I want to codify former President Clinton's executive order specifically as it relates to

Federal advertising contracts. My goal is to ensure that minority business concerns engaged in the advertising industry have ample Federal advertisement procurement opportunities. In addition, the legislation pinpoints minority business concerns owned and controlled by socially and economically disadvantaged individuals as businesses in drastic need of increased participation in Federal advertising procurement opportunities.

The advertising industry is an ever-expanding industry that exposes many products and services to a growing and diverse nation. There are more than 21,000 advertising agencies engaged in the business and thousands more that want to become engaged in the advertising industry. However, for various reasons, many smaller and disadvantaged businesses have found it difficult to obtain advertising contracts, particularly large Federal government contracts. This bill will eradicate the inequity by facilitating the following:

1. Aggressively seeking to ensure that minority business concerns are aware of the Federal advertising procurement opportunities by using the most effective forms of communication, including the Internet, specialty press and trade press;

2. Ensuring that procurement authorities will work with the Small Business Administration (SBA) to make sure that eligible small business concerns receive information regarding the contracts;

3. Ensuring that the price evaluation preference programs authorized by Section 7102 of the Federal Acquisition Streamlining Act of 1994 are used to the maximum extent when granting Federal advertising contracts to minority business concerns;

4. Requiring that contractors meet the commitments required by this legislation and other related laws (i.e., Small Business Act); and

5. Ensuring that contracts involving commitments with minority business concerns include clauses that address the assessment of liquidated damages when commitments are not met.

I sincerely hope that Congress will consider the positive effect of this bill not only for minority business concerns, but also for the betterment of the advertising industry in general. This bill can cure an ill that has plagued the advertising industry for a long time. I look forward to the opportunity to discuss this issue with my many colleagues in Congress.

CELEBRATING THE WEDDING OF  
PETER DILLON CAIRNEY AND  
ANNA CHRISTINE LEE

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. KING of New York. Mr. Speaker, I rise today to hail the upcoming wedding of my good friend Peter Dillon Cairney to Anna Christine Lee in Portland, Oregon on February 1, 2003. I bring this merger to the attention of the Congress because in addition to his other exploits, Pete Cairney served his country well as an infantry officer in the United States Marine Corps, rising to the rank of Captain and serving in Operation Desert Storm.

Pete Cairney is a true American and a true New Yorker, born in Queens where, like his literary soul mate Jimmy Breslin, he was born in

the shadow of manual labor. Pete went on to graduate from St. John's University where he earned a B.S. degree at the University of Notre Dame where he received an M.B.A. degree. His fiancée Anna Christine is a native Oregonian who received her B.S. and M.A. degrees from George Fox University and is currently a sales director.

I ask all my colleagues to join me in wishing this great couple many years of health and happiness.

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TRIBUTE TO ALABAMA MISSIONARY DR. MARTHA C. MYERS

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**HON. TERRY EVERETT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. EVERETT. Mr. Speaker, I rise to pay tribute to the service and memory of a great American and a remarkable citizen of my State of Alabama, Dr. Martha C. Myers.

On December 30, Dr. Myers and two others, William E. Koehn of Texas and Kathleen A. Gariety of Wisconsin, lost their lives in a terror attack aimed at them simply because they were American missionaries. All three were in Jibla, Yemen serving in a hospital for the poor run by the Southern Baptist Church.

Like her colleagues, Dr. Myers was thoroughly devoted to serving the Lord and believed that her life should be spent doing His work regardless of personal risk. She loved treating and caring for the poor and labored in Yemen for 24 years before she lost her life.

Americans and Christians are both a rarity in that remote Arab nation which has long been known for its lawlessness. Dr. Myers knew the danger that awaited her each day while serving in Yemen and yet she looked forward to her work as each day brought her closer to the Lord.

Last weekend, a large memorial service was held at her home church, Dalraida Baptist, in Montgomery in my congressional district. So many family, friends and fellow Alabamians turned out to honor the testimony of this remarkable Christian. Perhaps the most striking example of Dr. Myer's walk for Christ was the attendance of Yemenis at another memorial service held for her last week in Jibla, a place she loved so much that she chose to be buried there.

The Alabama Baptist newspaper reported that no less than 40,000 gathered at the missionary hospital and lined the street to pay their respects for Dr. Myers and her colleagues. "In a country where professing faith in Jesus Christ could result in death, mourners sang 'He is Lord' in Arabic and recited the Lord's Prayer," the paper wrote.

Our prayers go out to the families of Dr. Myers and her colleagues who died in service to their fellow man. They are a powerful example of true courage and sacrifice no matter what the cost to themselves.

Thank you, Mr. Speaker.

CENTENNIAL OF THE NATION'S OLDEST MULTI-PURPOSE RECLAMATION PROJECT: THE SALT RIVER PROJECT

**HON. J.D. HAYWORTH**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HAYWORTH. Mr. Speaker, a little more than halfway through our nation's history, when the West was still an untamed region full of untapped potential, central Arizona's early settlers embarked on what has become a hallmark of American vision, boldness and success. The story is that of the Salt River Project, the nation's third largest public power provider, the largest supplier of water to the greater Phoenix metropolitan area and the oldest multi-purpose reclamation project in the U.S.

Incorporated on February 7, 1903, the Salt River Project, more commonly known as SRP, deserves special commendation in its centennial year for the prominent role it has played in central Arizona's growth and development. Its place in Arizona's history prompted me and my colleague, Congressman JOHN SHADEGG, to nominate SRP for inclusion in the Library of Congress's Bicentennial Local Legacies Project.

Before SRP was formed, pioneers of the area that now encompasses large parts of my own Congressional District 5 saw opportunity in the desert region they had settled. Farming, commerce and trade were beginning to boom. But the region's main source of water, the Salt River, proved fickle and dangerous.

To preserve themselves, their families and their future, the pioneers banded together to secure a reliable water supply. They envisioned a great dam in the Salt River Canyon east of Phoenix and, though the idea may have seemed fanciful to some, it won the support of President Theodore Roosevelt.

With passage of the National Reclamation Act of 1902, the foundation was laid for formation in 1903 of the Salt River Valley Water Users Association, a non-profit entity that later became the Salt River Project. Local farms were offered as collateral to secure a federal loan for construction of a stone masonry dam on the Salt River. When the dam was completed in 1911, it was rightly named Roosevelt Dam after the president whose visionary reclamation concepts helped settlers of Arizona and other Western states forge progress and prosperity.

Today, SRP has more than 780,000 electric power customers, shares ownership of power plants in four states, participates actively in power transmission decisions across the West, and manages six dams on the Salt and Verde rivers and thousands of miles of canals and laterals that deliver more than 40 percent of the region's water supply.

Among utilities nationally, SRP is recognized for its customer service, employee-community involvement, corporate giving and environmental leadership.

There can be no doubt that SRP will continue to be a major force in meeting Arizona's water and power needs, and an invaluable partner to the communities it serves. With pride, Mr. Speaker, I salute the Salt River Project on its 100th anniversary.

A BILL TO EXPAND AND IMPROVE THE BENEFITS PROVIDED TO SMALL BUSINESSES UNDER INTERNAL REVENUE CODE SECTION 179

**HON. WALLY HERGER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HERGER. Mr. Speaker, I rise today to join with President Bush in his call to assist our Nation's small businesses by introducing the "Small Business Expensing Improvement Act of 2003." This legislation will encourage new business investment and expansion, and I am pleased to be joined in this effort by several of my colleagues on the tax-writing Ways and Means Committee.

Small businesses truly are the backbone of our economy, representing more than half of all jobs and economic output. We should not take small business vitality for granted, however. Rather, our tax laws should support small businesses in their role as the engines of innovation, growth, and job creation.

Earlier today, President Bush unveiled his economic growth proposal. I applaud the President for his commitment to our Nation's small business owners and his dedication to ensure that our tax laws do not impede the growth and development of small businesses. The legislation we are introducing today will implement a key element of the President's plan, expansion of the benefits available to small businesses under Internal Revenue Code Section 179.

Our bill will improve our tax laws to make it easier for small businesses to make the crucial investments in new equipment necessary for continued prosperity. Under Code Section 179, a small business is allowed to expense the first \$25,000 in new business investment in a year. Following the President's lead, our legislation will permanently increase this amount to \$75,000. Furthermore, our bill will index this amount to ensure that the value of this provision is not eroded over time.

This legislation will also allow more small businesses to take advantage of expensing by increasing from \$200,000 to \$325,000 the total amount a business may invest in a year and qualify for Section 179. It is important to note that this amount has not been adjusted for inflation since the provision was enacted into law in 1986.

Mr. Speaker, in times of economic uncertainty, we must do all we can to encourage new investment and job creation. The "Small Business Expensing Improvement Act of 2003" will help accomplish this worthy goal. I applaud President Bush for his leadership on this issue, and I look forward to working with my colleagues to enact this much-needed legislation.

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HONORING THE LIFE AND DEDICATED SERVICE OF FORMER CONGRESSMAN WAYNE OWENS OF UTAH

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**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. LANTOS. Mr. Speaker, I join my distinguished colleague from Utah, Mr. MATHESON,



the other members of the Utah delegation, and all of my colleagues in this body in mourning the passing of our former colleague, Congressman Wayne Owens of Utah. I consider it an honor to have known him and to have served with him.

Wayne and I served on the International Relations Committee during his second term of service in this House from 1987 until 1993. I visited Wayne's congressional district in Salt Lake City at his request to assist with his reelection.

My relationship with Wayne, however, went back much further than our association here in this House. In the 1960s he served as a legislative aide to Senator Frank E. Moss of Utah, and later he was the Administrative Assistant to Senator EDWARD M. KENNEDY of Massachusetts. I also served on the staff of other members of the Senate while Wayne was working there.

Mr. Speaker, Wayne and I stood together on many issues before the International Relations Committee—from seeking to bring peace in the Middle East to dealing with the momentous changes taking place in Central Europe and the former Soviet Union. We also worked together on many other issues that were before the Congress—from protecting our nation's fragile environment to seeking the welfare of the working men and women of our country.

Mr. Speaker, Wayne Owens was a man of conviction, who took action that he thought was right despite the personal consequences. During his first term in the House of Representatives, he served on the Judiciary Committee and cast his vote for the impeachment of then-President Richard M. Nixon. Not long after that important vote, he ran for an open seat in the United States Senate but lost. He blamed his defeat on that Judiciary Committee vote because President Nixon remained popular in Utah. Wayne also worked on environmental legislation to protect the incomparable Utah wilderness and to reintroduce wolves to Yellowstone National Park—issues that many in his home state did not support. He voted against authorizing the use of military force against Iraq in 1991. I greatly admire Wayne for his determination to act as he thought right, despite the personal consequences.

Mr. Speaker, both before and after his congressional service, Wayne was committed to working for peace and reconciliation in the Middle East. In 1989 he joined my friend S. Daniel Abraham, the former Chairman of Slim Fast Foods, to establish the Center for Middle East Peace and Economic Cooperation. After his loss in the Utah Senate election in 1992, Wayne devoted a great deal of his time to the Center, and he was a frequent visitor to Arab States and Israel. On many occasions he traveled with Members of Congress to that region in an effort to increase understanding of regional problems and to seek solutions through economic cooperation.

Mr. Speaker, I join my colleagues in acknowledging the contributions of Wayne Owens to our nation, to this House, and to the cause of better understanding between peoples of the world. He was a remarkable and a dedicated man, and we all join in expressing our condolences to Marlene, his devoted wife of 41 years, and to his five children and 14 grandchildren.

## INDIVIDUAL AND SMALL BUSINESS TAX SIMPLIFICATION ACT OF 2003

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. HOUGHTON. Mr. Speaker, today I am re-introducing a bill, the Individual and Small Business Tax Simplification Act, to address a problem that remains as relevant in the 108th Congress as it was in the 107th. In 1935, there were 34 lines on Form 1040 and instructions were two pages. Today, the tax code and regulations have grown to over 9 million words. According to the Tax Foundation, individual taxpayers spent 2.9 billion hours on federal tax compliance in 2002. This is 370 million more hours than in 2001. Businesses spent an additional 2.75 billion hours on tax compliance. The value of this 5.6 billion hours of lost time is incalculable. Our tax code is a growing thicket of complexity that frustrates ordinary taxpayers, is a haven for promoters of dubious schemes, and frequently generates unintended consequences.

To be sure, defining income in a manner that is fair and easy to administer is inherently complex, but, for a variety of reasons, the tax code has become far more complicated than necessary. Pamela Olson, the Treasury Department Assistant Secretary for Tax Policy, put it well recently when she said that our tax system "is surely not a tax system that anyone would set out to create \* \* \* it is the system that has evolved over time." In many cases, there is a clear answer to the question of whether a rational person would design a tax provision the same way from a clean slate. The objective of the legislation I am introducing today is to roll back unneeded complexity for individuals and small business taxpayers. One or more of the bill's provisions would simplify annual filing for every individual taxpayer and nearly every business in America.

This legislation builds on a bill that I introduced in the 106th Congress, the Tax Simplification and Burden Reduction Act. The Ways and Means Subcommittee on Oversight has held numerous hearings on tax simplification, and the bill draws on the record built at those hearings. I plan to hold additional hearings on tax simplification during the 108th Congress to consider ways to refine this legislation and to consider additional simplification proposals. Several of the provisions of this legislation appeared first as recommendations in the Joint Committee on Taxation's April, 2001 report, and the staff of the Joint Committee on Taxation has helped to refine the proposals contained in the bill. Other provisions originated with the work of the Tax Section of the American Bar Association and the American Institute of Certified Public Accountants. I have received many comments on last year's legislation, and I welcome comments from other individuals and organizations on the bill as we continue to work toward the goal of simplification.

Our future as a Nation depends on our ability to raise revenue in a manner that is fair and equitable. The Internal Revenue Code must be simplified to restore faith by all taxpayers in our tax system.

The proposal includes the following provisions:

### I. INDIVIDUAL INCOME TAX SIMPLIFICATION

**Alternative Minimum Tax—Inflation** has caused many middle-income taxpayers to be subject to AMT by eroding the value of the AMT exemption. Rising state and local taxes have added to the problem, because state taxes are not deductible in calculating taxable income for AMT purposes. The failure to allow a state and local tax deduction for AMT purposes is one of the most unfair aspects of the Internal Revenue Code. It results in double taxation of income, and it forces taxpayers who live in states with higher income taxes to bear a larger percentage of the federal tax burden than those who live in states with lower taxes or no tax. If we allow the AMT to remain unaddressed, this unfair and inequitable disparity will worsen over time.

As a result of inflation, the Joint Committee on Taxation predicts that more than 35 million will pay AMT within ten years. Currently, AMT affects less than 2 million taxpayers. A recent study by the Urban-Brookings Tax Policy Center confirms this finding and further notes that if left unattended the AMT will shift a substantial portion of the tax burden of this country to urban and suburban middle-class taxpayers. Congress would not design a system with these features deliberately, and we should not allow it to happen by default.

Under the proposal, the AMT exemption would be adjusted for inflation since the date it was enacted and indexed for inflation in future years. State and local taxes would become fully deductible under the new AMT. The effect of these changes will be to restore AMT to its intended purpose and stop its growth.

**Replace Head of Household Filing Status with New Exemption—**Head of Household filing status has long been a leading source of taxpayer confusion and mistakes during the filing season. In 2000, the IRS fielded over half a million taxpayer questions on filing status. An error on filing status can have consequences throughout the return, and it can lead to costly interest and penalty charges later on. To address this problem, the bill replaces Head of Household filing status with a \$3,700 "Single Parent Exemption." This amount will be indexed. The proposal, as a whole, is revenue neutral. The bill achieves further simplification by cross referencing the new uniform definition of a qualifying child.

**Simplified Taxation of Social Security Benefits—**Under present law, determining whether and how much social security benefits are subject to tax is a highly involved process that requires the completion of an 18 line worksheet. Many taxpayers are not eligible to use this worksheet, and they must refer to a 27 page publication.

The bill would simplify the calculation by repealing the 85 percent inclusion rule that was enacted in 1993. This alone would remove 6 lines from the Form 1040 worksheet. Going further, the proposal would index the 50 percent inclusion rule for future inflation, and greatly simplify the calculation of income for purposes of this rule. Tax exempt interest will no longer be required to be added in the calculation. Indexation will mean that fewer taxpayers will be required to complete the calculation and include benefits in income.

**Simplify Capital Gains Tax—**Under present law, there are seven different capital gains rates that apply to various kinds of dispositions of property. There are special rates for taxpayers in lower tax brackets, for property



held five years or more, and for gain on collectibles. Before 1986, there was one rule: 50 percent of capital gains are deductible. For any investor who has struggled to fill out Schedule D of Form 1040, it will come as welcome news that the bill proposes a return to the system in place prior to 1986.

No taxpayer will pay a higher capital gains rate under this proposal. By definition, the capital gains rate that individuals pay will be no more than one-half of their marginal income tax rate. Therefore, this proposal preserves the progressivity that is accomplished by a rate structure under current law, and the maximum rate will be no more than one-half of the highest marginal income tax rate. Thus, the maximum effective capital gains rate would be 19.3 percent in 2003, and an individual in the 10 percent bracket would have a 5 percent capital gains rate.

**Repeal of 2 percent Floor on Miscellaneous Itemized Deductions**—The bill follows the recommendation of the Joint Committee on Taxation that the 2 percent floor on miscellaneous itemized deductions should be repealed. This provision was originally enacted in 1986 to ease administrative burdens for the IRS and record keeping burdens for taxpayers.

Instead of easing taxpayers' burdens, it has caused extensive litigation and controversy over such matters as whether an individual is properly characterized as an employee or an independent contractor. It has also resulted in disparate treatment of similarly situated taxpayers. For example, an employee whose job requires him to pay out of pocket for travel, professional publications, or education is disadvantaged compared to a taxpayer in a similar job whose employer reimburses such items.

**Simplify Taxation of Minor Children**—This provision would eliminate the current restrictions on adding a minor child's income to the parent's return. A parent could freely elect to include the income of a child under 14 on his or her own tax return, regardless of the character and amount of the child's income. Parents and children would retain the ability to file separate returns, but the unearned income of a minor child would be subject to tax at the rates applicable to trusts. The single filing rate structure would continue to apply to the child's earned income.

**Simplify Dependent Care Tax Benefits**—The bill would conform differences between the Dependent Care Tax Credit and the Exclusion for Employer-Provided Dependent Care Assistance. The two programs serve identical purposes, but their rules are different. Under this proposal, the dollar limit on the amount creditable or excludable would be increased to \$5,500, and the percentage creditable would be increased to 35 percent. These provisions would be further simplified by a cross-reference to the new uniform definition of a qualifying child.

**Accelerate Repeal of PEP and PEASE**—The bill would accelerate and make permanent the repeal of the overall limitation on itemized deductions (PEASE) and the personal exemption phaseout (PEP). These provisions add complexity and complicate planning for millions of taxpayers. The Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) reduces their impact between 2006 and 2009, and they are repealed entirely in 2010 but, because of EGTRRA's sunset provisions, PEP and PEASE spring back to life in 2011.

**Uniform Definition of a Child**—One of the most challenging and difficult problems that taxpayers face each year is to navigate the multiple definitions of a qualifying child for the dependent exemption, the child tax credit, the dependent care credit, the earned income tax credit, and for purposes of determining head of household filing status. The bill would establish a uniform definition of a child based on the residence, relationship, and age of the child. The proposal would replace the rule that requires taxpayers to prove that they provide more than one-half of a child's support with a preference for the parent who provides housing for the child for more than one-half of the year. In addition, the bill would establish that means-tested government benefits are generally disregarded in determining eligibility for tax benefits.

**Combine HOPE and Lifetime Learning Credits**—Like the dependent care credit and the exclusion for employer provided dependent care assistance, the HOPE and Lifetime Learning Credits (LTL) serve nearly identical purposes, but they have different rules. The LTL credit is a per-taxpayer credit, and it applies on up to \$10,000 of qualifying education expenses. The HOPE credit is a per-child credit, and it applies with respect to the first \$2,000 of qualifying education expenses incurred during the first two years of post-secondary education. Both credits are for higher education, but taxpayers face a challenge to determine which credit is best for their circumstances. The bill would merge the two credits, providing a credit for one-half of the first \$3,000 of post-secondary education expenses. This credit would apply on a per-child basis, and it would not be limited to the first two years of post-secondary education.

**Uniform Definition of Qualifying Higher Education Expense**—The bill adopts the recommendation of the Joint Committee on Taxation that there should be a uniform definition of higher education expense for purposes of the various education tax benefit programs. The varying definitions that exist in current law greatly complicate the task of determining which education benefit is best for the taxpayer.

## II. SMALL BUSINESS TAX SIMPLIFICATION

**Uniform Passthrough Entity Regime**—This provision would combine the benefits of Subchapter S (S corporations) and Subchapter K (Partnerships) of the Internal Revenue Code in a single, unified passthrough entity regime based on Subchapter K. While at one time, Subchapter S provided the only avenue for prospective investors to avoid the corporate-level tax while retaining a full liability protection, the emergence and broad acceptance of limited liability companies (LLCs) has provided investors with an alternative. There are now two separate, fully articulated passthrough entity regimes.

Maintaining two separate passthrough entity regimes is expensive and unnecessarily complicated. It increases costs both for taxpayers and for the IRS. At a time when the IRS is striving to train its auditors to understand passthrough entities, and a new class of investors is struggling to understand the pros and cons of the two regimes, the time is ripe to rationalize this most complex area of the Internal Revenue Code by reconciling Subchapter S and Subchapter K.

The objective of the proposal is to establish a single passthrough entity regime that pre-

serves the major benefits of Subchapter S and Subchapter K. Domestic corporations that are not publicly traded would have a new election to be treated as a partnership for federal tax purposes, and the S election would be repealed. The proposal would therefore endorse, and extend, the 1996 Check-the-Box regulations to allow state law corporations to elect partnership status. Existing S corporations would be permitted to continue as S corporations for ten years at which time they would be required to elect partnership or corporate status.

So as not to undermine the corporate tax that will remain applicable to publicly traded corporations and other entities that elect to be taxed as corporations, a corporation that elects partnership status with undistributed earnings and profits will be required to track distributions of earnings under rules similar to IRC Section 1368. Similarly, electing corporations (including S corporations) with appreciated assets will be required to pay a built in gains tax if they sell or dispose of such assets within the first ten years after the election. The net proceeds of built in gain transactions will be added to historic earnings and profits and not currently taxed to the partners. Finally, the election to be taxed as a partnership will not itself be treated as a sale or disposition of assets.

Consistent with the overall objective of preserving the benefits of Subchapter S, the proposal will establish a means for passthrough entities to engage in tax free reorganizations with entities classified as corporations. Under the proposal, a partnership engaged in an active trade or business may contribute substantially all of its assets to a new corporation and immediately thereafter engage in a tax free reorganization.

The bill would also adopt a recommendation of the American Institute of Certified Public Accountants and the American Bar Association that the definition of earnings from self-employment should not include the portion of a partner's distributive share that is attributable to capital. This proposal contains reasonable safe harbors and it would eliminate the disparate treatment of limited partners, S corporation shareholders, and limited liability company members. The current rules can only be described as a historical anachronism and a significant trap for the unwary. Additionally, the bill would adopt the recommendation of the Joint Committee on Taxation that the electing large partnership rules should be eliminated.

Some may argue that by repealing the S election, the proposal forces more taxpayers to contend with a more complex tax regime, but this is generally not true. If there is a demand, investors can create an investment vehicle with all the features of an S corporation by contract or they may select a state law business form that restricts flexibility, such as a corporation or close corporation. This would eliminate nearly all of Subchapter K's feared complexity. The relative complexity of Subchapter K stems from its greater flexibility. The proposal allows investors to regulate the level of tax complexity by voluntary agreement among the investors or through the investors' choice of a state law business entity.

**Increase Section 179 Expensing Limit**—The bill would increase the limit on expensing to \$25,000 in the tax year after enactment and to \$40,000 after 2012. This measure will greatly

reduce complexity for many small businesses by minimizing controversy over whether an item should be expensed or capitalized.

**Rollover of Property Held for Productive Use or Investment**—Present law strongly favors sophisticated taxpayers over ordinary small business owners in the execution of like-kind exchange transactions. Thirty-seven pages of the Code of Federal Regulations is devoted to the topic of like-kind exchanges, and a library could be filled with the court decisions, revenue rulings, and letter rulings that Section 1031 of the IRC has engendered. Attorneys and exchange facilitators must execute hundreds of thousands of pages of documents each year to comply with the formalistic rule that prevents the owners of like-kind property from receiving cash in a like-kind exchange transaction.

There is a simple way to eliminate this paperwork: repeal the limitation on sales for cash and allow a like-kind exchange within 180 days before or after the disposition of relinquished property. The bill does this.

**Repeal of Collapsible Corporation Rules and the Personal Holding Company Tax**—Finally, the bill would repeal the collapsible corporation rules and the Personal Holding Company tax, both of which regimes have been largely eclipsed by subsequent changes to the tax code. The Collapsible Corporation rules have lost their rationale, due to the repeal of the General Utilities doctrine. The Personal Holding Company tax no longer serves its original purpose, because the maximum individual income tax rate is close to the maximum corporate rate. Both provisions continue to add complexity to small business tax planning that is out of proportion to their remaining tax policy justification. Repeal of these rules is long overdue.

I urge my colleagues to join me in cosponsoring this legislation.

#### ELIMINATION OF DOUBLE TAXATION ON DIVIDENDS, REPEAL OF THE AMT, REDUCTION IN THE CAPITAL GAINS TAX, AND STUDY ON DEPRECIATION TAX SCHEDULES

**HON. MAC COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. COLLINS. Mr. Speaker, I rise today to introduce several tax-based reform bills which will have a positive impact on our current economy. They are measures which will stimulate growth, eliminate outdated, punitive provisions of the tax code, and prepare the way for further reforms which will bring our tax code more in line with the current market conditions.

First, is the Capital Gains Tax Rate Reduction Act. This legislation will reduce the top capital gains tax rate from 20 percent to 10 percent. Additionally, the lower rate of 10 percent would be reduced to 5 percent. The measure would also repeal the five year holding rule.

This legislation is needed to spur today's ailing economy. From past rate reductions, we know that the economy responds to the lowering of rates. The impact of reducing the tax burden on investments is to increase activity

in the markets. When the tax is reduced, individuals have an incentive to sell assets. These sales spur economic growth, as well as generate revenue for the Federal coffers.

Second is the Alternative Minimum Tax Repeal Act (AMT). This legislation will repeal the Alternative Minimum Tax applied to individual taxpayers. The domestic tax system has dramatically changed since the creation of the AMT regime. Consequently, this tax structure has long outlived its purpose. Today, the AMT is punitive in nature, overly cumbersome and affects taxpayers who were never intended to fall into this tax trap. Congress has taken action to address some of the concerns raised by the individual AMT. Specifically, the Economic Growth and Tax Relief Reconciliation Act (H.R. 1836) enacted in the 107th Congress made permanent the ability to offset the individual AMT calculation with the child tax credit. The measure also increased the AMT exemption amount by \$4,000 for joint returns (\$2,000 for unmarried individuals) effective for tax years between 2001 and 2004. In tax year 2005, the AMT exemption amount reverts back to its previous levels.

Additionally, the Job Creation and Worker Assistance Act, signed into law on March 9, 2002, provides for another temporary extension of the provisions which allow individuals to use all remaining personal tax credits against both their regular and AMT tax. These provisions expire at the end of the 2003 tax year. It is time for a permanent fix to this escalating problem. The impact of the individual AMT structure will continue to grow until these issues are addressed head on. Changes should be made on a long-term, permanent basis.

To provide a permanent remedy to the increasing problem of more tax filers falling into the AMT each year, my legislation will permanently extend the current-law provision which allows all personal tax credits to be applied against the AMT calculation. The proposal will also immediately increase the AMT income exemption level by 10 percent, and subsequently increase the exemption by 10 percent in subsequent years. In addition, the bill will repeal the income limitation that currently applies to that exemption. Finally, at the end of a ten year period, the individual AMT will fully be repealed.

The bill will also repeal the corporate AMT. The U.S. is the only nation which imposes the Alternative Minimum Tax (AMT) on businesses. It is a very complex and outdated dual tax system which essentially imposes a tax penalty for making capital investments. The legislation would also allow businesses to utilize their accrued AMT credits over the next five years.

Third is the Elimination of Double Taxation Act. Today dividends paid to investors are double taxed at the business level and then at the individual level. Today, investors are all across the economic spectrum. According to the Tax Foundation, 63.6 percent of the taxpayers who claimed dividends on 2000 tax returns earned less than \$50,000 in wages and salaries. More and more, investors are men and women who are working on the front line of manufacturing firms or small businesses who have chosen to share in the benefit of their labor through investing in the business. This legislation will eliminate a cost that the government imposes on that investment.

Finally, I am introducing legislation that will begin the process of reforming current depre-

ciation schedules in the tax code. Depreciation tax laws provide businesses the ability to deduct the costs of capital investments over time. Current depreciation schedules are dramatically out of line with the real economic life and use of the properties that are being purchased in today's markets. Often the number of years allowed for the deduction exceeds the number of years the investor may finance the capital investment. The result is a higher tax cost. This legislation will call upon the Secretary of the Treasury to make specific recommendations about how to bring the depreciations schedules more in line with the true economic life of property.

Mr. Speaker, I congratulate the President on his announcement of an economic stimulus package today. I ask my colleagues in the House of Representatives to join me by cosponsoring the legislation I am introducing. They are important first steps in addressing the need to change the tax code in ways that will provide economic stimulus across the board for American workers.

#### THE CONSUMER PROTECTION FOR ON-LINE GAMES ACT

**HON. CAROLYN C. KILPATRICK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Ms. KILPATRICK. Mr. Speaker, the gaming industry has broadened its exposure over on-line and wireless communications networks. People do not have to go to casinos in Las Vegas, Reno, Detroit, Atlantic City or other gaming sites to gamble. They can play games of chance over the Internet from the privacy of their own homes.

According to one financial analysis, Internet gambling is a \$1 billion industry and is forecasted to grow to \$5 billion by 2005. There are nearly 1 million paying users of the largest network games and free sweepstakes sites which are among the most popular Internet destinations.

Many of the network gaming sites originate from offshore websites, and are beyond the reach of States and local authorities, even those authorities that prohibit Internet gaming in their jurisdictions. Local and state governments devote few resources to regulate or enforce laws against network gaming. No protections exist to ensure the integrity of the game, protection from minors seeking to patronize games, or protection from excessive financial loss. Therefore, network gaming continues with very little regulation and with very few guarantees that the games of chance or sweepstakes one finds on internet sites are above board.

The Consumer Protection for On-line Games Act, which I am introducing today, will allow U.S. consumers to know if the games they are playing are fraudulent. The bill will permit U.S. consumers to participate in online games with the security of knowing they are playing from a straight deck of cards. Specifically, the bill proposes the following:

1. Establishes the Federal Trade Commission as the agency responsible for monitoring games of chance offered on the Internet or wireless network.
2. Prohibits network game operators subject to U.S. law from making false or misleading claims regarding the fairness of such games.

3. Requires self-regulatory organizations to comply with specific minimum requirements.

4. Specifies that States must notify the FTC when it brings action against a network game provider and allows the FTC to intervene in any action brought on by the state and file petitions for appeal.

I know feelings run strong on both sides of the gaming question. It is a policy area with which I have some issues. The fact exists, however, that gaming websites are available for everyone's entertainment. It is my hope that this legislation will prevent present and future abuses and reduce the incidence of fraud. America has a chance to become a leader in this emerging global industry, but we presently lag behind other countries which are dealing honestly and openly with the issue of on-line gaming.

I hope that Congress will seriously study this proposal and raise the level of debate on this issue. I look forward to working with my colleagues to improve this measure as it travels through the legislative process.

#### ROUTE 11 GREENWAY ACT OF 2003

### HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. SIMMONS. Mr. Speaker, I rise today to introduce my first legislative initiative of the 108th Congress—the "Route 11 Greenway Act of 2003." This bill authorizes the Secretary of Transportation to acquire land for a greenway along the proposed construction of Route 11 in eastern Connecticut.

Route 11 is a state road, initially intended to connect Connecticut's state capital region to its southeastern shoreline, making it a vital transportation link for the region. The road has been unfinished for over thirty years. As a result, traffic is forced onto Route 85—a local, 2-lane, 18th-century country road incapable of absorbing today's volume of traffic in a safe and efficient manner. And the problem is only getting worse.

The site of numerous accidents—and many of those fatal—the Federal Highway and Transit Administration gives the Route 11 corridor a failing service grade in many places and projects mostly failing grades in the coming years as traffic increases.

The bottom line is simple: the completion of Route 11 is critical to the safety of Connecticut motorists. And further inaction is unacceptable.

Unfortunately, the environmental review process has delayed completion of Route 11 for three decades. Connecticut travelers have paid the price for this delay—some of them, with their lives. This is unacceptable.

I am here today to reject the idea that environmental concerns and transportation safety are mutually exclusive ideals. In fact, I have long believed that environmental stewardship and transportation projects do not have to be inherently competitive pursuits. Instead, if we are willing, these interests can serve each other.

That is why I stand before my colleagues today to introduce legislation establishing a greenway along the proposed construction of Route 11, from Salem to Waterford, Connecticut.

My bill specifies that the land acquired for this greenway will be in addition to any land otherwise required to mitigate the environmental impacts of the roadway construction.

This region has seen rapid sprawl and unprecedented economic change, making it increasingly ripe for growing development. Knowing this, the Route 11 and greenway projects offer an environmental opportunity to preserve land that will otherwise be lost to development. This is a win-win. It is time to move forward.

The completion of Route 11 and an associated greenway have been unanimously endorsed by the chief elected officials of the twenty municipalities in the region acting through the Southeastern Connecticut Council of Governments.

I am honored to have the support of several of my Connecticut colleagues for this bill and proud to introduce this important legislation in the interests of environmental preservation and the safety of Connecticut motorists. I look forward to working with my colleagues in passing the Route 11 Greenway Act of 2003.

#### TRIBUTE TO BEN R. DRAKE, PRESIDENT OF THE TEMECULA VALLEY WINEGROWER'S ASSO- CIATION

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to Southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Bob Drake is one of these individuals. On January 8, 2003, Ben will be stepping down as President of the Temecula Valley Winegrower's Association after a year of dedicated service.

The Temecula Valley Winegrowers Association represents 17 wineries and 49 grower members in their efforts to promote the making and growing of quality wine and winegrapes in the Temecula Valley appellation located in Riverside County. During his year as president, Ben has shown exemplary leadership skills as he has guided the association through a period of dynamic growth, vital to the associations' representation and promotion as one of the world's premiere wine and winegrape producing regions.

Ben has represented the association on critical community and political matters, such as land use, beautification efforts, state shipping restrictions and continuing issues dealing with Pierce's Disease and the glass-winger sharpshooter. He has worked diligently to keep open lines of communication with our membership, regional vintner and grower groups and elected officials.

Ben has placed much of his energy and focus on enhancing the recognition of the region as one of quality through educating association members through monthly enology and viticulture seminars. He has made himself available for countless media interviews and community outreach programs. Because of his personal and intensive involvement with asso-

ciation fundraising activities, he is leaving the association in a position of strength and financial stability.

Ben's diligent work as the Temecula Valley Winegrower's Association has contributed immeasurably to the betterment of Riverside County. His involvement in the community makes me proud to call him a fellow community member, American and friend. I know that all of the residents of Riverside County are grateful for his service and salute him as his term comes to an end. I look forward to working with him in the future for the good of our community.

#### RECOGNIZING THE ACCOMPLISH- MENTS OF RICK WINDBIGLER

### HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. ISSA. Mr. Speaker, I rise today to recognize Rick Windbigler the 2002 President of the Fallbrook, California Chamber of Commerce. Rick Windbigler is an exceptional community leader, business leader and model citizen of Fallbrook.

Mr. Windbigler has provided leadership by working on programs of importance to Fallbrook and San Diego County with local, county, state and federal officials. His work on the Gavilan Fire Victims Fund, Keep Fallbrook Clean and Green, Valley Center Mexican fruit-fly emergency and Christmas programs with the Marine Corps are all examples his outstanding leadership skills.

In addition to his leadership he has been a model of personal involvement. Rick has assisted in such community projects as the redecoration of the chamber's office, placing flags on Main Street, Avocado Festival logistics, volunteering during Holiday celebrations and attending hundreds of events to represent the Fallbrook Chamber and its members.

Rick has demonstrated his community leadership in many successful chamber programs which has resulted in an increase in chamber membership. Under Rick's leadership the Fallbrook Chamber experienced a year of record breaking fundraising with successful events such as the Honorary Mayor Race and Golf Tournament, record attendance at the Avocado Festival, SunDowners, Friendly Village Forums and Christmas Parade.

Mr. Speaker, I would like to personally thank Mr. Windbigler for his service to the people of Fallbrook and wish him good fortune in the future.

#### RESTORATION OF FAIRNESS IN IMMIGRATION ACT OF 2003

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. CONYERS. Mr. Speaker, I have introduced today the "Restoration of Fairness in Immigration Act of 2003."

Since this nation's founding, more than 55 million immigrants from every continent have settled in the United States. Immigrants work hard to make ends meet and pay taxes every

day. They have lived in this country for decades, married U.S. citizens, and raised their U.S.-citizen children. Laws that single these people out for no other reason than their status as immigrants violate their fundamental right to fair treatment.

Yet, for too many years, Congress has witnessed a wave of anti-immigrant legislation, playing on our worst fears and prejudices. Since 1994, we have considered proposals to ban birthright citizenship, ban bilingual ballots, and slash family and employment based immigration, as well as to limit the number of asylees and refugees. In 1996 we passed laws denying legal residents the right to public benefits and denying immigrants a range of due process and fairness protections.

We continue to see the tragedy of September 11th used as an excuse for even more assaults on the rights of immigrants. The Justice Department is now registering certain classes of immigrants and arresting them when law abiding immigrants arrive to register. The Department is holding deportation hearings in secret and detaining immigrants even after they are ordered released. The Attorney General is reducing both the independence and number of judges that handle the appeals of immigration cases. We are fending off legislation almost daily intended to reduce if not eliminate immigration to this country.

Those who urge us to restrict the due process rights of immigrants forget the reason these rights were established in the first place. We grant due process rights to citizens and non-citizens alike; not out of some soft-hearted sentimentality, but because we believe that these rights form an important cornerstone to maintaining civilized society.

The "Restoration of Fairness in Immigration Act of 2003" furthers this proud legacy by restoring our nation's long standing compassion for individuals seeking to build a better life and reunite with their families.

The bill restores fairness to the immigration process by making sure that each person has a chance to have their case heard by a fair and impartial decision maker. No one here is looking to give immigrants a free ride, just a fair chance.

Justice and fairness, as well as our own economic interests, demand no less.

#### SUPPORTING THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT

##### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STARK. Mr. Speaker, I rise to support the Emergency Unemployment Compensation Act being introduced by Democrats today.

Democrats have made it a top priority to help out-of-work Americans struggling to make ends meet in this tough economy. Given the difficulty many are having finding work, extending unemployment benefits an additional 26 weeks in every State is a necessity. Our Democratic bill does this while also retroactively extending unemployment benefits to the 800,000 Americans that exhausted their benefits on December 28th. Democrats also provide an additional 7 weeks of benefits—on top of the 26-week extension—in those States especially hard hit by unemployment.

Republican proposals for unemployment extension fall far short. They are seeking only to extend benefits a mere 13 weeks. It seems Republicans are more generous when it comes to tax breaks for their wealthy friends than for those who can really use a helping hand.

The argument that any extension of unemployment benefits is too costly is just plain wrong. The Democratic proposal requires no new spending. It simply requires drawing on the trust fund that these workers and businesses have paid into for exactly this kind of economic downturn.

As we reconvene the 108th Congress today, it will be up to the President and Congressional Republicans to extend unemployment benefits for millions of out-of-work Americans since the Republican party controls the House, Senate and the Presidency. I hope the President and his Republican friends in Congress will finally put their money where their mouths are and join Democrats to fully extend unemployment insurance for America's families.

I urge my colleagues to support the Democratic Emergency Unemployment Compensation Act to achieve that goal.

#### IN REMEMBRANCE OF STATE REPRESENTATIVE TIMOTHY OSMOND

##### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. KIRK. Mr. Speaker, as Americans celebrated a season of renewal and the coming of the new year, many from northern Illinois observed the holidays with heavy hearts. In the days before Christmas, State Representative Timothy Osmond was taken from his family, friends and constituents by a sudden heart attack.

It is my honor to call Tim both a colleague and a dear, dear friend. His advice was valuable to me and to his fellow members of the Illinois General Assembly. Tim approached public service with the same gentlemanly spirit with which he built his insurance business in Antioch, Illinois. As a businessman, he built a reputation as someone his customers could count on, someone who was a problem solver, and someone you knew would always give you a straight answer.

In 1989, Tim was elected an Antioch Township Trustee, and went on to serve as Township Supervisor, before being elected to the Illinois House in 1999.

In Springfield, Tim made friends quickly. One thing I appreciated most about Tim was that he thoroughly researched legislation, reading the full text of most bills. He was down-to-earth, a sincere and genuine man. It was that demeanor that defined his approach as a legislator. He saw every constituent as a neighbor, a customer and a friend, deserving his every effort, every day. That is why many constituents who never knew Tim personally felt touched by his service to the people of Illinois.

Of course this loss is most deeply felt by the Osmond family. Tim's wife, JoAnne, and their children, Michael and Colleen, shared Tim with the community. This is the often unseen sacrifice of the spouses and children of those who serve in elective office. As the Osmond

family bears this heartfelt loss, they can take solace in the respect and admiration Tim earned in public life, and the way in which he touched so many lives. I count myself among those helped by Tim. And while I will always be grateful for all Tim's professional help, it is our friendship I treasure most. He will be deeply missed.

I offer the condolences of the Congress to his family. Local leaders honored his memory by appointing his widow to serve out his term in office. We wish JoAnne well and know that she, better than anyone else, will continue Tim's work.

#### REINTRODUCTION OF LEGISLATION

##### HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. STEARNS. Mr. Speaker, I am pleased on this first day of the 108th Congress to introduce four pieces of legislation that I have been pursuing over the years, and for which I will continue to advocate these next two years.

First, together with the gentleman from Illinois (Mr. CRANE), I introduced bill H.R. 804, a bill to repeal the 2 percent excise tax on private foundations. The United States is blessed with a deep spirit of philanthropy. Charitable organizations serve the interest of both the individual and the community. Private foundations in particular have made measurable differences in the lives of Americans, from access to public libraries, developing the polio vaccine, and even leading in the creation of the emergency number 911. Each and every American has experienced the benefits of the tireless efforts of these foundations. Under current law, not-for-profit private foundations generally must pay a 2 percent excise tax on their net investment income. This requirement was originally enacted in the Tax Reform Act of 1969 as a way to offset the cost of government audits on these organizations. So some 34 years ago, we instituted a tax on these foundations to cover the audit expense. However, when you look at the number of audits that have been performed, particularly since 1990, the IRS audits on private foundations has decreased from 1,200 to just 191. Yet the excise collection during these 31 years has grown from roughly \$200 million in 1990 to \$500 million in the year 1999.

In addition, private foundations are bound by a 5 percent distribution rule. Foundations must make annual qualifying distributions for charitable purposes equal to roughly 5 percent of their fair market value of the foundation's net investment assets. The required 2 percent excise tax, which is payable to the IRS, actually counts as a credit to the 5 percent distribution rule.

So in a nutshell, what we have here is a private foundation making a charitable grant to the Federal Government every year, and since 1969 the number of audits have gone down; yet the number of charitable foundations has gone up.

Mr. Speaker, I believe that Americans have been more than charitable in giving the government their hard-earned dollars. It is time that we begin the process of returning the money to the people and the foundations to which it is intended.

President Bush is working to accomplish that goal with his reduction in tax rates, allowing for the increased use of charitable deductions and credits. My bill goes one step further. It gives those charitable organizations relief from the \$500 billion tax that the Federal Government instituted 34 years ago so they can give more of their money back to the people who need it.

I would like to also emphasize that the former President, Mr. Clinton, proposed a reduction in this same excise tax in his fiscal-year 2001 budget. The Treasury Department noted: "Lowering the excise tax rate for all foundations would make additional funds available for charitable purposes."

So, Madam Speaker, common sense dictates that the elimination of this tax would increase additional charitable giving. I would like to thank my colleague, the gentleman from Illinois (Mr. CRANE), for his support on this bill, and for my other colleagues who have graciously recommitted their support. I ask my colleagues to take a look at this piece of legislation.

Next, I am pleased to again sponsor the Health Care Tax Deduction Act of 2003. What it does is allow deductions for amounts paid for health insurance premiums and unreimbursed prescription drugs. What I am proposing would also provide much-needed relief to individuals struggling with the high cost of health insurance and prescription drugs through a tax deduction.

As we all know, employers can write off the cost of health care coverage that is purchased for their employees. Why cannot individuals be afforded this same opportunity to write off their premiums and their unreimbursed prescription drug expenses? The current tax code sets a threshold at 7.5 percent of adjusted gross income before medical expenses can be taken as a write-off. I do not think this is fair.

Right now, under the current tax code, in order to claim health care expenses the individuals must file an itemized tax return. I believe that all taxpayers should be allowed to deduct these out-of-pocket expenses and costs and that we need to include a place where this deduction could be taken on the short form such as the 1040 EZ, and the 1040A. My bill also applies to the self-employed because although individuals who are self-employed are now eligible for a 100 percent write-off of health insurance premiums, not so with prescription drug expenses.

I believe we must address this issue because so many Americans are uninsured today, and many millions more are underinsured. And, we all end up paying for the uninsured through higher premiums, deductibles and copayments for covered services, higher taxes for uncompensated care, and reduced wages.

Did you know that Americans spends more than \$1 trillion on health care? That represents about 13.5 percent of the gross domestic product. By 2008, spending will increase to 16.5 percent of the gross domestic product. In fact, Mr. Speaker, Americans spend more per capita for health care than any other nation in the world.

But why are so many people uninsured? Most studies cite cost as a major reason for not having insurance. Many workers decline coverage through their place of employment because they cannot afford to pay their share of the premium. Others, such as temporary

workers, cannot afford to purchase their own insurance.

We all know that the cost of health care has risen dramatically over the last 20 years. According to the Health Insurance Association of America, the average major medical premium costs about \$ for an individual and about \$ for a family. Of that amount, employees pay anywhere from 10 to 30 percent of that premium, typically. Unfortunately, things may get worse in an economic downturn, because many employers cover the cost of the high premiums to keep workers in a tight labor market, and as costs increase employers might pass the cost along to the employees, or in fact discontinue providing health insurance altogether. Further, as unemployment has risen, begins to rise, many individuals have turned to the individual market, and must shoulder the entire cost on their own.

Seniors, in particular, have been impacted because so many HMOs have pulled out of Medicare due in large part to the high cost of prescription drugs. Allowing a simple write-off of certain costly health care expenses such as health insurance premiums and out-of-pocket expenses for prescription drugs would be a tremendous benefit that may not be available to them under the current system. Mr. Speaker, I hope all of my colleagues cosponsor my bill. It makes sense to have all taxpayers have this type of deduction available to them.

Turning to our nation's veterans, residing in my home state of Florida, I am sponsoring legislation to establish a national Veterans' Affairs cemetery in Jacksonville, Florida. Florida has our nation's 2nd largest veterans population, and the number one oldest. Nearly 325,000 veterans call home somewhere in the Jacksonville vicinity of three congressional districts. Yet, the closest VA cemetery is at least a three-hour drive from Jacksonville. The next closest in proximity lies in Marietta, Georgia, just north of Atlanta. A new national VA cemetery in Jacksonville would answer this unmet need for north Floridians and southern Georgians. I hope my colleagues will consider cosponsoring this bill, and help provide the dignified, hallowed grounds our veterans deserve.

Finally, I am pleased to reintroduce a resolution supporting the goals and ideals of establishing a Chronic Obstructive Pulmonary Disease (COPD) awareness month. In the 107th Congress, this bill had tremendous support from Members and from the U.S. COPD Coalition, including the patient and provider community. We are so pleased to report that on November 9th, President George W. Bush proclaimed November 2001 COPD Awareness Month. Next, the President sent a gracious letter on October 24, 2002 commending the organizations of the U.S. COPD Coalition for their efforts. COPD is an umbrella term used to describe the airflow obstruction associated mainly with emphysema and chronic bronchitis. This is a debilitating disease, that is currently the nation's fourth leading cause of death. Both conditions decrease the lungs' ability to take in oxygen and remove carbon dioxide. Long-term smoking—the most common cause of COPD—is responsible for 80–90 percent of all cases, while other risk factors include heredity, second-hand smoke, air pollution, and a history of frequent childhood respiratory infections. Common symptoms of COPD include shortness of breath, chronic coughing, chest tightness, and increased effort to breathe. COPD has no cure, but there are

treatment options available to those who have been properly diagnosed.

I look forward to working with my colleagues on all four of these important pieces of business for the nation.

IN MEMORY OF THE HONORABLE  
JOHN HENRY KYL

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. WOLF. Mr. Speaker, I want to call to the attention of our colleagues the passing of the Honorable John Henry Kyl, who served as a member of the House of Representatives for six terms in the 1960s and 1970s from the state of Iowa. He was 83 years old and the father of Arizona Senator JON KYL, and I know firsthand how proud he was of his son's own public service.

I count myself fortunate to have known and worked with John Kyl. He was a hardworking, decent, and honorable man who was widely respected on both sides of the aisle, especially for his work on the Interior and Insular Affairs Committee. I met him in that capacity when I served as an assistant to then Interior Secretary Rogers C.B. Morton in the early 1970s.

The Interior Committee was a perfect fit for John Kyl, who deeply respected America's public lands and Native Americans. In Congress, he sponsored a bill that ultimately led to the creation of the Lewis and Clark National Historic Trail. When his service in Congress ended in 1972, he was named assistant secretary for congressional and legislative affairs at the Department of the Interior, where I was proud to work by his side. He served there from 1973 to 1977. Before retiring to Phoenix, Arizona, in 1985, he was executive vice president of Occidental International Corporation. He also had been a public school teacher before beginning his political career.

Mr. Speaker, I will include following my remarks an obituary from the January 6, 2003, edition of Roll Call, headlined, "Kyl Viewed Life Through Lens of Camera." In addition to his dedication to public service, John Kyl was an accomplished amateur photographer who captured on film the everyday scenes of life that we often overlook in what has become our too hurried paces.

We offer our condolences to John's wife, Arlene, of Phoenix, daughters Jayne Kyl, of Phoenix, and Jan Martin, of Des Moines, and, of course, his son, Senator KYL. He is also survived by a brother and a sister, six grandchildren and 12 great-grandchildren.

[From Roll Call, Jan. 6, 2003]

KYL VIEWED LIFE THROUGH LENS OF CAMERA

(By Bree Hocking)

When it came to appreciating life's simple beauties, no aspect was too small for the gimlet eye of former Republican Rep. John Kyl (Iowa).

The 83-year-old Kyl, the father of Sen. Jon Kyl (R-Ariz), died in his sleep just two days before Christmas from complications of heart disease and diabetes.

During his decades-long career in Washington—first as a Hawkeye State Congressman and later as an assistant secretary at the Interior Department—Kyl was seldom without his Canon camera, snapping everything from the monuments at night to the

ordinary scenes that make up the day-to-day Washington tableau.

While his photographs of the capital's loftier sites still warm the walls of the Capitol Hill Club's Grill Room—and a picture he took of the Capitol holiday tree once graced the cover of the National Republican Club's magazine—it was the quotidian that particularly intrigued him.

"He was always a photographer . . . and a lot of [his subjects] were the out-of-the-way places that most people probably never realized existed. We whiz by these things as we are driving or walking, but we don't stop to take a look," said Sen. Kyl.

"I just came across an album as we were looking through his things—a very large album of all Washington, D.C., photos and most of them, probably 80 or 90 percent, were street scenes: street people, storefronts with a lot of graffiti on them, or just a park bench right after a snowstorm," Kyl added.

While his father initially advised him against running for Congress, Sen. Kyl credited the lessons learned at the feet of the elder Kyl with his own political success. For example, the former public school teacher insisted his son be equipped to operate effectively in the public arena.

"He got some of my friends and me together when we were in high school . . . and he said, 'You all need to learn to do public speaking, so I'll teach you what I can here.'"

"My father was [also] a kind of frustrated farmer. We always lived in town but we always leased land and we always had livestock. He was really proud when I showed the grand champion steer at the county fair," the Senator recalled fondly.

The elder Kyl—who lost his first bid for Congress in 1958 but won a special election for a seat in 1959—went on to serve five additional terms, though not consecutively.

While in Congress, Kyl devoted himself to his work on the Interior and Insular Affairs Committee, which included significant contributions to the genesis of the Lewis and Clark trail project, the younger Kyl said.

"He always stressed to me his ability to work on a bipartisan basis. . . . He was proud that Wayne Aspinall [then Democratic chairman of the Interior and Insular Affairs Committee] would turn the gavel over to him or turn a bill over to him to manage on the floor as if it were not a partisan matter."

After losing his 1964 re-election bid, Kyl came back to triumph in 1966, then won seats in the two succeeding Congresses and served as a deputy to then-Minority Leader Gerald Ford (R-Mich.).

However, in 1972, redistricting forced him to run in a more Democratic district, and he was bested in a Member-versus-Member Contest by Rep. Neal Smith (D-Iowa).

"If he was defeated, he understood," noted Kyl. "It wasn't the end of his life."

Soon after, the Nixon administration tapped Kyl as assistant secretary for Congressional and legislative affairs at the Interior Department, where he served from 1973 to 1977.

In 1977, he joined the Occidental International Corporation as executive vice president, a post he held until retiring to Phoenix, Ariz., in 1985.

Shortly thereafter, he had the pleasure of seeing his son, now the junior Senator from Arizona, win a seat in the House of Representatives.

"There aren't many father-son combinations from different states. Most of the father-son combinations are from the same state," Kyl noted.

In addition to his Senator son, Kyl is survived by his wife Arlene, two daughters, one sister, one brother, six grandchildren and 12 great-grandchildren.

# PAYING TRIBUTE TO: DURANGO-LA PLATA EMERGENCY COMMUNICATIONS CENTRAL DISPATCH

## HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Durango-La Plata Emergency Communications Central Dispatch for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Central Dispatch played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities, the Durango-La Plata Central Dispatch worked to protect the homes and lives of their loved ones and community members from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 out-buildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who dedicate their lives to protecting their fellow citizens on a daily basis. The Durango-La Plata Central Dispatch has roots reaching back to 1976, when it consolidated the dispatch communications for area agencies. Others have looked to Durango-La Plata Central Dispatch as a model for combining dispatch functions. Today, its 17 employees and technicians routinely handle 11,000 calls and 6,000 fire, medical, and law enforcement incidents per month. During the Missionary Ridge Fire, several organizations stepped up and volunteered to help manage the 60% increase in calls. Throughout the 22 days of the fire, the Colorado Mountain Rangers, Search and Rescue, Civil Air Patrol, and concerned citizens voluntarily manned the Emergency Operations Command, as well as the Fire Information Line. The Durango-La Plata Central Dispatch's guidance and coordination helped manage over 5000 donated man-hours, handling an estimated 35,000 to 50,000 fire related calls. The expertise and leadership from the Durango-La Plata Central Dispatch illustrate the dedication and readiness with which these men and women serve the citizens of Durango.

Mr. Speaker, it is with sincere admiration that I recognize the Durango-La Plata Central Dispatch before this body of Congress and this nation. I want to commend all of the Durango-La Plata Central Dispatch's personnel for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Durango-La Plata Central Dispatch and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all and it is an

honor to represent such an outstanding group of Americans in this Congress.

## IN RECOGNITION OF ALBERTO CARDENAS

## HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SHAW. Mr. Speaker, I rise today in recognition of my friend, Mr. Alberto Cardenas of Miami, for his 10 years of diligent service to the Republican Party of Florida and the people of our great state as party chairman and vice chairman. Al has served with distinction over the last four years in his role as state chairman. During his tenure, Chairman Cardenas shepherded the Republican Party of Florida to a historic level.

Following the 1998 election of Governor Jeb Bush, Al was elected unanimously by his peers, men and women, black and white; to lead our party. As Governor Bush began his agenda of reforming state government, Chairman Cardenas undertook the vision of changing the perception of Florida Republicans. Chairman Cardenas quickly made diversity a major focus of his first year. Establishing both Hispanic and African-American outreach programs, Al ushered the Party into uncharted territory. His message of inclusion spread throughout Florida as Republican ranks began to soar. Al's message of inclusion was carried out with the formation of the Florida Black Republican Council, the Florida National Hispanic Assembly, and the chartering of the Broward Log Cabin Club. For his efforts, Republican National Chairman, Governor Jim Gilmore selected Al to serve on the RNC Executive Committee. A post which gave Al the opportunity to promote Republican diversity throughout the nation. Recently, Governor Bush appointed Al to the Board of Trustees of Florida A&M in Tallahassee.

Along with an aggressive vision of inclusion, Al campaigned tirelessly throughout Florida urging elected officials, both state and local, to join the Republican Party. Since 1999, numerous elected officials have switched party affiliation to Republican.

Mr. Speaker, later this month Al leaves his post and returns to Miami. Another chapter in a storied personal journey that began at the young age of 13 with his leaving Communist Cuba in 1961, at the height of the U.S.-Cuba conflict, and ends leading the largest state Republican Party in the nation. State Republican history will look back favorably on his service which saw a number of firsts: the first Republican governor to be re-elected; the first elected Republican Attorney General; the first elected Republican Agriculture Commissioner; and the first elected Republican Chief Financial Officer, and increased seats in the Florida House of Representatives and Florida Senate, as well as, the largest number of Florida members of Congress ever.

Mr. Speaker, I join my fellow Republicans in thanking our friend, Chairman Al Cardenas for his friendship, service and support. I wish, Al, Diana and the entire Cardenas family best of health in the coming year.



HONORING THE RETIREMENT OF  
UNION CITY POLICE LIEUTENANT  
DON SCHUITEMAKER

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. STARK. Mr. Speaker, on January 25, 2003 the Union City Police Department will celebrate the retirement of one of its finest officers, Lieutenant Don Schuitemaker.

In his 28-year law enforcement career Lieutenant Schuitemaker has served as a model for school policing, trained other officers, and worked with juveniles and the narcotics unit.

Lieutenant Schuitemaker served his entire career with the Union City Police Department. He joined the force on October 25, 1974, after attending the Los Angeles Sheriff's Department Academy, one of the toughest in the State, where he achieved an expert marksman's medallion.

Lieutenant Schuitemaker became part of the Union City Special Enforcement Response Team (SWAT), in 1978, and in 1984 he retired from the team as one of its leaders.

In 1979, he became the department's first School Resource Officer, a new and innovative position. Based largely on Lieutenant Schuitemaker's success in that position, and in cooperation with the New Haven Unified School District, the number of School Resource Officers positions was increased. The Union City program has become a model for other law enforcement agencies to follow, partly as a result of Lieutenant Schuitemaker's accomplishments.

Lieutenant Schuitemaker was promoted to sergeant in 1981, and served as Personnel and Training Manager before being selected to supervise the Southern Alameda County Narcotics Enforcement Team, a tri-city narcotics and vice task force. In 1989, he was selected to supervise the department's Juvenile Unit.

In 1992, he transferred to patrol duty, where in addition to typical Watch Commander duties, he supervised the training of new officers as the Field Training Officer Program Supervisor. He later worked in the Traffic Unit, where he was instrumental in bringing back motorcycles as an effective enforcement tool, and as a true "motor cop" rode the motorcycle throughout his tour of duty.

In 2000, he was promoted to Acting Lieutenant, and then to Lieutenant. During that time, Lieutenant Schuitemaker acted as a Field Operations Officer, overseeing the operation of the department's patrol section. He holds basic, intermediate, advanced, supervisory, and management Peace Officer Standards and Training certificates.

I am honored to join the colleagues of Lieutenant Schuitemaker to commend his many years of dedicated and exemplary service to law enforcement. His commitment to excellence has left its irreplaceable mark on the Union City Police Department.

INTRODUCTION OF THE "GUN  
SHOW BACKGROUND CHECK ACT  
OF 2003"

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. CONYERS. Mr. Speaker, today I am introducing the "Gun Show Background Check Act of 2003", legislation designed to close the loophole in federal gun laws which allow criminals to buy firearms at gun shows. I am joined by Representatives FRANK, BERMAN, NADLER, LOFGREN, MEEHAN, DELAHUNT, WEXLER, ACKERMAN, BROWN of Florida, KILPATRICK, LEE, MARKEY, SCHAKOWSKY, BLUMENAUER, CUMMINGS, FATAH, HASTINGS of Florida, KENNEDY, TOWNS, DEUTSCH, DEGETTE, PAYNE, STARK, DAVIS of Florida, CLAY, NORTON, HOLT, GUTIERREZ, and McDERMOTT.

As you know, under current law federal firearms licenses are required to maintain careful records of their sales, and under the Brady Act, to check the purchaser's background with the National Instant Criminal Background Check System (NICS) before transferring any firearm. However, a person does not need a federal firearms license—and the Brady Act does not apply—if the person is not "engaged in the business" of selling firearms pursuant to federal law.

My bill corrects these deficiencies by (1) requiring background checks for all firearms sales at gun shows, (2) defining gun shows to include any event at which 50 or more firearms are offered or exhibited for sale and (3) by improving firearm tracing measures—in the event that a firearm becomes the subject of a law enforcement investigation. Thus, unlike other legislation introduced in the past which actually weakens the Brady law by shortening background checks to 24 hours and considerably limits the type of information in individual records that may be searched, my bill guarantees that over 2,200 additional felons, fugitives and stalkers will be denied the opportunity to purchase a gun.

Considering the many recent tragedies and threats of violence we have had in our nation's schools and the recent reports indicating that the U.S. gun industry sold numerous guns to members of Osama bin Laden's "Al Qaeda" terrorist network, the importance of enacting legislation that will promote a safe and sound environment can not be overstated.

It's time for smarter, better gun safety enforcement. The bill we are introducing today will move us in that direction. I am hopeful that Congress will move quickly to enact this worthwhile and timely legislation.

PAYING TRIBUTE TO: DURANGO  
POLICE DEPARTMENT

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Durango Police Department for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Durango Police Department played an integral

role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Durango Police Department to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Durango Police Department has roots reaching back to 1881, when one marshal and two deputies were solely responsible for law enforcement in the area. Today, the Department has 50 sworn officers under the leadership of Chief Al Bell. During the Missionary Ridge Fire, the Durango Police Department turned their resources to numerous emergency activities, including over 200 hours debriefing emergency workers, firefighters, police officers, as well as Red Cross volunteers, to help them cope with the tragedy. The personnel and resources devoted to this summer's fires by the Durango Police Department illustrate the dedication and readiness with which these men and women serve the citizens of Durango.

Mr. Speaker, it is with sincere admiration that I recognize the Durango Police Department before this body of Congress and this nation. I want to commend all of the employees of the Durango Police Department for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Durango Police Department and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all, and it is an honor to represent such an outstanding group of Americans in this Congress.

INTRODUCTION OF THE UNITED  
STATES WEATHER RESEARCH  
PROGRAM ACT OF 2003

**HON. VERNON J. EHLERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. EHLERS. Mr. Speaker, today, I am introducing a very important piece of legislation, the "United States Weather Research Program Act of 2003." The human toll and dollar loss from severe weather events is staggering. Each year this nation experiences more than 1,500 weather-related fatalities and more than 15 billion dollars in damage to property.

The Weather Research Program is a partnership among academic and commercial communities and several government agencies—the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the U.S.



Navy and many others. Led by NOAA, the program supports government and university-based research to improve severe weather forecasts and better utilization by emergency managers as well as the public.

This legislation authorizes \$46.5 million over three years and emphasizes research on hurricanes and heavy precipitation events through better observations and modeling. Another important goal for the program will be to improve the communication between weather forecasters and the public and emergency managers when it is needed most. The bill also provides for the development of centers where research can be tested in real life environments to more quickly move research and new technology into operation—and save lives in the process.

I look forward to working with the agencies involved in this program, the research community, and my colleagues to pass this important legislation.

#### CONGRATULATIONS AND THANKS TO MR. RICHARD BIOLSI

#### HON. PATRICK J. TOOMEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. TOOMEY. Mr. Speaker, today I rise to offer congratulations and thanks to Mr. Richard Biolsi, Chief Operating Officer of KidsPeace, one of America's most comprehensive children's mental health charities which is headquartered in the Lehigh Valley in Pennsylvania.

Rich is retiring this year after 34 years of dedicated service to America's youth. Over that span, Rich has served as a social worker, Vice President for Programs, Executive Vice-President for Programs, interim Chief Executive Officer, and Chief Operating Officer for KidsPeace.

When he began his career with KidsPeace in 1969, the fledgling service organization was caring for only 35 children in a run-down home with very few resources. Now, 34 years later, KidsPeace directly cares for nearly 3,000 children at more than 50 centers across the country. What once was a single-home orphanage for children in the Lehigh Valley has become one of the most comprehensive children's mental health charities in the nation that has helped millions of children in every state of our nation, on overseas military bases, and in 70 foreign countries.

Many of these accomplishments, in no small part, can be attributed to Rich's efforts and strategic organizational leadership. From the development of six major residential campuses in four states, the establishment of the KidsPeace Hospital, and the creation of a unique and effective foster care program that provides homes for children in crisis in nine states, Rich has been an integral component of KidsPeace's success.

Rich's accomplishments extend well beyond the borders of KidsPeace. In 2001, he was named Social Worker of the Year by the National Association of Social Workers. KidsPeace estimates that during his distinguished career, Rich and the programs he has created and overseen have directly cared for nearly 80,000 children in emotional crisis.

So today, Mr. Speaker, I rise to recognize the outstanding dedication of Mr. Richard

Biolsi to America's most vulnerable children. His commitment to excellence has enriched the lives of each of the children he cared for. I offer congratulations on his outstanding career, and the thanks of a grateful nation.

#### TRIBUTE TO THE ACHIEVEMENTS OF 21 NORTHWEST MISSOURI SCHOOL DISTRICTS

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GRAVES. Mr. Speaker, I rise today to recognize the outstanding achievements of 21 Northwest Missouri School Districts that have received the State's Distinction in Performance Award. The Distinction in Performance Award is designed to be an incentive for School Districts to focus on improving academic achievement. The criteria for the award, established by the State Board of Education, requires that the School Districts meet certain performance standards in the Missouri Assessment Program test scores, ACT test scores, attendance and dropout rates, and other academic performance records.

Of the 524 Public School Districts in the State of Missouri, 157 were given accolades for their achievements in 2002. Twenty-one School Districts in the 6th District were honored with this distinctive award and are as follows: Avenue City School District, Chillicothe School District, Cowgill School District, Galatin School District, Grundy County School District, Jefferson School District, Lathrop School District, Mound City School District, Mid-Buchanan School District, Nodaway-Holt School District, North Platte School District, Pattonsburg School District, Platte County School District, Rock Port School District, Savannah School District, South Harrison School District, Stanberry School District, Tri-County School District, West Platte County School District, Winston School District, and Worth County School District.

Mr. Speaker, please join me in honoring these exceptional School Districts for their dedications to and achievement in educating the children of the 6th District.

#### PAYING TRIBUTE TO: LA PLATA COUNTY SHERIFF'S OFFICE

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the La Plata County Sheriff's Office for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the LPCSO played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the La Plata County Sheriff's Office to protect

their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The roots of the La Plata County Sheriff's Office reach back to 1871, when Sheriff Joseph W. Wallace was solely responsible for law enforcement in the county. Today, the Sheriff's Office has 100 employees under the supervision of Sheriff Duke Schirard. During the Missionary Ridge Fire, the La Plata County Sheriff's Office turned their resources to numerous emergency activities that include alerting citizens and evacuating them from threatened roadways and properties, assisting the coordination of emergency services, and acting as real-time fire spotters. The LPCSO maintained traffic control for a 40-mile section along the fire's perimeter. Their personnel brought food and supplies to firefighters on the fire line and provided personnel to man checkpoints and fire lines. The over 2000 hours of overtime logged by the LPCSO illustrate the dedication and readiness with which these men and women serve the citizens of La Plata County.

Mr. Speaker, it is with sincere admiration that I recognize the La Plata County Sheriff's Office before this body of Congress and this nation. I want to commend all of the employees of the La Plata County Sheriff's Office for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the La Plata County Sheriff's Office and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all, and it is an honor to represent such an outstanding group of Americans in this Congress.

#### TRIBUTE TO SURENKUMAR S. DESAI

#### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay tribute to Mr. Surenkumar S. Desai of Madison County, Mississippi. Mr. Desai was serving as the Ward 3 Alderman in Canton, Mississippi at the time of his passing.

Mr. Desai immigrated to the United States from India in 1981, and was proud to be an American while still embracing his Indian heritage. In 1982, Mr. Desai moved to Mississippi and worked at a local drive-in restaurant. Two years later, he was transferred to the City of Canton to serve as the manager of another drive-in restaurant within the same chain.

Mr. Desai became an American citizen in 1992, and developed a keen interest in local politics thereafter. Mr. Desai campaigned several times serve as an elected official in the capacity of Mayor of Canton and Madison County District 1 Supervisory to no avail. However, his persistence paid off and in December

of 2001, Mr. Desai was finally elected to serve as Ward 3 Alderman of the City of Canton, Mississippi.

Many referred to and knew Mr. Desai merely as S.K. Mr. Desai was known as a hard working man that loved his job. He was regarded as a person who took great pride in being an elected public servant. Mr. Desai made a point to be present at City Hall every day and make himself accessible to the citizens of Canton.

Mr. Desai is survived by his wife, two sons, and his parents.

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HONORING LILLIAN WOOD FOR  
FIFTY YEARS OF DEDICATED  
SERVICE TO THE UNITED  
STATES MARINE CORPS

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**HON. JOHN P. MURTHA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MURTHA. Mr. Speaker, it is a privilege for me today to recognize an extraordinary Pennsylvanian who has dedicated herself to the service of her country for more than half a century.

Ms. Lillian Wood, born in East Millsboro, Pennsylvania, graduated from Brownsville High School in 1951. She began working as a civilian clerk-typist for the Marine Corps in February 1952. "Lil," as she is known to generations of Marines, quickly demonstrated a commitment and dedication and was recognized with a rapid series of promotions in several divisions within Headquarters, United States Marine Corps.

Based on her superb performance in support of the Personnel, Aviation, G-4, and Reserve Affairs divisions, Lil was selected as the Branch Supervisor for the newly created Special Correspondence Branch of the Manpower and Reserve Affairs Department in 1966. Lil was charged with supervision of 28 employees, both military and civilian, and was responsible for providing updates and responses to all Congressional inquiries into Marine Corps affairs.

"The Few and the Proud" is not just a recruiting slogan, and it applies as much to Marines in combat as to the civilian Marines who make it possible for them to deploy and come home safely. The success of Marines in battle throughout the history of our great nation is due, in no small measure, to the support they receive from civilian Marines and families back home.

Lil Wood stands as a shining example to all Marines, civilian Marines, and civil servants throughout the government. Lil and I both began our service to our country in 1952, both in the Marine Corps. Her accomplishments and fifty years of dedication to the Corps and to our country are remarkable and commendable. The Marine Corps is losing a valuable asset, and I offer Lil my best wishes for a well-deserved retirement.

CARE 21

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. RAHALL. Mr. Speaker, today I am reintroducing legislation to restore our Nation's historic commitment to insuring lifetime health care for retired coal miners. Joining me in introducing this bill is the distinguished gentleman from Ohio, BOB NEY. Indeed, last year the House of Representatives passed the legislation we are reintroducing today. However, the other body did not take action on it prior to adjournment of the 107th Congress.

Enactment this year of CARE 21, the "Coal Accountability and Retired Employee Act for the 21st Century," is essential if we are to avoid seeing a curtailment in health care coverage for thousands of retired coal miners and their widows. This would not be the first time that Congress acted in this matter. In 1992, in what is known as the "Coal Act" enacted as part of the Energy Policy Act, Congress established the UMW Combined Benefit Fund (CBF) combining the union's 1950 and 1974 benefit plans. This action came in response to changes in the coal industry which created a large class of "orphaned" miners whose benefits were no longer being paid by an active coal company. A key feature of the Coal Act was the financing of orphaned miner health care costs through an annual transfer of a portion of the interest which accrues to the unappropriated balance in the Abandoned Mine Reclamation Fund.

Simply put, in restoring abandoned coal mine lands we must not abandon the retired coal miner.

The Coal Act has worked well with health care for retirees whose former employers could be identified financed by premiums paid by those companies while providing for a transfer of reclamation fund interest to finance orphaned miner care.

However, a barrage of litigation, adverse court decisions and skyrocketing health care costs is now threatening the financial integrity of the program. The result: Without a new source of funds, the CBF faces a deficit which if it continues could force curtailments in health care coverage for some 50,000 retirees and widows whose average age is 78.

CARE 21 takes a relatively simple and straightforward approach to addressing this impending crisis: It would lift the restriction in current law that reclamation fund interest can only be used for orphaned miner health care. Instead, it would allow interest transfers to be made for the purpose of offsetting any deficit in net assets in the CBF.

One of the key features of CARE 21 is that the general taxpayer is not being called upon to pay for retired coal miner health care, but rather, the coal industry itself would provide for this coverage through the interest which accrues to the fees it pays into the Abandoned Mine Reclamation Fund.

Mr. Speaker, I noted earlier there is a historical commitment to providing health care for retired coal miners. This is a unique situation in that what would normally be a matter solely for the private sector is not in this instance. The genesis for this situation dates back to 1946 in an agreement between then-UMW President John L. Lewis and the federal gov-

ernment to resolve a long-running labor dispute. At the time, President Truman had ordered the Interior Secretary to take possession of all bituminous coal mines in the country in an effort to break a United Mine Workers of America strike. Eventually, Lewis and Secretary Julius Krug reached an agreement that included an industry-wide, miner controlled health plan.

In fact, the 1992 Coal Act itself was formulated partly on the basis of recommendations from the Coal Commission, established by former Labor Secretary Libby Dole, which in 1990 recommended a statutory obligation to help finance the UMW's Health Benefit Funds.

Mr. Speaker, the people covered by this health care program spent their careers producing the energy which powered this Nation to greatness. We must not forsake them. We must not cast them adrift in their later years, robbed of the health care they so desperately need.

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PAYING TRIBUTE TO: KENT &  
LESLIE TAYLOR

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**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great enthusiasm that I rise today to pay tribute to Kent and Leslie Taylor, founders of the Texas Roadhouse. This family steakhouse restaurant chain remains very popular throughout this country for its great food and distinctive atmosphere. As Texas Roadhouse celebrates their tenth anniversary, I would like to recognize this milestone, and the Taylor's success before this body of Congress and this nation.

Kent and Leslie Taylor's success represents the entrepreneurial spirit of the American dream. Their persistence in forging an idea into a dream, and their commitment to that dream, is truly inspirational. Their product, market, customers, and most importantly, their employees, have all come together to create a winning formula. What began as a simple idea has now grown into an organization employing thousands. They have become an essential contributor to many communities throughout this country, and I would like to commend them for their outstanding success.

Mr. Speaker, it is with great pride that I recognize Kent and Leslie Taylor before this body of Congress and this nation for their enduring commitment to realizing the American dream. Businesses like these are the backbone of our economy and the heart of our neighborhoods. The Taylor's dream has become a successful and enduring enterprise, and I wish all the best to Kent and Leslie in all of their future endeavors.

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REGARDING THE DEATH OF HEL-  
MUT "BROWNIE" BRAUNSTEINER

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**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. SMITH of Washington. Mr. Speaker, on Sunday, December 29th, Pierce County,

Washington State and our nation lost a true hero, Helmut "Brownie" Braunsteiner, due to complications surrounding his battle with cancer.

It is difficult to describe Brownie's life without resorting to superlatives, but the evidence speaks for itself. From his birth in 1926 to his escape from Nazi-controlled Austria to America in 1939, Brownie never failed to display his particular brand of zest for life that so characterized his 75 years with us.

In 1944 Brownie began his decorated 27-year career in the United States Army, serving in World War II, the Korean War and the Vietnam War. Because of his fluency in German, he later served as an interpreter at the Nuremberg war crime trials.

For thirty years, Brownie was a full-time volunteer for veterans organizations, coordinating Veterans of Foreign War volunteers for the VA Hospital and chairing the Pierce County Veterans Advisory Council. In 1987, he helped found Fife's Veterans Independent Enterprises of Washington to rehabilitate homeless drug- or alcohol-dependent vets and help them become self-sufficient.

After he developed diabetes, Brownie dedicated countless hours to the Diabetes Association of Pierce County, conducting diabetes screenings without charge to residents of Pierce County. Brownie was known for both helping people detect their diabetes and begin to manage the condition. He would frequently go so far as to check in with people after their initial diagnosis to make sure they'd seen a doctor about their condition even three weeks after the test.

But these jobs and titles don't begin to describe either who Brownie was or the depth of his commitment to life. A man with a big heart, Brownie fought for issues he believed in. After serving our nation with a decorated career in the Army, Brownie worked tirelessly for the rights of veterans. Brownie was a passionate, dedicated citizen. He was patient and kind in teaching me not just about veterans and military issues, but also a wide range of other concerns close to his heart.

I was fortunate enough to work with Brownie on veterans issues ranging from concurrent receipt to VA health care to continuing education and reform of the Montgomery GI bill. It was always an honor to stand in the same room as him and I will always cherish the opportunity I had to call him both a colleague and a friend.

Brownie's outstanding contributions, selfless volunteerism, patriotism, and endless devotion cannot be sufficiently acknowledged. Everyone in the veterans' community, every elected official, everyone in Pierce County knew him and admired him. His tireless work earned him not only the respect, but also the love of everyone he touched.

Brownie Braunsteiner's passing is a loss to all who knew him and we extend our deepest sympathy to his family in their great loss. I will miss his friendship and his counsel.

IN MEMORY OF COLD WAR HERO  
WILLIAM G. GEIMER

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WOLF. Mr. Speaker, on December 1, 2002 another chapter of the Cold War with the

Former Soviet Union ended with the passing of William G. Geimer. Bill was the visionary founder and longtime president of the Jamestown Foundation, a non profit organization devoted to promoting liberty and fighting totalitarianism most notably in the Soviet Union during the Cold War.

I had the privilege of working with and learning from Bill as he waged the good fight against the oppressive regimes of the Soviet Union that sought to crush the human spirit. Through his instrumental role at the Jamestown Foundation, Bill's leadership and vision helped bring down the Iron Curtain. Mr. Speaker, I will insert following these remarks a press release from the Jamestown Foundation that describes how Bill made a tremendous difference with his life.

Bill's efforts and advocacy with the Jamestown Foundation influenced Members of Congress, government officials and the general public exposing the corrupt and immoral nature of Soviet communism. Bill will be truly missed as this nation confronts other totalitarian regimes, but his life and vision can serve as a legacy for others continuing the fight against evil.

IN MEMORIAM, WILLIAM W. GEIMER: AUGUST 18, 1937—DECEMBER 1, 2002

JAMESTOWN FOUNDATION FOUNDER AND COLD WAR HERO DIES

WASHINGTON, DC.—With deep sorrow, the Jamestown Foundation announces the death of William W. Geimer, its visionary founder and longtime president.

Mr. Geimer, 65, established the Jamestown Foundation at a critical point in the Cold War as a source of first-hand accounts of the inner workings of the Soviet Union and other Eastern bloc countries. From its founding in 1984, the foundation has become the leading force for disclosing to the world the knowledge and insights of those in the top reaches of closed totalitarian societies, including high level defectors from the Soviet Union and its client states. For creating a safe haven for high-ranking officials from behind the Iron Curtain with the courage to tell the world the true nature of communism, Geimer was recognized by President Ronald Reagan as a key figure in the collapse of the Soviet Union.

Geimer was inspired to launch the foundation following his work with Arkady Shevchenko, the highest-ranking Soviet official ever to defect when he left his position as undersecretary general of the United Nations. Asked by the State Department to serve as Shevchenko's attorney, Geimer recognized that Shevchenko could provide a unique and invaluable insider's view of Soviet policymaking, arms control negotiation strategies and the workings of the top reaches of the then-secret Soviet government. Geimer was instrumental in the publication of Shevchenko's writings, most notably, the bestseller "Breaking with Moscow," in which Shevchenko acknowledged, as well as the close personal friendship between them, "the countless hours, days, years of himself" that Bill Geimer had given to "bring me into a new life."

Following the end of the Cold War, Geimer moved the foundation aggressively into monitoring the Soviet transition away from totalitarianism by publishing daily analytical reports on events in the region. The Jamestown Foundation's research and publications have become the leading source of information on the war in Chechnya, and on political, military and economic trends in the states of the former Soviet Union and in China.

"Bill was an American patriot who devoted his life to promote freedom and democracy

worldwide," said Barbara D. Abbott, the Jamestown Foundation's vice chairman and now president. "From the Evil Empire to the Axis of Evil, he never wavered in his belief that an attack on the secrecy of closed societies is one of the greatest weapons in a democracy's arsenal. Bill's vision, wisdom, kindness and humor will be missed, but his work will continue at the Jamestown Foundation."

"Geimer was a visionary," long-time Board member and former Central Intelligence Agency director R. James Woolsey observed. "He had an enormous impact on our national security efforts. As the Soviet Union began to collapse, Bill was one of the first to foresee that the instability brought about by that dissolution might result in rogue groups more difficult to deal with and potentially more of a threat to freedom than the USSR, which is precisely the situation we face with Osama bin Laden and al-Qaida."

Zbigniew Brzezinski, Jamestown Advisory Board member, recalls that "Bill Geimer was a patriot with a vision, an idealist with a program, and a leader who knew how to get things done."

Vice President Dick Cheney, a former Jamestown Foundation board member who attended Wednesday's funeral services, stated, "The Jamestown Foundation has played an important role in alleviating suffering and in furthering democracy."

A native of Chicago, William W. Geimer received his bachelor's degree from Marquette University and his law degree from Northwestern University. He served on President Ronald Reagan's Export-Import Bank transition team, and in top-level positions in the Nixon and Ford administrations, including as deputy assistant secretary of state for international trade. He maintained a private law practice in Washington, DC from 1976 to 1984.

#### IN RECOGNITION OF THE CAREER OF BASEBALL LEGEND GARY CARTER

**HON. E. CLAY SHAW, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SHAW. Mr. Speaker, I rise to congratulate a constituent of mine, Mr. Gary Carter of Palm Beach Gardens, Florida, for his election to baseball's most coveted fraternity, the Hall of Fame. Over a successful 19-year professional career, Gary Carter exemplified what it takes to be a big league ball player. Playing the difficult position of catcher, Gary compiled an impressive array of statistics and accolades. In 1975, his first full year with the Montreal Expos, Gary exploded onto the big league scene. Seventeen years later, Gary returned to Montreal, after stints in New York, San Francisco and Los Angeles, finishing his career where it all started. What a ride it had been. Following the 1992 season, Gary retired with numbers that foretold an eventual trip to Cooperstown. Games played: 2,296; Hits: 2,092; Home Runs: 324; Runs Batted In: 1,225 and a batting average of .262.

Each year, Gary's teammates and fan club always count on his durability and consistency. Season after season, Gary's presence in a big league lineup made opposing pitchers fear his bat and power. In 1986, Gary lead the New York Mets to a seven game World Series win over the Boston Red Sox. Although that series is remembered for a series saving

error at first base, many fans remember Gary's clutch hitting when he was needed most. In the end, Gary had his World Series championship and ring.

Mr. Speaker, the baseball writers across the country paid tribute to Gary's career by bestowing on him the highest honor in professional sports. To be a member of the Hall of Fame means more than just another accomplishment; it means having the ability and dedication to rise above the hundreds of other noteworthy players and become one of baseball's greatest players of all-time. In the 100 year history of American baseball, players have come and gone. However, baseball fans, young and old were thrilled to watch Gary Carter play the game he loved throughout his 19-year playing career. His teammates bestowed upon him the nickname "The Kid." A fitting tribute to a man always eager to play an adult sport with a childlike enthusiasm.

Mr. Speaker, Gary Carter becomes the newest member of baseball's Hall of Fame on July 27, 2003. Congratulations to, "The Kid."

PAYING TRIBUTE TO: FRED LEE  
HOWARD, JR.

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great sadness that I recognize the life and passing of Colonel Fred Howard of Grand Junction, Colorado. Colonel Howard served in the United States Air Force with the honor, courage and integrity that Americans have come to expect from our nation's military. Sadly, Fred passed away in November and, as his family mourns his loss, I would like to pay tribute to his lifetime of service before this body of Congress and this nation.

The day after the bombing of Pearl Harbor, Fred enlisted in the Army Air Corps as an Air Force Cadet and served in Europe during World War II. During the war, Fred served as a pilot, dropping paratroopers behind enemy lines. Fred received numerous medals of commendation for his efforts including the Distinguished Flying Cross and the Bronze Star. At the age of 22, Fred was promoted to the rank of Captain, where he continued to exhibit the leadership and courage that became his hallmark.

After the war, Fred continued to contribute his leadership and expertise to the United States Air Force. During the Korean War, Fred was called once again into active duty. During the Vietnam War, he served as Director of Scheduling, where his responsibilities included the "in-air" refueling of all aircraft entering and exiting Vietnam. Upon retiring from the military, Fred served as an inspector for the Federal Aviation Administration, inspecting all domestic airlines in the Western United States.

Mr. Speaker, it is with earnest respect that I recognize the life and passing of Colonel Fred Howard before this body of Congress and this nation. I extend my sincere condolences to his wife Mildred, son Fred, daughters Cheryl, Susan and Betty, and his many grandchildren. Colonel Howard served our country with great honor and distinction through a period of global uncertainty, and his remarkable courage serves as an inspiration to us all. His loss will be deeply felt and grateful nation will be forever in his debt.

SUPPORTING H.R. 163, THE  
UNIVERSAL NATIONAL SERVICE ACT  
OF 2003

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. STARK. Mr. Speaker, I am an original cosponsor of the Rangel/Conyers bill, the Universal National Service Act of 2003 (H.R. 163), which would reinstate a national draft. I would like to explain my support for this legislation.

I ardently oppose war with Iraq. The evidence simply does not exist to warrant sending our nation's young people to sacrifice their lives in Iraq. I believe America ought to be an advocate for peace, not imperialism.

Yet, war is on the horizon. The President is intent on invading Iraq whatever the cost. Thanks to the President's brand of hotheaded bully diplomacy, war with North Korea may also be imminent. The only real question that remains is whether or not Americans are ready and willing to bear the cost?

I commend my colleagues Mr. RANGEL and Mr. CONYERS for their wisdom in authoring this bill. I'm honored to be an original cosponsor.

This bill requires all young Americans—men and women between 18 and 26—to perform a two year period of national service in a military or civilian capacity as determined by the President. For those who conscientiously object to war, the bill assures that any military service would not include combat. Otherwise, there would be no preferences, no deferments, no chance for the well-off or the well-connected to dodge military service for their country, as did our President.

Reinstituting the draft may seem unnecessary to some. But, it will ensure all Americans share in the cost and sacrifice of war. Without a universal draft, this burden weighs disproportionately on the shoulders of the poor, the disadvantaged and minority populations.

It is my understanding that out of the 435 Members of this House and the 100 members of the Senate, only one—only one—has a child in active military service. Who are we to know the pain of war when we ourselves will not directly bear the brunt of that action? It won't be us mourning the loss of a child or loved one. Maybe some of you in this Congress would think twice about voting for war in Iraq if you knew your child may be sent to fight in the streets of Baghdad?

If our nation is to go to war, it is only right that all Americans share in the sacrifice of war. It is time we truly comprehended the consequences. I urge my colleagues to support a universal draft which I believe will make votes for war much more real for many of my colleagues.

INTRODUCTION OF CIVIC PARTICI-  
PATION AND REHABILITATION  
ACT OF 2003

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Civic Participation and Rehabilitation Act of 2003, along with additional cosponsors. At a time when our Nation faces record low voter participation, this legislation

represents an historic means of both expanding voting rights while helping to reintegrate former felons into our democratic society.

The practice of many states denying voting rights to former felons represents a vestige from a time when suffrage was denied to whole classes of our population based on race, gender, religion, national origin and property. Over the past two centuries, these restrictions, along with post-Civil War exclusions such as the poll tax and literacy requirements, have been eliminated. It is long past time that these restrictions be relegated to unenlightened history.

Unfortunately, the United States continues to stand alone among the major industrialized nations in permitting an entire category of citizens, former felons, to be cut off from the democratic process. It is time that the United States restored these fundamental rights and join the community of nations in this regard.

Denial of suffrage to these individuals is no small matter. A recent study by the Sentencing Project reveals that some 3.9 million Americans, or one in 50 adults have currently or permanently lost their voting rights as a result of a felony conviction. This includes an estimated 1.4 million African American men, or 13 percent of the total population of black adult men, a rate seven times the national average. Forty-eight states and the District of Columbia prohibit inmates from voting while incarcerated for a federal offense; 32 states prohibit felons from voting while they are on parole and 28 of these states exclude felony probationers as well. In fact, in six states that deny the vote to ex-offenders, one in four black men are permanently disenfranchised. Hispanic citizens are also disproportionately disenfranchised.

In addition to diminishing the legitimacy of our democratic process, denying voting rights to ex-offenders is inconsistent with the goal of rehabilitation. Instead of reintegrating such individuals into society, felony voting restrictions only serve to reaffirm their feelings of alienation and isolation. As the National Advisory Commission on Criminal Justice Standards and Goals has concluded, "if correction is to reintegrate an offender into free society, the offender must retain all attributes of citizenship." The purpose of correctional facilities throughout our history have been to make an offender fit to re-enter society. We should honor this conviction that once a felon has served his/her time, the he/she is ready to be a functioning member of society. Voting then must be allowed, as the most basic constitutive act of citizenship.

It is even more important for this legislation to pass when we look back at the 2000 election in Florida. In that election 400,000 ex-felons were denied their right to vote. In an election where it came down to 537 voters, this is a decisive number. Instead of contracting the voting pool we should be expanding it so that our elected officials can more accurately resemble the wishes of the people. Our nation has slowly seen the enfranchisement of all of its citizens. Though it has been a slow process we have always moved forward, giving more and more citizens the right to vote. This bill is merely the next step in the expansion of the electorate. And it is a step we must take.

Many states are beginning to take the lead on this issue. Maryland, Connecticut, Delaware, and New Mexico have all scaled back voting bans on ex-felons who have paid the price for their crimes and now want to participate in the democratic process as citizens. The growing roster of states which allow ex-felons to vote is encouraging. We must help along the process by enacting this bill and taking this crucial step at the Federal level.

The legislation we will introduce constitutes a narrowly crafted effort to expand voting rights for ex-felons, while protecting state prerogatives to generally establish voting qualifications. The legislation would only apply to persons who have been released from prison, and it would only apply to federal elections. As such, our bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding federal voting rights laws.

The legislation has been supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch and the Lawyers Committee for Civil Rights, among many others.

#### TRIBUTE TO MAJOR CLARK THOMPSON

#### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. VISCLOSKY. Mr. Speaker it is my distinct honor to commend one of Northern California's most distinguished citizens and a great friend of mine, Mayor Clark Thompson of Petaluma, California. He has served the people of Petaluma for 25 years, culminating over the last 4 years with his service as Mayor of that fine city. His leadership and pursuit of excellence will be sorely missed as he steps down from a career of public service.

A longtime resident of Petaluma, Mayor Clark Thompson began his career in public service by serving the city on the Parking and Business Improvement Area Committee. From there, he served on the Committee to study and initiate bicycle paths and access, as a member of the Petaluma Valley Hospital Foundation Board, and as a member of the Petaluma Rotary Club and Chamber of Commerce Board. He is still a lifetime member of the Casa Grande Boosters Club.

At a time when his beloved city faced many challenges Mayor Thompson brought a broad vision to lead the citizens of Petaluma into the future. His determination is unwavering; his pride in his city is unequalled. I have had the pleasure to work with Mayor Thompson on a professional level, and witnessed his abilities as a leader when he solved Petaluma's long standing flood control issues. He has the uncommon ability to work with people of different beliefs in order to do what is right. The city of Petaluma and its people have benefited greatly from Clark Thompson's years as a public servant.

Although he has been a devoted public servant, Mr. Thompson has always held his family as a to priority. He and his wife, Sue Ellen, originally settled in the community of

Petaluma to raise their two daughters, Molly and Abigail. Clark's retirement will allow him to spend more time with his family, something he will greatly cherish.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Mayor Clark Thompson on his retirement after 25 years of diligent service to the city of Petaluma, California. Clark has been a valuable member of the community for which he cares so deeply, and his service will be greatly missed. I wish him the best of luck in future endeavors, and I know he will enjoy his retirement for many years to come.

#### PAYING TRIBUTE TO: UPPER PINE RIVER FIRE PROTECTION DISTRICT

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Upper Pine River Fire Protection District of La Plata County, Colorado for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Protection District played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Upper Pine River Fire Protection District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Upper Pine River Fire Protection District has served the citizens of La Plata County since 1974 and oversees a 264 square mile region. The district relies upon its Fire Chief, Jim Piccoli, its Deputy Fire Chief, Rod Richardson, and nearly 65 volunteers to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Upper Pine River Fire Protection District of La Plata County before this body of Congress and this nation. I want to commend the Chief and all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Upper Pine River Fire Protection District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

#### A SPECIAL TRIBUTE TO JAMES R. TILLING FOR HIS DEDICATED SERVICE TO THE STATE OF OHIO

#### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, and good friend, from Ohio. Jim Tilling came to Ohio, in September 1969, to begin a career as a political science professor at Ohio University in Athens. He spent six years at Ohio University where he taught courses in American national government, urban government, Soviet government and foreign policy. In 1973-74, he was named a "University Professor"—an honor given each year to the ten best teaching professors at Ohio University.

Mr. Speaker, in February, 1977, Jim joined the staff of the Senate Republican caucus in the Ohio General Assembly. He began as its Director of Communications and Research, then served two terms as Minority Chief of Staff. He was elected Clerk of the Senate for 1981-82.

From January 1984 until April 1994, Mr. Tilling served as Chief Executive Officer of the Senate with me when I was Senate President and also for my successor, Senate President Stanley Aronoff. In that capacity, he was responsible for the day-to-day operation of the Senate's staff and also worked with Senate Republican members to develop their legislative policy agenda.

In 1981-82, Jim was the principal co-author of the bi-partisan congressional redistricting plan, which determined congressional district boundaries for that decade. In 1991, he served as secretary to the Ohio Apportionment Board, in which capacity he was the principal author of the redistricting plan for the Ohio General Assembly in the 1990's. Jim has served as Chief of Staff for the Ohio Attorney General since January 9, 1995.

Jim Tilling has had a significant impact on public policy in Ohio. He is the public servant not often seen or heard from in the media. However, he is the person that makes the operation work. His substantive knowledge and steadfast patience have served well the many elected officials in Ohio with whom Jim has served. These chances to give back to the public have brought him a lifetime of both personal and professional achievement. Jim truly is a valued asset to the state of Ohio.

Jim will leave big shoes to fill in the halls of Ohio state government. His wisdom, honesty and forthrightness are attributes to which all public servants should aspire. He has set an example for everyone on how to live a life of service, putting the greater interests of the community before one's own.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to James R. Tilling. Our communities are served well by having such honorable and giving citizens, like Jim, who care about their well being and stability. We wish Jim, his wife, Cathy, and their family all the best as we pay tribute to one of our state's finest citizens.

INTRODUCTION OF THE NATIONAL  
INVASIVE SPECIES COUNCIL ACT**HON. VERNON J. EHLERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. EHLERS. Mr. Speaker, today I am introducing legislation to codify the Executive Order that established the Invasive Species Council and gave the Council responsibility for coordinating all invasive species activities across the Federal government (Executive Order #13112, issued in 1999). Invasive species, such as the snakehead fish and zebra mussel, cause an enormous economic, ecological and human health toll on the United States every year. There are over 20 different Federal agencies involved in prevention, eradication, control, monitoring, research and outreach efforts to deal with the threat of invasive species, and this Executive effort seeks to make these efforts more coordinated, effective and cost-efficient. Better management of invasive species efforts across Federal agencies is critical to an effective response to this threat, and the Executive Order was the right first step. However, it is only the first step. Congress now needs to pass this legislation to give the Council more authority to effectively meet this threat.

Since its inception, the Council has made progress in achieving its mandate. In particular, in 2001 the council issued the National Management Plan to provide a general blueprint of goals and actions for Federal agencies to better deal with invasive species. While this broad plan lacks detail in some areas, it is a good first step toward focusing the various Federal efforts on common goals and coordinated actions. In addition, the Council established a Federal advisory committee consisting of 32 members from a broad array of stakeholders. The advisory committee has met several times in order to provide guidance on the development of the National Management Plan and on Federal agency actions regarding invasive species in general.

While the Council has had some success, its authority to coordinate the actions of Federal agencies has been limited. The General Accounting Office (GAO) recently recognized this problem, stating that agencies did not incorporate the components of the National Management Plan into their annual performance plans. In addition, GAO recommended that the Council study whether or not a lack of legislative authority has hampered its mission. Key agencies of the Council have already recognized this lack of authority as problematic and have supported codification of the Council in testimony before a November 2002 joint hearing of the House Resources and House Science Committees on aquatic invasive species.

The legislation I am introducing today essentially keeps the existing structure of the Council intact, while at the same time it addresses issues raised by GAO by giving the Council a clear statutory mandate.

First, the legislation maintains the Executive Order's statement of administration policy that Federal agencies should not undertake actions that may lead to the introduction or further spread of invasive species without careful consideration of the costs that the proposed action may cause. The legislation requires that

the Council for Environmental Quality, in conjunction with the Council, issue guidelines for Federal agencies to help them consider the consequences of any proposed action. The intent of this provision is to create a common set of guidelines by which all Federal agencies can measure their actions, not to give individuals a private right of action against government agencies that take actions regarding invasive species.

Second, the legislation makes some modifications to the existing institutional structure of the Council. The membership of the Council will remain the same; however the legislation updates the membership, as described by the Executive Order, to reflect additional agencies that have been added since 1999. It also makes the Council an independent entity within the Executive Branch, to be chaired on a rotating basis by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce. This is a change from the Executive Order, which called for the Council to be housed within the Department of Interior and chaired by that agency. If the Council is to be a truly independent entity that can work with all Federal agencies, this change is necessary.

Third, the legislation retains the duties of the Council as described by the Executive Order (including development of an updated National Management Plan), but it adds some new duties in order to give the council more tools to use in coordinating Federal programs. In particular, the Council must submit an annual list of the top priorities in several different areas related to addressing the threat posed by invasive species. The legislation also specifically calls upon the Council to work with Federal agencies during the budget development and submission process in order to ensure that budget priorities reflect the priorities of the National Management Plan. The legislation also calls on the Office of Management and Budget to develop a crosscut budget of all invasive species efforts in the Federal government. This is a necessary tool for the Council to coordinate efforts among the various Federal agencies.

Finally, the legislation retains the existing Invasive Species Advisory Council to serve as an important contributor to the ongoing dialogue between the Federal government and stakeholders to ensure that the Federal government acts in the most effective way.

This legislation will help further the Federal government's efforts to combat invasive species, and I urge all of my colleagues to co-sponsor this important legislation.

BAN ON CONVERSIONS IN INDIA  
SHOWS IT IS THEOCRACY, NOT  
DEMOCRACY**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. BURTON of Indiana. Mr. Speaker, while we were in recess, a law was passed in the Indian state of Tamil Nadu by the Hindu fundamentalist government there that bans religious conversions to any religion but Hinduism. The Washington Times did an excellent report on this bill in its issue of November 11.

According to the article, the bill "penalizes those who convert to a religion other than Hinduism with imprisonment and a hefty fine." The ruling BJP and its coalition partners, as well as one of its sister organizations, the Vishwa Hindu Parishad (VHP), have endorsed this bill and called for similar bills to be passed all over the country.

The militant Hindu nationalists claim that people are being converted by force. However, as John Dayal, secretary-general of the All-India Christian Council in New Delhi, said, "In fact, the only inducements by fraud and fear are those being carried out by [Hindu organizations] in the tribal belt, where innocent tribals are being forced to become Hindus." A Cabinet members was quoted several months ago as saying that everyone who lives in India must be a Hindu or be subservient to Hindus. This is the reality of Indian democracy, Mr. Speaker.

India must start acting like a democracy. 52,268 Sikhs political prisoners and tens of thousands of other political prisoners being held in India must be released. Since 1984, over 250,000 Sikhs have been murdered by the Indian government. The Indian regime has also killed over 85,000 Kashmiri Muslims since 1988, over 200,000 Christians in Nagaland, and tens of thousands of other minorities, including Assamese, Bodos, Dalits, Manipuris, and Tamils, among others. Last spring, 2,000 to 5,000 Muslims were murdered in Gujarat with the connivance and support of the police. In November, the government of Pakistan issued 400 visas to Sikhs to come and celebrate the birthday of one of the Sikh Gurus, Guru Nanak. India only let 48 Sikhs to the celebration.

Why are American taxpayers being asked to support this theocratic regime? It is time to cut off our aid to India, and it is time to support the American principles of freedom, democracy, peace, and stability by openly and publicly supporting self-determination for all the peoples and nations of South Asia, such as Khalistan, Kashmir, Nagalim, and others, through a free and fair plebiscite. This will show India's commitment to being a true democracy rather than a Hindu theocracy.

Mr. Speaker, I would like to place the Washington Times article on the anti-conversion ordinance into the RECORD at this time for the information of my colleagues.

[From the Washington Times, Nov. 11, 2002]

## LOW-CASTE HINDUS EYE NEW RELIGIONS

(By Shaikh Azizur Rahman)

NEW DELHI.—Low-caste Hindus in the southern Indian state of Tamil Nadu are threatening to embrace Christianity, Buddhism or Islam to protest a new law that outlaws religious conversion.

A bill passed into law by the state legislature last month penalizes those who convert to a religion other than Hinduism with imprisonment and a hefty fine.

While religious minorities in Tamil Nadu plan to challenge the law in court, many Hindus from so-called "untouchable castes," known as Dalits, are threatening to publicly defy the new law.

One group of Dalit Hindus in the state capital, Chennai, said that a group of 10,000 will convert to Buddhism on Dec. 6 if the law is not revoked.

Another group, known as the Dalit Panthers of India (DPI), pledged that 25,000 of its members would become Christians to protest what they called an "unjustified" decree.

"The upper class has been torturing the Dalits for centuries, and now, by passing the



bill, the government has decided to shackle us in a society where we are denied even our basic democratic rights," said one Dalit activist, who identified himself by the Christian name Emmanuel.

On Oct. 31, Tamil Nadu became the first—but probably not the last—Indian state to outlaw religious conversions. Though the law targets conversions "by force, allurements or fraudulent means," opponents say the language offers the means to challenge all conversions to faiths other than Hinduism.

"Even if one changes one's religion of one's own free will, those involved in the conversion can be punished on the ground that it's a case of forced conversion," said M. Karunanidhi, a former chief minister of Tamil Nadu.

The new law was welcomed by Hindu fundamentalists, who govern the nation in a coalition led by the Hindu nationalist Bharatiya Janata Party (BJP).

"The BJP is strongly of the view that this law is most necessary for the whole country. Lots of money is coming into the country from Islamic organizations to aid conversions," said BJP President M. Venkai Naidu.

Ashok Singhal, leader of the World Hindu Council (VHP), hailed the law as a "timely and bold step" and he urged other states to pass similar laws.

The issue of religious conversion has long been a source of strife in India. While federal law allows Indians to change their faith, the ruling BJP makes no secret of its dislike to the practice, while its ruling partner—the VHP party—views conversions as betrayal.

Opponents of the new law warn it will only trigger an even larger exodus of Hindus to other faiths.

The Global Council of Indian Christians said it was "alarmed by the hurriedly promulgated ordinance," and called it "the most heinous violation of religious freedom aimed at targeting Christian missionaries engaged in poverty alleviation and spreading the light of education."

The All-Indian Christian People's Forum said that it went against the core of the Constitution. "This ordinance is uncalled for, unwarranted and smacks of a pro-Hindu ideological basis of the . . . government".

"The bill runs foul of Article 25 [25] of the Indian Constitution, which grants freedom of conscience and free profession, practice and propagation of religion to every Indian citizen," the group said.

Dominic Emmanuel, director of New Delhi Catholic Archdiocese, called the measure, "an assault as much on civil rights as on human rights as on human dignity."

John Daya, secretary-general of the Christian Council in New Delhi, said: "In fact the only inducements by fraud and fear are those being carried out by [Hindu organizations] in the tribal belt, where innocent tribals are being forced to become Hindus."

Muslims, too, are concerned.

How can conversions be prevented if an individual is attracted to another religion because of his or her faith in it? Force is never used to convert one to Islam because it is against the basic tenets of [Islam]," said Maolana Siddikullah Chowdhury, general secretary of the Jamiat-e-Ulema party in Calcutta.

He added that low-caste Hindus converted to Islam simply to "escape discrimination and ill treatment" and not under any coercion.

## PAYING TRIBUTE TO: SILVERTON FIRE DISTRICT

### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Silverton Fire District for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Silverton Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Silverton Fire District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Silverton Fire District has served the citizens of Colorado for many years and has a reputation for its outstanding service. The district relies upon the Chief and its fire fighters to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Silverton Fire District before this body of Congress and this nation. I want to commend all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Silverton Fire District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

## IN HONOR OF NOAM SHUDOFKY, ADMINISTRATOR OF RAMAZ DAY SCHOOL

### HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to Noam Shudofsky on the occasion of his retirement as Administrator of Ramaz Day School, one of the finest religious schools in New York City. Mr. Shudofsky, a native New Yorker, was born and raised in my hometown, Brooklyn, where he attended the Yeshiva of Flatbush. He has since enjoyed a long and exemplary career as an educator in New York. It is my pleasure to honor him today.

In his role as Administrator of Ramaz, Mr. Shudofsky has helped to maintain the vision of

its founder, Rabbi Joseph Lookstein. He came to Ramaz in 1962, and has served as Administrator for 40 years. As Administrator, Mr. Shudofsky has managed the day to day operations of the school, and is responsible for the operational fund raising. His career at Ramaz has helped to make it the world-renowned institution that it is today.

In addition to his role as an educator, Mr. Shudofsky was a leader in the movement to free Soviet Jews from Communist oppression and permit their emigration to Israel, and was one of the first people to travel to the Soviet Union during that period. He has three children, and multiple grandchildren.

For his commitment to Jewish education, to his community and his city, and to the freedom of the Jewish people, it is my privilege to congratulate Mr. Shudofsky on this special occasion.

## RECOGNITION OF IVORY LATTA

### HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SPRATT. Mr. Speaker, this past week in my hometown, York, South Carolina, we made history Ivory Latta, standing all of 5 feet 6 inches in her shoes, set a new state scoring record in high school basketball, breaking the standing record of 3,427 points set by Allison Feaster, now a player for the Charlotte Sting.

Ivory was within reach of the record when York Comprehensive High School went up against East Forsyth High in the Dell Curry Basketball Shoot-Out in Charlotte, and she lost no time going after it. In the first 8 seconds of the game, she stole the ball and went in for a lay-up. She went on to score 52 points. This brought her career total to 3,439 points, more than any other player in our state, boy or girl, has ever scored. Since basketball season is far from over, Ivory will score more, and raise the bar even higher, before her high school career is finished.

Ivory Latta is a star in the classroom as well as on the basketball court. She has a grade point ratio of 3.9, and is headed for the University of North Carolina at Chapel Hill on scholarship next fall.

I bring this young lady's feat to the attention of the House because I think we will be hearing a lot more from Ivory Latta as she takes her extraordinary skills and team-play spirit on to college and possibly into the pro's. As her congressman, I share Ivory Latta's story with you because I am immensely proud of her. So is everyone throughout the Carolinas, and not least in York, which has declared Friday, January 10, "Ivory Latta Day."

The following is an editorial tribute to Ivory Latta that appeared in The Herald in Rock Hill, South Carolina on January 8, 2003:

[From the Herald, Jan. 8, 2003]

#### LATTA DESERVES ACCOLADES

York's Ivory Latta now stands as the greatest high school basketball scorer, boy or girl, in South Carolina history, and the universal sentiment seems to be: It couldn't happen to a nicer kid.

On Friday, the day Latta reached and then exceeded the scoring record, her biggest concern was her team. While she may be the spark plug for the York Comprehensive High School Lady Cougars, she is, first and foremost, a team player.



On this day, the Cougars would fall to East Forsyth in the Dell Curry High School Basketball Shootout in Charlotte. But nothing could eclipse the accomplishment of Latta, the 5-foot-six guard who scored 52 points in the game, bringing her career total to 3,439.

In reaching this pinnacle, Latta had to break the scoring title of another formidable local athlete. Until Friday, the scoring record of 3,427 points had been held by Allison Feaster, the Sting player, who set that record her senior year at Chester High School, in 1994.

Latta seems to be following in Feaster's footsteps in other ways as well. Feaster was an outstanding student who went on to graduate from Harvard University in 1998. Latta, who maintains a 3.9 grade-point average, is headed for the University of North Carolina on a basketball scholarship.

In addition to being tops in scoring, Latta has set numerous other records, including the number of 3-pointers made in a season (121), 30-point or more games in a season (23), 40-point or more games in a season (9), free throws made in a season (229) and free throws made in a state championship (17).

Some young player, perhaps one just learning to dribble a basketball, may someday challenge this amazing record. Whoever that player may be, he or she could do no better than emulate Latta as a role model.

#### INTRODUCTION OF THE DIVIDEND PAYMENT INCENTIVE ACT OF 2003

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to authorize a deduction from corporate income for dividends paid to stockholders. This legislation, the Dividend Payment Incentive Act of 2003, will provide benefits to shareholders, public company managers, and the broader U.S. economy. Passage of this bill is important for many reasons, including:

This legislation will end the double taxation of dividends. Currently, corporate income is taxed at 35 percent and then shareholders also pay personal income tax on any dividends received. An investor in the 27 percent tax bracket nets less than 48 cents for each dollar of earnings a public company allocates to dividend payments.

Current tax policy provides a disincentive for corporations to transfer earnings to shareholders, and dividend payments have declined significantly. In fact, many corporations make no dividend distributions.

Clearly, the expectation of receiving regular dividend payments from profitable companies can persuade investors to invest money in our equity markets. It has been estimated that dividends comprised half of the average return to shareholders in the decades before 1990. Encouraging managers to make dividend distributions can help to boost overall stock market performance by providing a very real incentive for investors to put their hard-earned money back into the stock market.

Because corporate income is taxed at a single 35 percent rate and personal income is taxed at marginal rates ranging from 15 to 38.6 percent, ending the double taxation of dividends on the corporate tax side will provide a fairer distribution of the benefit to taxpayers at all income levels. This stands in sharp contrast with proposals to reduce the

personal income tax on dividends received which will give a greater benefit to taxpayers paying higher marginal tax rates.

Income allocated to dividends is fully taxed while interest payments are deductible. This uneven treatment of different financing vehicles distorts the corporate decisionmaking process by creating a distinct financial advantage for borrowing. Allowing a deduction for dividends paid will equalize this treatment and enable corporate managers to consider the full range of debt and equity financing options.

The time has come to end the double taxation of dividends, and it should be clear that enacting this reform through a corporate side deduction will provide the greatest benefit to the broadest array of taxpayers.

#### JOB CREATION ACT OF 2003

**HON. JOE KNOLLENBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. KNOLLENBERG. Mr. Speaker, today I have introduced the Job Creation Act of 2003. The country is now in its second year of economic growth, but we are not growing fast enough. We must continue to look for ways to continue and quicken our economic recovery.

President George W. Bush recently announced his economic growth and jobs plan to strengthen the American economy by providing accelerated tax relief to every American paying income tax, encouraging job creation by giving small businesses incentives to grow, and helping displaced workers.

This is a step in the right direction, but we must also address the numerous benefits that an elimination of capital gains taxes would have on our economy. The Job Creation Act would eliminate capital gains taxes for individuals.

By cutting the capital gains tax, we create greater incentives to invest and start new businesses, which means more jobs available. In addition, a cut in the capital gains tax will almost certainly generate more revenue, as was the case when the tax was reduced in the early 1960s and late 1970s.

Furthermore, it is estimated that trillions of dollars are being held in investments such as stocks, bonds, and market funds to avoid the tax. Relief from the capital gains tax would induce people to profit from their investments, leading to the potential of "unlocking" hundreds of billions of dollars of stored up wealth.

The elimination of the capital gain tax would also eliminate a complex and confusing portion of our tax code. Relief would enable people to better plan for retirement by knowing the true value of their investments without worrying about federal taxes.

I am pleased to have introduced the Jobs Creation Act and look forward to working with my colleagues on this important issue.

#### PAYING TRIBUTE TO: SAN JUAN COUNTY FIRE DEPARTMENT

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the San

Juan County Fire Department for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the San Juan County Fire Department to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The San Juan County Fire Department has served its citizens and community since 1962 and oversees a 5,500 square mile region. The Department relies upon 330 volunteers who remain on call, prepared to fight fires, conduct rescue operations, or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the San Juan County Fire Department before this body of Congress and this nation. I want to commend the Department's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the San Juan County Fire Department and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and I extend my sincere gratitude to everyone in the department.

#### INTRODUCTION OF THE BROWN- FIELDS REDEVELOPMENT EN- HANCEMENT ACT

**HON. GARY G. MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today to reintroduce the Brownfields Redevelopment Enhancement Act, to provide communities with new options when it comes to financing Brownfields redevelopment projects. This legislation gives local communities a valuable tool to address blight, create new jobs, and expand their tax base. Last Congress, identical language passed the House unanimously on June 4, 2002. I would like to thank the following Members who join me in introducing this important legislation today: Ms. MALONEY, Chairman OXLEY, Mr. KANJORSKI, Mr. LEACH, Ms. KELLY, Mr. MCHUGH, Mr. TOOMEY, Mr. SOUDER, and Ms. HART.

The EPA defines Brownfields as "abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination." It is estimated

that there are over 500,000 Brownfield sites across the country in need of cleanup and remediation. Brownfields represent more than just eyesores blighting individual communities. They threaten our groundwater supply, cost our local communities jobs and revenue, and contribute to urban sprawl.

Unfortunately, the largest obstacle cities face when redeveloping Brownfields sites is the lack of capital needed to carry out essential early-stage activities such as site-assessment, remediation planning, and actual clean-up. Because private financiers are often unwilling or unable to provide the funding to take a site through the full redevelopment cycle, local municipalities and local leaders find themselves confronted with the complex task of redevelopment. The Brownfield Economic Development Initiative or BEDI grant program was designed to help cities overcome this challenge. The HUD program was created in 1998 to provide flexible funds for any stage of the revitalization process, from site assessment and clean up to economic development.

Current law makes the BEDI grant difficult to utilize. If a local community wishes to pursue clean-up and redevelopment funds from HUD, they must first apply for a Section 108 loan. In order to secure this loan, they are required to put up a portion of their Community Development Block Grant (CDBG) money as collateral. Few cities are willing to tie up these funds on a loan guarantee—especially in the early stages of a Brownfields redevelopment. Tying up CDBG funds means a city may be forced to discontinue other programs which benefit low to moderate-income residents in order to pursue a riskier redevelopment project. For instance, CDBG funds are used to provide important community services such as Meals on Wheels and child care programs. Without the Section 108 loan guarantee, cities are effectively locked out of the BEDI grant.

The Brownfields Redevelopment Enhancement Act remedies this problem by de-linking the BEDI grant program from the Section 108 loan guarantee and clarifying that CDBG funds may be used for Brownfields redevelopment. In addition, the bill creates a pilot program for a revolving loan pool for Brownfields redevelopment. As a result, cities will have new options—they can proceed, as under current law, by applying for a Section 108 loan, to be secured by a portion of their CDBG funds, and then apply for a BEDI grant; they can simply apply for a BEDI grant; they can apply for pilot program funds; or they can use any combination of the above which best meets their project needs. With the flexible access to such government funding, we can help revitalize Brownfields sites across the country.

It is important to point out the benefits cities will receive under this legislation. First, there will be a direct, positive effect on the environment when the sites are cleaned up. Second, cities have an opportunity to minimize urban sprawl and preserve existing green space by working with local developers and builders to utilize previously developed properties. Due to the liability associated with Brownfields, many developers currently opt to purchase and plan projects on open space. This bill will empower cities to take ownership of their Brownfields and work with their development community to design projects that utilize existing infrastructure. Most importantly, it is estimated that up to \$2.4 billion in new tax revenues can be generated through Brownfields redevelopment.

The goal of H.R. 2941 is to make two existing HUD programs work better for the communities they are intended to serve. In speaking with my local mayors, I learned that communities in my district are currently locked out of the BEDI grant program. The city manager of the City of La Habra, California, which is in my district, has stated that this bill "would only further assist the City's efforts in pursuing the clean-up of environmentally contaminated sites." I assure you that many of my colleagues will hear similar sentiments from community leaders in their districts.

Let's give cities access to the up-front financing they need to clean up Brownfields sites. I urge expeditious consideration of this crucial legislation.

#### A TRIBUTE TO LILLIAN WOOD FOR 50 YEARS OF SERVICE WITH THE MARINE CORPS

#### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. LEWIS of California. Mr. Speaker, I would like today to pay tribute to Mrs. Lillian Wood, who is well-known in many of our offices as the "go-to" person to provide service and answers to constituents who are Marines or former Marines. After 50 years of service as a civilian with the U.S. Marine Corps, Mrs. Wood is retiring as head of the Legislative Affairs Correspondence Branch.

As you and my colleagues know, when our constituents decide to "call my Congressman" to fix a problem, we turn to the agencies involved to help us with that solution. During her several decades with the Marine Corps legislative affairs office, Mrs. Wood helped tens of thousands of our constituents gain satisfaction, and she has become a shining example of a government official dedicated to public service.

A native of East Millsboro, Pennsylvania, Lillian went to work for the Marine Corps as a clerk-typist in 1952, not long after her high school graduation. She soon moved up to clerk-stenographer and began a quick ascent in the Marine Corps support services. From 1955 to 1966, she served with the Marine Corps dental/administrative division, and later with the reserve, aviation and G-4 divisions.

Her supervisors were so impressed with her business administration acumen that in 1966 Mrs. Wood was asked to join the Special Correspondence Branch of the Manpower and Reserve Affairs Department, formerly the Personnel Department. She was ultimately responsible for 28 employees in that department, and advanced to assistant branch head before her assignment to the legislative affairs correspondence branch.

Because of her personal integrity and the utmost respect and confidence she receives from the Corps, Mrs. Wood ensures that the Marines speak with one voice to congressional offices. She serves as the focal point for more than 4,000 written inquiries sent each year from Members of Congress. Her understanding of the needs of the average Marine and former Marine has been vital not only to our offices, but to the Secretary to the Navy, the Bureau of Medical Surgery and other military services.

Mr. Speaker, I ask you and my colleagues to join me in thanking Lillian Wood for 50 years of dedicated service with the Marine Corps, for showing exemplary leadership and inspirational service that set the standard for civilian service in the Corps and the United States Naval Service. We wish her well in her retirement.

#### HATE SUCCEEDS IN INDIA

#### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. BURTON of Indiana. Mr. Speaker, there was an interesting article in the Washington Post on December 11. It shows that hate can be a winning platform in India.

The article focuses on Jeetubhai Waghela, a candidate of the ruling BJP in the recent elections. He was involved in the killings in Gujarat last year, according to Muslims there. Now he runs as a protector of Hindus and this platform of hatred gains votes for him.

The Indian government has oppressed minorities for many years. In 1984, almost 20 years ago, it invaded the Golden Temple in Amritsar, the most sacred of Sikh shrines. Since then, over 250,000 Sikhs have been murdered by the government, according to figures from the Punjab State Magistracy. 52,268 Sikhs are being held as political prisoners, according to a study from the Movement Against State Repression. These political prisoners should be released immediately.

The government was directly involved in the murders in Gujarat last year, according to published reports in India. It has killed over 85,000 Kashmiri Muslims as well as Muslims throughout the country. Over 200,000 Christians have been killed in Nagaland. Since Christmas 1998, priests have been murdered, nuns have been raped, churches have been burned, and Christian schools and prayer halls have been attacked. Missionary Graham Staines and his two young sons were burned to death while they slept in their Jeep. Police broke up a religious festival with gunfire. These acts have been carried out by government forces or by their Hindu nationalist allies with government connivance. Is this a democracy?

We can help stop hate in the subcontinent. We must cut off our aid to India and we must come out for a free and fair plebiscite on independence in Kashmir, as India promised in 1948, as well as in Khalistan, in Nagaland, and the other countries seeking their freedom from India. Self-determination is the right of all peoples and nations, Mr. Speaker. That was the principle on which America is founded. It must be the principle that we promote around the world.

Mr. Speaker, I would like to place the Washington Post article I referred to into the RECORD at this time.

[From the Washington Post, Dec. 11, 2002]

IN INDIAN ELECTION, HATE IS PART OF PLATFORM

(By Rama Lakshmi)

AHMEDABAD, India—The candidate marched down the slum's narrow lanes, followed by men dancing to the sound of loud drums and

spraying the streets with marigold petals. Hindu women paused from their chores of peeling garlic and doing laundry to offer garlands and blessings.

The cheerful scene, part of Jeetubhai Waghela's campaign for a seat in the state legislature, played out beneath a cloth banner that revealed a more ominous aspect of the coming election here in India's western state of Gujarat. The banner vows to avenge the killing of 58 Hindus during an attack on a train by Muslims last February, and as the supporters of Waghela, a member of the Hindu-nationalist Bharatiya Janata Party (BJP), pressed forward and choked the alleys, Muslim residents quickly hurried indoors.

"Here comes the lion," roared Waghela's men.

Nine months ago, as Gujarat was being riven by religious violence that followed the killing of the Hindus, Waghela stormed the same streets with a mob of Hindu men wearing orange bandanas and armed with swords, sticks and gasoline, according to witnesses and police records. Shouting angry slogans at Muslim residents, Waghela allegedly ordered the mob to loot and destroy their homes, leaving them homeless for months.

"For three days, Waghela and his men looted and burnt our homes. For eight months, we lived in relief camps because of him," said Nasir Khan, a complainant. "Now he tells Hindus he is their protector against us. Where do we run for cover if he gets elected?"

After a Muslim mob in the town of Godhra killed 58 Hindu train passengers in February, more than 1,000 people died, most of them Muslim, in weeks of arson and killing throughout Gujarat. Human rights groups have accused the BJP—the ruling party in Gujarat as well as in India's national government—of essentially ignoring the killings by its Hindu extremist allies.

As Gujarat prepares to elect a new state legislature on Thursday, many analysts are describing the vote as an important test of the secular foundations of India's religiously and ethnically diverse democracy.

In a state where only 9 percent of the population of 50 million is Muslim, the BJP is counting on sectarian passions to consolidate the Hindu vote. Throughout the state, BJP leaders have delivered fiery speeches against Muslims involved in the Feb. 27 attack and against Pakistan-aided Islamic militants killing Hindus in the revolt-wracked province of Jammu and Kashmir.

One such party stalwart is Waghela, who was arrested in connection with this year's riots on four charges, including murder and rioting. Jailed for 108 days and now free on bail, Waghela, 31, is back here in Gomtipur, a mixed working-class neighborhood in Ahmedabad, with folded hands, asking for votes for the BJP. He denies playing a role in the riots and insists he was framed.

Campaigning on a recent morning, Waghela identified a new target of hate for his Hindu voters. Climbing on a platform, he told them that a fancy new high-rise for Muslims is being planned adjacent to their homes, on the site of a closed textile mill. He warned them that they would not be safe any longer.

"You will be surrounded from all sides by Muslims," said Waghela, breathlessly flicking back his hair from his forehead. "Don't let them gain power over you. Vote for me and I will stop that building plan."

"Do you want the building here?" he said. "No!" the crowd shouted back.

This election is critical to the political destiny of the BJP, which has suffered defeats in several state elections in the past two years. Gujarat is the last major state in which the party holds power, and critics fear

that it could use a victory here as an endorsement of strident Hindu politics. The national coalition that the BJP leads in New Delhi under Prime Minister Atal Bihari Vajpayee will face the polls in 2004.

"In this election, the BJP is seeking a legitimization of violence that its members indulged in against the Muslims," said Achyut Yagnik, a political analyst and social worker in Gujarat. "The results in Gujarat will determine whether they take this appeal of Hindutva [Hindu chauvinism] beyond Gujarat."

The BJP's main challenger in Gujarat—and at the national level—is the Congress party, which attacks the BJP's Hindu fundamentalism for endangering the lives and rights of India's religious minorities. As a result, Gujarat's Muslims and Christians have rallied behind Congress, while many Hindu voters in Gujarat feel that Congress, headed at the national level by the Italian-born Sonia Gandhi, has an anti-Hindu slant and defends only the religious minorities.

Opinion polls show that it is likely to be a close contest between the BJP and Congress. Some secular analysts said that although Hindu voters may find the demagoguery of the BJP attractive, the social divisions inherent in the caste system may prevent Hindus from voting as a bloc.

The Muslims of Gujarat, on the other hand, appear to have decided to vote en masse for Congress. Yet many complained that Congress took their support for granted and often forgot them when attaining power. They will vote for Congress, they say, simply because they have no other choice.

Nowhere is this frustration felt more sharply than in Godhra, the epicenter of Gujarat's religious strife.

The BJP's candidate in Godhra, Haresh Bhatt, campaigns under banners of the burning train, distributes pictures of the dead Hindu passengers and describes the election as a "religious war." But the Congress candidate there, Rajendra Singh Patel, many Muslims said, was involved in burning the shops and homes of Muslims in March.

"We made two appeals to the Congress last month not to field Patel in the elections, but they still made him the candidate," said Mohammad Yusaf, 56, a clerk in the city government. "But we are caught between a ditch and a well. To defeat the BJP, we will have to vote for Patel. But our heart is not in it."

#### THE HOUSING BOND AND CREDIT MODERNIZATION AND FAIRNESS ACT OF 2003

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from Massachusetts, Representative RICHARD NEAL, in introducing our bill, "The Housing Bond and Credit Modernization and Fairness Act of 2003". My collaboration with Mr. NEAL today is indicative of the broad bipartisan support Housing Bonds and the Low Income Housing Tax Credit (Housing Credit) programs enjoy.

The Congress has a golden opportunity, without creating any new program or asking for any appropriation of Federal money, to create new housing opportunity for tens of thousands of low- and moderate-income families every year. All it will take is enactment of simple legislation to eliminate obsolete provisions

in the two principal federal programs that finance the production of affordable housing: Housing Bonds, or single-family Mortgage Revenue Bonds, MRBs, as they are commonly known, and the Housing Credit.

This bill is identical to the one Representative NEAL and I introduced in the 107th Congress, which earned the support of 360 House cosponsors from both parties, from all regions of the country, and from rural and urban districts.

The Housing Bond and Credit Modernization and Fairness Act of 2003 would do three things.

First, the bill would repeal the Ten-Year Rule, a provision added to the MRB program in 1988 that prevents states from using homeowner payments on such mortgages to make new mortgages to additional qualified purchasers. For each day the Ten-Year Rule is in effect, states lose millions of dollars in financing for first-time home buyer mortgages, amounting to more than \$12 billion in mortgage authority between 2001 and 2005. This represents nearly half of the entire Bond cap increase Congress enacted in 2000. Our bill would eliminate the Ten-Year Rule to allow states to use mortgage payments to finance additional lower income mortgages.

Second, the bill would replace the present unworkable limit on the price of the homes these mortgages can finance with a simple limit that works. No reliable comprehensive data exists to determine average area home prices. The current price limits were issued in 1994 based on 1993 data. They are obsolete and well below current home price levels in most parts of the country. Many qualified buyers simply cannot find homes that are priced below the outdated limits.

The answer is to replace the present limit, set in Washington, by a simple formula limiting the purchase price to three and a half times the qualifying income under the program.

Finally, the bill makes Housing Credit apartment production viable in rural areas by allowing statewide median incomes as the basis for the income limits in that program. This change would apply the same methodology for determining qualifying income levels used in the MRB Program. HUD data shows that current income limits inhibit Housing Credit development in more than 1,300 nonmetropolitan counties across the country.

I am pleased to tell my colleagues that the changes proposed by the Housing Bond and Credit Modernization and Fairness Act of 2003 have been endorsed by the bipartisan National Governors Association, the National Council of State Housing Agencies, and every major national housing organization. These groups know how important the Housing Bond and Housing Credit programs are in giving states the ability to meet the housing needs of low- and moderate-income families.

Today, I ask you to join in a bipartisan effort to see that these important provisions are enacted as part of tax legislation this year.

**TRIBUTE TO PAUL B. HIGGINBOTHAM**

**HON. TAMMY BALDWIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Ms. BALDWIN. Mr. Speaker, I rise today to recognize Paul B. Higginbotham, a Dane

County Circuit Court Judge for the past 8 years, for his continued service to the people of Wisconsin.

Paul Higginbotham is a 29-year resident of Dane County and a former small business owner. Throughout his life he has demonstrated an extraordinary commitment to public service.

As a Circuit Court Judge, he presided over some of the most significant cases in recent history, including the case challenging the Milwaukee private school voucher program, which ultimately reached the U.S. Supreme Court.

In addition to his work on the Circuit Court, Paul was the city of Madison's first Municipal Judge. He was also a successful attorney who worked for a diverse group of law firms, focusing particularly on the areas of civil rights, family law, criminal defense, and housing. Between 1993 and 1994 he served as the Acting Executive Director of the Madison Equal Opportunities Commission. From 1988 to 1992, Paul was the Dane County Minority Affairs Coordinator in the County Executive's Office, where his advocacy ensured our government would reflect the rich diversity of the community. He has also served as a lecturer at the University of Wisconsin Law School and as a staff attorney for the Metropolitan Milwaukee Fair Housing Council.

Judge Higginbotham has also been an active community member in the greater Madison area, benefiting numerous community service organizations. He currently serves on the United Way Foundation Board of Trustees and is involved with both the Collaborative Management Team and the Comprehensive Approaches to Sex Offender Management Program. In the past, he has served as a Vice-President of the Madison Mutual Housing Association Board of Directors, a trustee of the Greater Madison Housing Foundation, as well as an Executive Committee Member of the NAACP. He was also a Commissioner of the Dane County Housing Authority, President of WORT Radio, co-chair of the Grant Allocations Board of the Wisconsin Community Fund, and Private Sector Review Committee Member of Madison Area Technical College.

Wisconsin is fortunate to have a public servant with the commitment, passion, and integrity of Paul Higginbotham. As the Wisconsin Community Fund honors Paul Higginbotham, I am proud to join them in thanking him for his dedication and service to the community.

#### THE ARC OF LUZERNE COUNTY CELEBRATES 50 YEARS OF SERVICE

#### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the service to the community of the Arc of Luzerne County, PA, which was founded in 1952 as the Wyoming Valley Council for the Mentally Retarded. The Arc will hold its 50th anniversary celebration on January 15, 2003.

Like many nonprofit organizations, the Arc of Luzerne County started as a small group of parents trying to make a better life for their

children. Today, the Arc has become an influential advocacy organization serving all people with mental retardation and related developmental disabilities and their families. The local organization also benefits from its affiliation with the state and national Arc.

Among the many accomplishments of the Arc of Luzerne County is the Community Resource Center, which opened in July 2000 to serve people in six northeastern Pennsylvania counties. Since opening, the center has provided a creative arts program and other community integration activities, as well as up-to-date information and a place for the people it serves to meet with each other and with caregivers and service providers.

The Arc of Luzerne County also has a long history of working to improve the support services offered to children and adults with mental retardation and related developmental disabilities. In addition, the organization provides representative payee services and independent monitoring teams that assess the quality of residential facilities.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the half-century of service to the community of the Arc of Luzerne County, and I commend its members for their hard work and dedication.

#### PAYING TRIBUTE TO: MANCOS FIRE PROTECTION DEPARTMENT

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Mancos Fire District for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Mancos Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield, and the surrounding communities called upon the Mancos Fire District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Mancos Fire District has served the citizens of Colorado for many years and has a reputation for its outstanding service. The district relies upon its volunteers to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Mancos Fire District before this body of Congress and this nation. I want to commend all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Mancos

Fire District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout last summer's fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

#### SAN JOAQUIN RIVER RESTORATION ACT

#### HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. NUNES. Mr. Speaker, I rise today to take the first of many steps to improve the water situation in the San Joaquin Valley of California. Today, the San Joaquin Valley continues to face a water crisis in which our water supplies have become inadequate to meet expanding needs. Demands by domestic users, industry, and environmental needs continue to grow with no relief in sight. One of my top priorities in Congress is to address this water crisis and begin the long process of constructing much needed water storage for the Central Valley.

Today, I have introduced the San Joaquin River Restoration Act which will take the first step to construct a major storage facility on the Upper San Joaquin River. This legislation directs the Secretary of the Interior to conduct a study to determine the feasibility of increasing water storage capability on the Upper San Joaquin River. Furthermore, this legislation directs the Secretary to investigate the feasibility of increasing power generation, improving water supply reliability and quality, improving water management efficiency, and improving ecosystem function and flood control on the river in the area of Temperance Flat.

This new storage capability on the San Joaquin River will go a long way to meet the needs of the 15,000 farmers in Madera, Fresno, Tulare, and Kern counties. While my efforts to increase storage capacity on the San Joaquin River are vitally important to our water future, it must be part of a larger water storage plan. In the coming decades, the growth in our Valley will only worsen our water crisis. Now is the time to increase our water storage and efficiency for the future. I look forward to working with my colleagues on the San Joaquin River Restoration Act.

#### SOUTHERN BORDER AIR QUALITY PROTECTION ACT

#### HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HUNTER. Mr. Speaker, I proudly represent Southern California communities, many of which are along the U.S.-Mexico border. These border communities, by and large, have a good working relationship with their neighbors in Mexico. Unfortunately, their proximity to the border causes them to suffer the consequences of Mexico's more lax environmental requirements, especially with respect to air quality. As we all know, air does not respect the international boundaries we put in place and, as a result, border communities are

often penalized for activities that are actually happening south of the border and beyond their control.

At least partially due to the heavy regulatory and environmental compliance burdens, electrical generation facilities are locating in Mexico. While some companies are building power plants that meet U.S. standards, for which they should be commended, other companies are choosing to operate dirty plants as opposed to incurring the additional cost of installing the best available emission control devices.

As a result, I am reintroducing the Southern Border Air Quality Protection Act. This bill takes an immediate and important step in acknowledging that we must consider air pollution a regional issue that does not respect international boundaries. My legislation will prohibit the export of natural gas to any electricity generation facility located in Mexico and within 50 miles of the U.S. that does not meet the air pollution emission rate requirements in the nearest U.S. air quality control region. In addition, the legislation includes a grandfathering clause so that any plants put in service before December 31, 2002 are exempted from this law.

This bill is necessary to protect our border communities from rapidly increasing emissions from unregulated, substandard power plants that leave U.S. communities vulnerable to Federal regulatory sanctions. If a plant isn't good enough to build and operate five miles inside the border in California, then it shouldn't be good enough to operate five miles across the border in Mexico.

I realize this is a first step and that more work must be done to create cross border air quality zones. I look forward to working with the appropriate U.S. agencies and the Mexican government to implement such binational agreements. In the meantime, this legislation is immediately necessary for the protection of our border communities and I urge all my colleagues to join me in this effort to ensure the clean air throughout the region.

#### TRIBUTE TO LOUIS MORSE

#### HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Louis Morse, clerk of Cato Township, who earned the Master Municipal Clerk designation in 2002 through the International Institute of Municipal Clerks. Mr. Morse was recognized with this honor for his exemplary performance as a municipal clerk at the local, state, national and global levels.

Mr. Morse received the highest level of education achievable for municipal clerks through the Master Municipal Clerk Academy, to which he demonstrated that he actively pursued educational and professional activities and remained informed about current events in local government. In addition, he completed coursework and earned academy points by attending professional seminars and workshops, teaching advertisement writing in the profession and participating in professional meetings and conferences.

Making a personal commitment to life-long learning and mentoring, Mr. Morse continues

to serve his community through his extraordinary service. He truly makes the effort to go well beyond his regular duties.

I am honored today to recognize Mr. Morse as an outstanding citizen whose admirable qualities make him an outstanding role model to all who know him.

#### THE HOUSING BOND AND CREDIT MODERNIZATION AND FAIRNESS ACT

#### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. NEAL of Massachusetts. Mr. Speaker, I join my colleague and friend, Representative AMO HOUGHTON, in reintroducing legislation to make three important changes to two of the most popular and efficient housing programs before Congress: the Mortgage Revenue Bond (MRB) program and the Low Income Housing Tax Credit program.

First, this bill repeals the Ten-Year Rule, a provision of the MRB program that restricts states from using homeowner mortgage payments to make new mortgages to qualified purchasers. This provision is obsolete and detrimental to the program. Every day, states lose millions of dollars in financing for first-time homebuyer mortgages due to this handcuffing provision. Our bill removes this unnecessarily restrictive provision to allow states to finance additional lower income mortgages.

Next, the bill replaces the present limit on the purchase price of the homes these mortgages can finance. The plain fact is there are no reliable comprehensive data that exist to determine average area home prices. The current price limits were issued in 1994 based on 1993 data and are well below current home price levels in most parts of the country. We propose a simpler formula limiting the purchase price to three and a half times the qualifying income under the program. This will work to preserve the goals of current law while providing a realistic limit on the program for almost all areas of the nation.

Finally, the bill facilitates lower income apartment production in rural areas by allowing states to use the greater of statewide median incomes or area median incomes as the basis for the income limits in the Housing Credit program. It is clear that the current rules do not provide sufficient incentives to build apartments in very low-income rural areas. Our bill addresses this by applying to the Housing Credit program the same methodology used in the MRB Program to determine qualifying income levels.

This bill is identical to the one 360 of our House colleagues cosponsored in the last Congress, which earned the support of the National Governors Association and every major national housing organization along the way.

Mr. Houghton and I believe these changes will ensure a strong, effective housing program that will meet the needs of our constituents now and well into the future. We ask for your support to ensure that these important provisions are enacted as part of tax legislation this year.

#### TRIBUTE TO ANTHONY MAZZOCHI

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. KUCINICH. Mr. Speaker, I rise today to honor and recognize Anthony Mazzochi, a champion of the labor movement. Through his compassion, dedication, and commitment he improved the lives of the working men and women of the Nation. His hope brought those who toil in the factories and fields across the country together and gave them a voice and the empowering recognition that they cannot go unnoticed in the social, economic, or political arenas.

Anthony Mazzochi began his life in Brooklyn, New York. The struggles of the working class were brought to his attention at a young age when his father, a unionized garment worker, lost the family home due to medical bills for his wife who died of cancer when Anthony Mazzochi was 6 years old. Anthony Mazzochi served in World War II as an Army combat veteran, fought in the Battle of the Bulge, and was one of the first soldiers to reach the Nazi death camps. Upon returning to the U.S. he worked as a steelworker, an autoworker and in construction.

In the 1950s Anthony Mazzochi began his work in the labor movement with the Oil, Chemical and Atomic Workers International Union and fought for one of the first dental insurance contract for workers. He later became the local OCAW president. Over the years he took on more roles within the union and eventually became the union's health and safety director from 1979 to 1981 and the secretary-treasurer from 1988 until he retired in 1991.

Anthony Mazzochi was instrumental in the fight to create the Occupational Health and Safety Administration (OSHA) and pass the National Gas Pipeline Safety Act, among other legislation. He also led the effort to highlight the plight of Karen Silkwood, a worker who blew the whistle on health and safety problems at a Kerr-McGee nuclear facility.

He was innovative in extending the labor cause to art, education and activism. To educate union members he established Alice Hamilton College. Anthony Mazzochi was the publisher of "New Solutions" an environmental and occupational health policy publication. He helped commission a play about Karen Silkwood performed at the Attic Theatre in Detroit in 1993. He also created an internship program that brought awareness to medical and public health students about workplace conditions.

Anthony Mazzochi established the Labor Party Advocates in 1991 in an effort to build support for a national labor party. In 1996, with 1,400 union leaders, he organized a meeting in Cleveland to establish the Labor Party. He never lost hope that support for a national movement to improve conditions of workers was present in the country.

Anthony Mazzochi received the Presidential Citation for outstanding contributions to public health from the American Public Health Association in 1983; the Alice Hamilton Award from that organization in 1987; and was cited by Ms. Magazine in 1982 as one of the "40 Male Heroes of the Decade" for his work organizing the effort that exposed the forced sterilization of women workers at American Cyanamid.

Anthony Mazzochi was a working class intellectual and a renaissance man. While the country underwent unsteady and unpredictable periods over the last several decades his vision and optimism remained unwavering. Anthony Mazzochi embraced the human spirit in its totality and invited people to join in fighting for justice. Countless have joined and will continue to join as his indelible and inspirational legacy lives on. I ask my colleagues to join me in honoring Anthony Mazzochi.

#### RECOGNITION OF THE DOMINICAN AMERICAN NATIONAL ROUNDTABLE

##### HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to recognize the Dominican American National Roundtable as it celebrates five years of serving the interests of the Dominican community living throughout the United States.

During its first five years, the Dominican American National Roundtable has assisted the Dominican community living in the United States with immigration issues and voter registration drives. It has also established a Dominican internship program, opened its permanent office in Washington, DC, and held five national conferences. In the future, the Dominican American National Roundtable plans to host varied events throughout the country such as Dominican American Business Legislative meetings, and, of course, their annual conference. The Roundtable is also putting together the Dominican Leadership Institute.

I also take this opportunity to recognize the President of the Dominican American National Roundtable, Margarita Cepeda-Leonardo, 1st Vice President, Sid Wilson, 2nd Vice President, State Senator Juan Pichardo, and all the former Presidents, Vice Presidents and current and past members of the Dominican American National Roundtable Board.

Mr. Speaker, I commend the Dominican American National Roundtable for its tremendous achievements with the certainty that it will continue to make valuable contributions to the Dominican community. I join the Dominican community in the United States in applauding its continued successes.

#### H.R. 11, THE NATIONAL FLOOD INSURANCE PROGRAM REAUTHORIZATION ACT

##### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise in today in support of H.R. 11, the National Flood Insurance Program (NFIP) Reauthorization Act, which we are considering today under suspension of the rules.

It is a shame that Congressional leadership allowed any lapse in the authority to write new flood insurance policies by the Federal Insurance and Mitigation Administration (FIMA) under the Federal Emergency Management

Agency (FEMA). However, I am relieved that the lapse in authority, which began December 31, 2002, is shortly coming to an end. Thousands of my constituents are mandatory and voluntary participants in the NFIP, and they deserve the convenience of renewing and beginning new policies without interference from Congressional inaction.

I would like to commend FEMA and the underwriters for the efforts that they have made to reach out to homeowners and warn them of the problem and lead them to solutions. Hopefully, the Senate will take up this legislation immediately and send it to the President, and Congress will not allow this situation to occur again. The NFIP is an absolutely critical program for my constituents and millions of other homeowners, with flooding causing billions of dollars of damage nationwide every year. Since affordable flood insurance is not a sustainable business for the private insurance industry, it is essential that Congress support the NFIP.

Mr. Speaker, we need to come together and take care of business for the millions of Americans who live in the floodplain or other flood hazard areas. It is our duty to ensure the smooth operation of the National Flood Insurance Program, and we have already delayed too long. I urge my colleagues to suspend the rules and approve H.R. 11, the National Flood Insurance Program Reauthorization Act.

#### PERSONAL EXPLANATION

##### HON. DENISE L. MAJETTE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. MAJETTE. Mr. Speaker, regarding the vote on the rule for the unemployment insurance, had I been able to vote, I would have voted "no." I was on the floor at the time of the vote but was unable to vote within the time allotted.

#### DO NOT TRANSPORT GEMS LANDFILL POLLUTANTS TO CCMUA

##### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. ANDREWS. Mr. Speaker, I rise today to comment on the legislative intent of the Comprehensive Environment Response, Compensation, and Liability Act (CERCLA) and specifically on the cleanup of a Superfund site in my district, the Gloucester Environmental Management Services (GEMS) landfill (EPA Facility ID NJD980529192).

I strongly oppose the transport of pollutants from the GEMS landfill through sewer lines to the Camden County Municipal Utilities Authority (CCMUA). I continue to believe that the only responsible option is for the GEMS Trust to build an on-site treatment facility that can treat the contaminated water to the highest standards possible. Further, I call on the Environmental Protection Agency (EPA), New Jersey Department of Environmental Protection (NJDEP) and CCMUA to step up and protect the public interest by insisting on on-site treatment, and only on-site treatment of the con-

taminants in the landfill. According to a letter from EPA Region 2 Administrator Jane Kenney dated November 25, 2002, the CCMUA is under no legal obligation to accept contaminants from GEMS. As such, I continue to urge the CCMUA heed the call of the local community and reject any discharge from GEMS.

The intent of Superfund is to hold polluters responsible for cleaning up the damage they have caused to a community. There is no plausible reason that a publicly financed municipal utility authority should be involved in the remediation process. Furthermore, committing the CCMUA to the long term burden of processing unpredictable wastewater is inconsistent with New Jersey's efforts to meet federal Total Maximum Daily Loads (TMDL) initiatives as prescribed in the Clean Water Act.

Proponents of the CCMUA treatment option cite water quality tests that satisfy permit requirements for discharge to the CCMUA. I believe that this testing is inadequate evidence to send the GEMS pollutants off-site. It is likely that the customary "grab samples" will miss radioactive "spikes" and that the heavier radio isotopes will flocculate in the sludge, which is destined to be sent back into a community as part of the state's controversial "beneficial use" land application sludge policy. It is also predictable that under current testing and notification procedures, there will be a significant lapse of time from when a problem is detected, its source is determined, the flow to the sewer plant halted, and byproduct recipients are notified. I am convinced that this testing and monitoring regime will not fully protect the community.

Insufficient review has been given to the synergistic and cumulative effects of discharges to CCMUA. Needless to say, any costs related to the disruption of the CCMUA system, environmental impairment and legal defenses, will immediately be a pass through cost to the CCMUA rate payers and ultimately, to New Jersey taxpayers in general. This is a risk that I am not will to pass on to my constituents.

The GEMS Landfill has exposed our community to hazardous material for almost 50 years. Today, approximately 38,000 of my constituents live within a three mile radius of the GEMS Landfill, some as close as 300 feet. Unfortunately the community has not been adequately involved in the decision making process. Many of my constituents have contacted me with their concerns about GEMS and to outline their difficulty in obtaining information about the remediation.

Although the landfill has been closed for 22 years, amazingly we are still grappling with how to cleanup the site. The GEMS Trust should not get away with a band aid solution to a major environmental hazard. My constituents have suffered long enough. I sincerely hope that the EPA, NJDEP and constituents meet the responsibility they have to the public and to public health by supporting the construction of a treatment facility that will contain the pollution and treat it on-site rather than spread it around the community by sending it to the constituents. If, however, they do not do so, I am prepared to pursue any avenue necessary—including legislation or litigation or both—to block this unwelcome and risky plan.



100TH ANNIVERSARY OF THE NEW  
BETHEL BAPTIST CHURCH

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, January 8, 2003*

Ms. NORTON. Mr. Speaker, I rise to offer a very special tribute to one of this city's most distinguished churches, New Bethel Baptist Church; and to its pastor, a leading citizen, former House colleague, and my predecessor as District of Columbia Delegate, Reverend Walter Fauntroy. The church is celebrating the 100th anniversary of New Bethel.

New Bethel Baptist Church is revered in this city for its leadership on many levels. The church is not only a spiritual center. This historic church, located centrally in the historic Shaw district, also is a leader of social innovation and programs that serve its community in diverse and essential ways.

New Bethel's wide ranging service to its community and our city is not surprising. The church's spiritual leader, Reverend Walter Fauntroy, is not only a talented and dedicated minister of the gospel. He has long been a major figure in the civil rights movement even before being elected to Congress. Reverend Fauntroy served for 19 years as a distinguished Member of the House and has been a leader of many activities for social and economic justice here and in the nation since resigning his House seat. Pastor Fauntroy's life and work have added to the unique place New Bethel occupies in the life of his church community and of the District of Columbia.

New Bethel is among the oldest and most distinguished churches in the city. In its hundredth year, it is almost half as old as the city itself. The group that formed the church met first in the home of Brother Benjamin Graves under the guidance of Dr. W. Bishop Johnson, Pastor of the Second Baptist Church. The membership grew and purchased a building on 15th Street, NW. Under the leadership of the Revs. Alfred A. Agerton, Samuel Washington and Richard L. Holmes, the congregation experienced steady growth.

In 1903, the Rev. William D. Jarvis accepted the call to the pastorate, and the church embarked on a 37-year journey of spiritual growth and prosperity. In February 1915, the first worship service was held in the building at 9th and S Streets, NW., which had been purchased from the Grace M.E. Church. Before Dr. Jarvis' retirement on October 1, 1940, the church had grown to 600 worshipers and had become a welcome fixture in the community.

In May 1941, the Rev. C. David Foster, of Philadelphia, PA, was unanimously called to the pastorate. Under this leadership, the church grew spiritually, numerically and financially, and the building underwent extensive renovation.

On January 19, 1959, the Rev. Walter E. Fauntroy, a son of the church who had served as supply pastor, received a unanimous call from the members to serve as pastor. For forty-three years, he has responded to the spiritually needs of the congregation and the rapidly-changing dynamics of the community. Existing organizations have been revitalized and new ones have been created. The position of full-time Assistant Pastor was established, and a ministerial staff was implemented. A tithing program was launched and,

in 1973, New Bethel constructed the C. David Foster House, an eight-story building with 75 units for low and moderate-income families of the Shaw area and other displaced persons.

In 1977, the old structure at 9th and S Streets was razed, and a striking new building was constructed on the site and dedicated and entered in 1982. Today, guided by the pastor's five-year plan, the church continues its mission of service to church members and to the Shaw community.

Mr. Speaker, it is an honor for me to offer this tribute to my predecessor and to his distinguished congregation. I ask that this body join me in saluting our former colleague, the pastor, and the members of the New Bethel Baptist Church on the occasion of their 100th Anniversary.

PAYING TRIBUTE TO: PAGOSA  
FIRE PROTECTION DISTRICT

**HON. SCOTT McINNIS**

OF COLORADO  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, January 8, 2003*

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Pagosa Fire Protection District of Archuleta County, Colorado for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Protection District played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Pagosa Fire Protection District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 out-buildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Pagosa Fire Protection District has served the citizens of Archuleta County since 1948 and oversees a 161 square mile region. The district relies upon its Fire Chief Warren Grams, Manager Diane Bowers, Assistant Chief of Maintenance Manuel Trujillo, and volunteer firefighters to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Pagosa Fire Protection District of Archuleta County before this body of Congress and this nation. I want to commend the Chief and all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Pagosa Fire Protection District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to

us all and it is an honor to represent such an outstanding group of Americans in this Congress.

TRIBUTE TO RYAN KRABILL

**HON. GREG WALDEN**

OF OREGON  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, January 8, 2003*

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a member of my Washington, D.C. staff who is leaving my office to pursue full-time employment. During his time with us, Ryan Krabill has tirelessly served the people of the Second District of Oregon as our intern. His positive outlook on life and strong work ethic will be greatly missed.

Mr. Speaker, whenever something needed to be done, Ryan readily stepped in and offered to help. From simple tasks like answering phones to attending briefings and drafting letters, Ryan proved himself to be an extremely reliable and efficient worker. My staff came to depend on him heavily, and he never let them down. This is all the more remarkable given that in addition to interning full time at my office, he also held a full time job at Starbucks in the evening!

Ryan originally hails from Albany, Oregon. He attended Westmont College in Santa Barbara, California, where he earned bachelors' degrees in Business and Biology. After college Ryan spent two years in sales, where he honed the professional demeanor and devotion to customer service that he so often demonstrated on the phone and when greeting constituents in my office. Ryan had always been interested in politics, and decided to leave sunny California for Washington, D.C. Luckily, my office was able to take him on as an intern while he explored his options for a full time Capitol Hill career. With the skills he has demonstrated in his service to the people of Oregon, I'm sure he will be an asset to any office.

Mr. Speaker, my office has been lucky to have an intern like Ryan. His strong work ethic and upbeat attitude will no doubt serve him well in any position that he chooses to pursue and will truly be missed around the office. Best of luck in the future Ryan, and keep up the good work.

SIERRA NATIONAL FOREST LAND  
EXCHANGE ACT OF 2003

**HON. GEORGE RADANOVICH**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, January 8, 2003*

Mr. RADANOVICH. Mr. Speaker, to facilitate a Forest Service land exchange that will eliminate a private in-holding in the Sierra National Forest in the State of California and provide for the permanent enjoyment by the Boy Scouts of America of a parcel of National Forest System land currently used under a special use permit, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES  
Mr. RADANOVICH (for himself, Mr. NUNES and Mr. DOOLEY) introduced the following bill; which was referred to the Committee on Resources

## A BILL

To facilitate a Forest Service land exchange that will eliminate a private in-holding in the Sierra National Forest in the State of California and provide for the permanent enjoyment by the Boy Scouts of America of a parcel of National Forest System land currently used under a special use permit, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the 'Sierra National Forest Land Exchange Act of 2003'.

## SEC. 2. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) RECEIPT OF PRIVATE LANDS—In exchange for the land described in subsection (b), the owners of a parcel of private land consisting of the north ½ of the northwest ¼ of section 29, township 8 south, range 26 east, Mount Diablo base and meridian, California, shall convey all of their right, title, and interest in and to the parcel to the Secretary of Agriculture.

(b) CONVEYANCE OF FOREST SERVICE PROPERTY—Upon receipt of the land conveyed under subsection (a), the Secretary of Agriculture shall convey to the persons making such conveyance all right, title, and interest of the United States in and to a parcel of National Forest System land consisting of the east ½ of the southwest ¼ and the west ½ of the southeast ¼ of section 30, township 9 south, range 25 east, Mount Diablo meridian, California.

(c) RECONVEYANCE—The Conveyance under subsection (b) shall be subject to the condition that the recipients of the land agree to convey the land, within a time period agreed to by the Secretary of Agriculture and the recipient, to the Sequoia Council of the Boy Scouts of America.

(d) EQUAL VALUE OF PARCELS—The value of the two parcels of real property to be exchanged under this section are deemed to be equal.

## A BILL TO CLARIFY THE TREATMENT OF INCENTIVE STOCK OPTIONS AND EMPLOYEE STOCK PURCHASE PLANS

## HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join a number of my colleagues in introducing our bill to solve a problem that has been facing a number of companies during the past few years who grant stock options to their employees. Due to the passage of time, this problem is becoming more urgent for a number of reasons mentioned below. I introduced an identical bill in the 107th Congress.

Many companies use stock options as an incentive to attract and motivate employees. Companies give their workers the right to purchase company stock, at a small discount from the listed price, through Employee Stock Purchase Plans and Incentive Stock Options. Employee stock ownership motivates workers and can create a positive relationship between management and workers, where both reap rewards for successful company performance.

For nearly 30 years the Internal Revenue Service (IRS) took the position that the income from these stock options was not subject to employment taxes when the option is granted

or exercised. Instead tax is imposed when the actual stock is sold. However, audits and rulings on specific companies a few years ago raised the troubling prospect that the IRS was changing its position to require that employment taxes should be withheld from the paychecks of individuals who exercised stock options under these plans.

Employee Stock Purchase Plans and Incentive Stock Options were created by Congress to provide tools to build strong companies and encourage greater employee ownership of company stock. It was not the intent of Congress to dilute these incentives by requiring employment tax on withholding when the stock is purchased.

Members of Congress raised concerns about this issue, and in early 2001 the IRS put in place a moratorium so that no employment taxes would be assessed on stock options. The IRS later lifted the moratorium for options exercised this year. In response to further opposition, in 2002 the IRS announced an indefinite moratorium. As a result, the Joint Committee on Taxation determined that there would be no revenue loss if the law were clarified to prevent withholding on ESPPs and ISOs. If the moratorium is lifted by the IRS there will be a substantial revenue cost attached to clarifying the law. In 2002, the House passed the previous legislation I introduced. Although the Senate Finance Committee passed the legislation unanimously, the legislation was not considered by the Senate.

The legislation would clarify that the difference between the exercise price and fair market value of a stock is not subject to employment taxes when an ISO or ESPP is exercised. In addition, wage withholding is not required on disqualifying dispositions of ISO stock or on the fifteen percent discount offered to employees by ESPPs.

I urge my colleagues to support this proposed legislation, so that this issue can be resolved as quickly as possible in this Congress.

INTRODUCTORY STATEMENT OF  
H.R. 241, THE VETERANS BENEFICIARY FAIRNESS ACT OF 2003

## HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing H.R. 241, the Veterans Beneficiary Fairness Act of 2003. This legislation, which is cosponsored by my friend Lane Evans of Illinois, the Ranking Member of the Committee on Veterans' Affairs, will correct a deficiency in the law that negatively affects some surviving spouses of disabled veterans.

Currently, if a veteran dies while a claim for VA benefits (other than insurance and servicemen's indemnity) is being processed, but before his or her claim becomes final, the surviving spouse is entitled to no more than two years of accrued benefits when the claim is decided in the veteran's favor. H.R. 241 would repeal this two-year limitation so that the veteran's survivor may receive the full amount of the award and not be penalized by VA's failure to resolve a claim in less than two years.

Mr. Speaker, while VA has made great efforts to lower claims processing times, the fact remains that it can sometimes take more than

2 years to correctly determine and adjudicate a claim. When this process takes an inordinate length of time, it is simply not fair to prevent veterans' survivors from receiving disability or pension benefit payments the veteran would have received if VA had been able to process claims in a timely fashion. H.R. 241 would ensure that a veteran's survivor would not suffer because the veteran died while waiting for the claim to be adjudicated.

Mr. Speaker, it is my intention that the Veterans' Affairs Committee consider this bill as soon as possible during the 1st Session of the 108th Congress. It is a matter of fairness and I urge all of my colleagues to join in this effort.

## TRIBUTE TO GREG STANFORD

## HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a member of my Washington, DC staff for his tireless efforts on behalf of the good people of Oregon's Second Congressional District. Greg Stanford is leaving my office after three years of dedicated service to pursue other endeavors. Greg has done a great job and will be sorely missed.

Greg was raised near Grass Valley, California, in the community of Chicago Park. Following his graduation from Nevada Union High School, Greg chose to further his education by moving across the California border and attending the University of Nevada at Reno. While pursuing his bachelor's degree in Political Science, he also found the time to participate in Phi Mu Alpha, the international music fraternity and the University Band, honing the impressive drum skills that he was always happy to demonstrate for his coworkers.

After graduating Greg made another move, this time across the country to work in Congressman Jack Metcalf's office as his staff assistant where he wet his political feet while serving the people of Washington's Second District. When Congressman Metcalf decided to retire at the end of the 106th Congress, my office was lucky enough to hire him as our legislative correspondent and deputy systems administrator.

Greg, affectionately known around the office as "Brady," has been an asset to my office during his tenure. He brought a strong interest in politics and a genuine desire to serve the people of Oregon. He hit the ground running, putting in long hours and working hard at any task he was given whether it was drafting constituent letters or following legislation as our "floor czar" to rolling up his sleeves and pulling all-nighters printing mass mailings to keep my constituents informed. Greg was a loyal and tireless worker.

Mr. Speaker, Greg has dutifully served the people of Oregon's Second District. His smiling face, his contagious laugh, and good-natured temper will be missed. However, I'm sure he won't miss his days in the cave! I have every confidence that he will do well in whatever vocation he decides to pursue. Good luck, Brady, and good job.

INTRODUCTION OF A BILL TO  
AMEND THE HIGHER EDUCATION  
ACT OF 1965 TO AUTHORIZE  
GRANTS FROM INSTITUTIONS OF  
HIGHER EDUCATION SERVING  
ASIAN AMERICANS AND PACIFIC  
ISLANDERS

**HON. DAVID WU**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WU. Mr. Speaker, as Chairman of the Congressional Asian Pacific American Caucus, I am proud to introduce legislation to improve educational opportunities for Asian American and Pacific Islander American (AAPI) communities across the nation. This legislation would authorize the Department of Education to designate schools with an undergraduate enrollment of at least 10 percent AAPI students as Asian American and Pacific Islander Serving Institutions to improve their capacity to provide higher education. By so doing, we increase educational opportunity for all Americans because this bill adds to our commitment to education for all and takes resources from none.

Title III and Title V of the Higher Education Act were established to aid colleges and universities in expanding educational opportunities for historically underrepresented and financially needy students. They have enabled the Department of Education to designate minority serving higher education institutions for Historically Black Colleges and Universities, American Indian Tribally Controlled Colleges and Universities, Hispanic Serving Institutions, Native Hawaiian Serving Institutions, and Alaska Native Serving Institutions. However, there is no such program for Asian American and Pacific Islander Americans. As Asian Americans and Pacific Islander Americans are one of the fastest growing populations in the nation, legislation is needed to help low-income AAPI students left behind so that they can have an equal opportunity toward quality education.

I look forward to working with my colleagues on this issue.

PROPERTY TAX ENDOWMENT ACT  
OF 2003

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. RADANOVICH. Mr. Speaker, to provide full funding for the payment in lieu of taxes program for the next five fiscal years, to protect local jurisdictions against the loss of property tax revenues when private lands are acquired by a Federal land management agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, 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

A BILL

To provide full funding for the payment in lieu of taxes program for the next five fiscal

years, to protect local jurisdictions against the loss of property tax revenues when private lands are acquired by a Federal land management agency, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Property Tax Endowment Act of 2003".

**SEC. 2. FULL FUNDING FOR PAYMENTS IN LIEU OF TAXES.**

Section 6906 of title 31, United States Code, is amended—

(1) by striking "Necessary" and inserting "(a) IN GENERAL.—Necessary";

(2) by striking "Amounts" and inserting "Except as provided in subsection (b) amounts"; and

(3) by adding at the end the following new subsection:

"(b) FULL FUNDING.—For fiscal years 2004 through 2008, amounts necessary to carry out this chapter shall be made available to the Secretary of the Interior, out of any funds in the Treasury not otherwise appropriated and without further appropriation, for obligation and expenditure in accordance with this chapter."

**SEC. 3. PROTECTION OF LOCAL TAX BASE AS PART OF FEDERAL LAND ACQUISITION.**

(a) ELECTION OF PAYMENT TO OFFSET REVENUE LOSS.—

(1) NOTIFICATION OF LOCAL GOVERNMENTS.—Whenever a Federal land management agency acquires privately owned land by purchase, exchange, or donation, the head of the agency shall notify the unit of general local government within whose jurisdiction the land lies.

(2) ELECTION.—If a unit of general local government is notified by a Federal agency under paragraph (1) regarding an acquisition of land by the Federal agency, the elected officials with authority under State law to govern the unit may, within 90 days after that notification, elect to receive from the Federal land management agency a one-time payment in an amount sufficient to offset the long term revenue loss to the local government that will result from the acquisition of the land by the Federal agency.

(b) TREATMENT OF LAND AFTER ONE-TIME PAYMENT.—

(1) IN GENERAL.—If a unit of general local government receives, pursuant to an election under subsection (a), a one-time payment with respect to land acquired by a Federal land management agency, the land shall not be treated as entitlement land for purposes of chapter 69 of title 31, United States Code, notwithstanding any changes that may thereafter occur in the value of the land, interest rates, taxation rates, or any other economic factor.

(2) CONFORMING AMENDMENT.—Section 6901(1) of title 31, United States Code, is amended by adding at the end the following:

"Such term does not include any land with respect to which a unit of local government receives a one-time payment under the Property Tax Endowment Act of 2003."

(c) APPLICATION.—

(1) IN GENERAL.—This section shall apply to any land acquisition by a Federal land management agency completed after September 30, 1998.

(2) APPLICATION TO PRIOR ACQUISITIONS.—For purposes of the application of this section to an acquisition of land by a Federal agency before the date of the enactment of this Act, the head of the agency is deemed to have notified the unit of general local government concerned in accordance with paragraph (1) on the date of the enactment of this Act.

(3) NO EFFECT ON TITLE.—This subsection shall not affect any right, title, or interest of the United States in or to land.

**SEC. 4. ONE-TIME PAYMENT.**

(a) IN GENERAL.—If a unit of general local government elects under section 3(a)(2) to receive a one-time payment with respect to land acquired by a Federal land management agency—

(1) the head of the Federal agency shall determine and make such payment in accordance with this section; and

(2) such acquisition may not occur before the date the payment is made.

(b) AMOUNT OF PAYMENT.—

(1) IN GENERAL.—The amount of such payment—

(A) shall be sufficient to yield a revenue stream in perpetuity equal to the property taxes currently required to be paid with respect to the land, determined as an annuity amount based on an interest rate equal to the current average yield on outstanding obligations of the United States with remaining periods of maturity of 10 years on the date of acquisition of the land by the Federal agency;

(B) shall be determined based on the rate of tax and land valuation in effect for the land under the property tax laws of the unit of general local government that apply in the local tax year in which the land is acquired by the Federal land management agency; and

(C) shall include amounts to offset property taxes that were attributable to—

(i) improvements on the acquired lands; or

(ii) the use of the lands for business enterprise.

(2) FEDERAL ACQUISITIONS FROM TAX-EXEMPT ENTITIES.—If a Federal land management agency acquires lands by purchase, donation, exchange, or other means from a nongovernmental organization or other entity that is exempt from local taxation, paragraph (1) shall apply as if the lands were acquired from the last person that owned the lands that was not exempt from such taxation.

(3) DEDUCTION OF PILT PAYMENTS.—In the case of a payment under this section to a unit of general local government with respect to land that was acquired by a Federal land management agency before the date of the enactment of this Act, the head of the agency shall deduct, from the amount otherwise required to be paid, the amount of any payment made to the unit with respect to the land after September 30, 1998, under Chapter 69 of title 31, United States Code.

(c) TIME FOR PAYMENT.—The payment required under subsection (a) in connection with a land acquisition shall be made before the Federal land management agency takes possession of the land.

(d) USE OF PAYMENT.—

(1) IN GENERAL.—Amounts paid to a unit of general local government under this section shall be deposited into a trust fund established and administered by the unit of general local government.

(2) RESTRICTION ON USE OF PRINCIPAL.—The principal of the trust fund may not be expended.

(3) USE OF INTEREST.—Interest generated by the trust fund shall be available to the unit of general local government for any governmental purpose.

**SEC. 5. RELATIONSHIP OF ONE-TIME PAYMENTS TO PAYMENTS IN LIEU OF TAXES**

A one-time payment received by a unit of general local government under this Act shall not be deducted or in any way used to offset payments required to be made to the unit under chapter 69 of title 31, United States Code.

**SEC. 6. DEFINITIONS.**

In this section:

(1) **DONATION.**—The term “donation” includes any conveyance of land to the Federal Government that is required as a condition of receipt of any benefit under Federal law.

(2) **FEDERAL LAND MANAGEMENT AGENCY.**—The term “Federal land management agency” means each of the following:

- (A) The Forest Service.
- (B) The Bureau of Land Management.
- (C) The National Park Service.
- (D) The United States Fish and Wildlife Service.

(3) **UNIT OF GENERAL LOCAL GOVERNMENT.**—The term “unit of general local government” has the meaning given the term in section 6901(2) of title 31, United States Code.

TRIBUTE TO MAJOR GENERAL  
ROBERT A. MCINTOSH, UNITED  
STATES AIR FORCE

**HON. DAVID L. HOBSON**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. HOBSON. Mr. Speaker, I take this opportunity to recognize and say farewell to an outstanding Air Force officer, Major General Robert A. McIntosh, upon his retirement from the Air Force after more than 36 years of commissioned service. Throughout his career, General McIntosh has served with distinction, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided the Air Force and our Nation.

General McIntosh is a native of my home State. He was born in Bellefontaine, Ohio, which until recently was in my Congressional District. He entered the United States Air Force through the ROTC program at Ohio University in 1966. After successfully completing undergraduate pilot training at Webb Air Force Base in Texas, F-4D fighter training at Homestead Air Force Base in Florida, and A-37 training at England Air Force Base in Louisiana, he joined the 604th Special Operations Squadron at Bien Hoa Air Base in South Vietnam. He served his nation as an aviator in Southeast Asia flying over 300 combat missions over North Vietnam.

Lieutenant McIntosh pinned on Captain at his next assignment, as an A-37 Combat Crew Training Instructor Pilot back at England Air Force Base from April 1969 to August 1971. He separated from active duty and began another distinguished military chapter as an Air Reserve Technician and active participant in the Air Force Reserve.

Captain McIntosh's first Air Force Reserve assignment was as an A-37 instructor pilot at the 910th Tactical Fighter Group at Youngstown Municipal Airport in Ohio. Next he held two critical positions at Grissom Air Force Base in Indiana, first as Chief of the 434th Tactical Fighter Wing standardization and evaluation office and then as Operations Officer of the 46th Tactical Fighter Squadron.

Major McIntosh then took on his most challenging assignment to date as the Director of Operations for the 926th Tactical Fighter Group at the Naval Air Station in New Orleans, Louisiana.

Lt. Col. McIntosh's dream of being a Commander was realized first at Richards-Gebaur Air Force Base in Missouri, in January 1982 when he took command of the 442nd Tactical Fighter Group. His assignments increased in

scope and responsibility, culminating in his selection as Commander of Air Force Reserve Command and Chief of the Air Force Reserve in 1994.

General McIntosh most recently served as Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Affairs, where he continued his personal tradition of excellence, service, and integrity as he watched over the men and women of the Reserve Components during an historic period of the highest operations and personnel tempo ever seen. Deployment after deployment, he helped to break ground in Total Force operations as he advised our nation's top Commanding Generals as they prosecute the War on Terrorism.

General McIntosh's accomplishments are many. Units under his command received the Outstanding Unit Award two of seven years he was in command. He is a command pilot with more than 4000 hours flying the A-10, A-37, C-130, and F-4.

During his incredible career, General McIntosh has served the United States Air Force and our great Nation with excellence and distinction. He provided exemplary leadership to the best-trained, best-equipped, and best-prepared citizen-aidmen force in the history of our Nation. General McIntosh is a model of leadership and a living example of our military's dedication to our safety and security entrusted to them by each of us.

General McIntosh will retire from the United States Air Force on 3 February 2003 after 36 years and seven months of dedicated commissioned service. On behalf of my colleagues on both sides of the aisle, I wish General McIntosh blue skies and safe landings. Congratulations on completion of an outstanding and successful career.

#### INTRODUCING THE SMALL BUSINESS DROUGHT RELIEF ACT

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the Small Business Drought Relief Act. The bill provides small businesses that depend upon water supply as a means of income with the opportunity to qualify and apply for disaster assistance from the Small Business Administration when drought affects their ability to earn income. This is the second Congress that I have introduced this much needed legislation, and the need for its immediate passage is greater today than ever.

As the clear majority of Members can attest to, the past two years have been two of the driest years in the history of the United States. The National Oceanic and Atmospheric Agency recently noted that 2002 was the second warmest year on record for the globe. In the western parts of United States, record low waterfalls were a plenty. On multiple occasions, more than half of the country was in moderate to extreme drought. Then, when Congress adjourned late last year, thousands of farmers and small businesses fell victim to partisan politics and were left without emergency assistance from the 2002 drought.

Under current law, small businesses whose income depreciates as a result of diminishing

water supply are unable to even apply for SBA loans. Often these businesses are family-owned and family-run recreational or commercial fishing firms. The majority of them are dependent upon water resources, whether lakes, streams, or rivers, for the ability to operate their businesses. When water levels drop to unbearable points, aside from the obvious water supply issues, boats are unable to make it into lakes and rivers, commercial fishing ceases to exist, and businesses often lay off workers and close their doors for good.

I became more acutely interested in drought relief the summer of 2001 when Florida found itself in the most prolonged drought it had seen in nearly 20 years. The water level in Lake Okeechobee, our country's 2nd largest fresh water lake, and located in my District, had decreased by nearly 25 percent. Not only did the water shortage in the lake cause problems for agriculture and water management, but it also destroyed the economic well being of small businesses around the Lake who depend on it for income. Realize this too, the clear majority of these businesses are owned by minorities or families who struggle every day just to get by.

As I began to try and help the towns and businesses surrounding the Lake in locating temporary assistance, even if it was only low interest loans, I found that unless a firm was involved in agriculture, assistance is virtually impossible. When it is possible, the bureaucratic red tape applicants must cut through is so discouraging that they don't even try.

The issue at hand, Mr. Speaker, is that droughts are major natural disasters. The Stafford Act says it is, as well as the U.S. Departments of Agriculture, Commerce, and Defense also say it is. Congress said it as recently as 1998. But for some reason, the Small Business Act does not include drought in its definition of disaster. Frankly, this oversight is a disaster of its own.

Today, Mr. Speaker, I am reintroducing a bill which will reconcile the oversight made by our body's predecessors and ensure that businesses who suffer from drought will live to see another day. I urge my colleagues to support this bill, and I urge the leadership to bring it swiftly to the floor for a vote.

#### IN CELEBRATION OF THE PHOEBUS HIGH SCHOOL PHANTOMS WINNING THE 2002 VIRGINIA STATE GROUP AAA DIVISION 5 FOOTBALL CHAMPIONSHIP

**HON. ROBERT C. SCOTT**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. SCOTT of Virginia. Mr. Speaker, along with my colleagues, Representative JOANN DAVIS and Representative ED SCHROCK, I rise with great pride to call attention to a group of young students from Hampton, Virginia who have distinguished themselves, their school, their community, and the Commonwealth of Virginia.

The Phoebus High School Phantoms football team had a remarkable season and we believe the Phantoms deserve formal recognition for their accomplishments. On December 14, 2002, the Phoebus High School Phantoms won their second straight state Group AAA Division 5 Football Championship, defeating

Stafford 39–13 in the title game at the University of Richmond stadium. And they did not just win the championship, they did it in style. The Phoebus Phantoms were undefeated during the 2002 season—finishing with a record of 14 and 0. There are 114 state Group AAA schools that play football in Virginia, and Phoebus High School was the only one to finish the 2002 season undefeated. And their win in the title game was Phoebus High School's 26th win in a row—including 10 shutouts.

Opened in 1975, Phoebus High School is the newest and smallest of Hampton's four high schools. Under the direction of Principal Phyllis Henry, the Phoebus faculty seeks to inspire students to strive for excellence and achievement in the classroom, in their extracurricular activities, and in their communities. Phoebus students meet rigorous academic requirements, and take responsibility for academic progress, behavior and attendance. The majority of Phoebus students continue on to institutions of higher education. It is clear that this drive for excellence has now been extended into the field of athletics.

Phoebus High School's championship this year marked the 8th time in the last 11 years that a Peninsula District team has won a state title in football. To quote from our hometown newspaper, the Daily Press, "High school football on the Peninsula is championship football."

We would like to extend our enthusiastic congratulations to Coach Bill Dee, his coaching staff, and all of the players on the Phoebus High School Phantoms—the 2002 Group AAA Division 5 Virginia High School League State Football Champions.

#### FAIRNESS, SIMPLIFICATION AND COMPETITIVENESS FOR AMERICAN BUSINESS ACT OF 2003

#### HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleagues, Mr. SAM JOHNSON from Texas, Mr. PORTMAN from Ohio and Mr. RAMSTAD from Minnesota, in introducing a bill, the "Fairness, Simplification and Competitiveness for American Business Act of 2003". This bill is very similar to the one I introduced in the last Congress, and contains many of the provisions that have been included in past bills I have sponsored on international tax matters. Our trade laws and practices, as well as our commitment to the World Trade Organization, have encouraged the expansion of U.S. business interests abroad. That process continues with passage of the Trade Promotion Authority legislation and recent announcements of various free trade agreements that have been completed or are being negotiated. However, our tax policy lags far behind and seems out of sync with our trade policy. Many would argue that our international tax policy seems to promote consequences that may be contrary to our national interest.

The United States continues to be the largest trading nation in the world. In a \$10 trillion-plus economy, current data indicate that the value of our exports and imports of goods and services continues to represent about 25% of our GDP. It is no secret that our economy is

more and more trade dependent, as our companies depend on overseas markets for a much larger share of profits and sales.

Recent cases with the WTO show how our trade relations with various countries or blocks of countries affect the competitiveness of U.S. multinationals vis-a-vis their foreign competitors. Tax policy sometimes becomes intertwined with trade policy. For example, how we comply with the WTO ruling that our foreign sales corporation/extraterritorial income tax provisions are a prohibited export subsidy highlights the significance of these matters to our economy. The ruling allows sanctions that would amount to an annual \$4 billion-plus potential hit against U.S. exports, unless we come into compliance. The forty-year-plus history behind the FSC/ETI and predecessor provisions was all about trying to make our companies tax competitive with their foreign competitors.

I don't believe anyone would seriously dispute that our tax system, in general and especially as it relates to international taxation, is overly complex and basically out of date. Many provisions were enacted, e.g. subpart F, in a totally different era as far as the world economy and competitiveness are concerned.

The focus of the legislation is to make the international area more rational. The proposal contains a number of provisions to simplify and make fair our international tax laws. In general, the bill seeks in important ways to: (1) simplify this overly complex area, especially in subpart F of the Code and the foreign tax credit mechanisms; (2) encourage exports; and (3) enhance U.S. competitiveness in other industrialized countries. The bill includes some provisions proposed by the Joint Committee on Taxation in its simplification report issued in 2001. In addition, Treasury officials have repeatedly stressed the importance of updating our international tax laws.

Some of the provisions in the prior bill have been modified to be consistent with H.R. 5095, introduced in the last Congress by the Chairman of the Ways and Means Committee. In addition, provisions relating to subpart F have been added from that bill. They are essential to updating that portion of the Internal Revenue Code.

In summary, the law as now constituted frustrates the legitimate goals and objectives of U.S. businesses and erects artificial and unnecessary barriers to U.S. competitiveness. Neither the largest U.S.-based multinational companies nor the Internal Revenue Service is in a position to administer and interpret the mind-numbing complexity of many of the foreign provisions. Why not then move toward creating a set of international tax rules that taxpayers can understand and the government can administer? I believe the proposed changes in this bill represent a creditable package and we have a unique opportunity in the 108th Congress to make significant progress in enacting reform in the international tax area. I urge your support of the proposal.

#### THE AUTISM EPIDEMIC MUST BE A HIGH PRIORITY FOR THE 108TH CONGRESS

#### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. BURTON of Indiana. Mr. Speaker, as we come back to Washington this January and set our priorities for the first session of the 108th Congress, I want to remind my colleagues that we have a looming crisis—a crisis of spirit, of policies, and of economics. This crisis is a looming and immediate economic crisis to the education system, to health care systems, to long-term housing and care for the disabled, to un-addressed research needs, and most especially to an increasing number of families across the country. This crisis is the autism epidemic.

Over the last three years, you have heard me speak many times on this issue—and you will continue to hear me speak on this issue because we have our work cut out for us. You well know that my own grandson was adversely affected by a series of vaccines and became autistic. When I looked at what I thought was a rare condition, I found that my grandson was one among many similarly injured.

Our health agencies have spent much of the last decade in denial about this problem. To date, they have not replicated clinical studies that point to a connection between autism enterocolitis and the Measles, Mumps, Rubella (MMR) vaccine. Nor have our health agencies adequately addressed the dangers of thimerosal in pediatric vaccines and the fact that tens of thousands of families feel their children were injured from thimerosal-containing vaccines, leaving their child autistic.

Autism is a condition that has no known cure. Children, whether autistic from birth as a result of vaccine injury, genetic defects, or as a result of some other environmental influence, require lots of special medical and educational attention. The earlier a diagnosis is made and interventions are begun, the better the long-term outlook can be for a child. This is why the programs such as First Steps in Indiana are so important. However, this attention gets to be very expensive. Many of the private schools, specifically designed to educate children with autism have annual tuitions of \$60,000 or more. Many of these children, when in public schools, require a full-time one-on-one aide, and numerous other special accommodations including speech and occupational therapies. Mainstream and Special Education Teachers need special autism teacher training. Every child with autism or any disability is entitled under Federal law to a free and appropriate education.

#### PREVALENCE OF AUTISM

Last week the Centers for Disease Control and Prevention (CDC) published in the Journal of the American Medical Association their Prevalence Study of Autism Rates in metropolitan Atlanta. In this report, they acknowledged that autism prevalence rates published prior to 1985 were 4 to 5 per 10,000 for autism spectrum disorders and 1 to 2 per 10,000 for the more narrow definition of autism. In Atlanta in 1996, the rates in children ages 3 to 10 had skyrocketed to a range of 19 per 10,000 to 47 per 10,000. Two years ago, the

CDC published their 1998 prevalence study of children in Brick Township, New Jersey and found that 40 per 10,000 children were autistic and 67 per 10,000 were diagnosed with autism spectrum disorder.

Let's do the math here. According to our latest Census, there are 72.3 million children under the age of 18 in this country. If we extrapolate the Atlanta numbers nationwide, that would mean that in 1996 we may have had between 137,370 and 339,810 children under the age of 18 with autism in this country. And if we use the newer 1998 Brick Township numbers, nationwide we had 289,200 children with autism and 484,410 children on the autism spectrum.

#### EDUCATION SYSTEM BURDEN

The Department of Education tells us that it spends on average \$12,234 more each year for a child with autism than it does for educating a non-disabled child. (\$18,790 average cost of educating a child with autism compared to \$6,556 to educate a non-disabled child.) So that would mean our education system needs to find additional resources on the magnitude of 3.5 to 5.9 billion dollars each year to educate children with autism. Since many of the children in our system are not getting the services they really need, the \$18,790 is probably much lower than it ought to be. Realistically, schools will likely need about \$40,000 per child with autism to provide the full breadth of services needed. So that would mean, the education system needs to budget approximately \$16 billion dollars a year more just for children with autism.

Most of this additional tax burden falls on the local and state tax base. We in Congress need to act quickly this session to keep our promise to pay the 40 percent Federal portion to the Individuals with Disabilities Education Act (IDEA) Part B. We haven't even come close to keeping that promise and local school jurisdictions are feeling the strain of carrying this burden. Many children go without services and that is a travesty.

#### FAMILY ECONOMIC BURDEN

We have learned from families that they often spend between \$20,000 and \$50,000 each year, much of it not reimbursed to provide care and services for their autistic children. This is a huge burden for any family to carry. There are no magic bullet approaches to treating autism. As yet there is no cure. Half of the children with autism will never speak. Many of these children have severe food sensitivities, especially to casein and gluten, products that are in almost every processed food. Many are highly sensitive to many chemicals—even perfumes. Exposure to these foods or chemicals causes a serious deterioration in behavior. Many have autoimmune disorders; have enzyme deficiencies, and heavy metal toxicities. Some individuals with autism will go through bouts of self-injurious behavior. Some, particularly autistic boys, as they hit their teen years when all teenage boys experience that surge of testosterone, may experience aggressive behavior, requiring medication. While some individuals with autism, those with higher functioning autism or Asperger's Syndrome may be able to go on to college and even live independently, the vast majority of today's children with autism will never have that opportunity unless we can turn this epidemic around. The vast majority of these boys and girls will never have the chance to serve in the armed forces, to become doctors, lawyers,

teachers, or astronauts. They will never have the chance that you and I have had to run for political office.

#### ADULTS WITH AUTISM—LONG-TERM CARE AND DISABILITY HOUSING

We have no good numbers on how many autistic adults there are in this country. Many are institutionalized because their parents can no longer care for them. Obviously, our current infrastructure for long-term care for the disabled is not equipped to manage the more than tenfold increase they will be facing in the next decade.

#### RESEARCH NEEDS

As I mentioned, there is no cure for autism. The research response to looking at causes, treatments, and possible cures for autism has been vastly inadequate. Out of a twenty-seven billion dollar budget, the National Institutes of Health has focused less than sixty million dollars on autism. A condition they say affects 1 in 250 children in this country and they only invested sixty million dollars to address the epidemic. And unfortunately, most of those sixty million dollars will never translate into treatments for autism or in answering the questions about a possible vaccine injury connection. The CDC, while spending over 930 million dollars on AIDS last year invested only about \$11 million dollars on autism. We must treat this like an epidemic and mobilize research and services resources to address the epidemic.

And most disturbing to families of vaccine-injured autistic children is that none of the government agencies have adequately addressed their concerns about thimerosal and the MMR vaccine. Instead of a replication of clinical evidence indicating low-level measles infection lingering in the gastrointestinal tract of children who became autistic after receiving the MMR vaccine, they cited CDC funded population-based epidemiological studies and used these epidemiological studies to say there is no connection between MMR and autism. In fact, epidemiological research cannot disprove clinical research. This is like trying to make lemonade with apples.

And in two difference prevalence studies—in New Jersey and Georgia, the CDC had an opportunity to do a thorough evaluation of a potential link between autism and immunizations and they chose not to. In fact, the families in Brick Township requested this analysis. The CDC evaluated environmental influences and all other possible causes, but they chose not to look at the immunization records and see if there might be a link.

In the CDC's initial evaluation in their Vaccine Safety Datalink (VSD) looking at a possible link between thimerosal-containing vaccines and any health conditions, they found a statistically significant correlation between thimerosal-containing vaccines and attention deficit disorder, neurological developmental disorders, speech and language delays and tics. After these initial findings, the CDC conducted a second evaluation that was in a much smaller population and did not find the same correlations. It is obvious that much more research is needed. We had to fight for more than two years to get the CDC to open up access to the VSD data, and unfortunately we have learned that some independent researchers are still having a hard time accessing this data. The Department needs to make sure that independent researchers can easily access this data to conduct replications of exist-

ing studies and to conduct new studies that the Department has not done.

We hear repeatedly in Congressional hearings, in media communications, and through reports that "there is no evidence that proves a connection between vaccines and autism." And of course, if the Department of Health and Human Services never funds or conducts the right studies, the evidence proving a connection will never exist. But the lack of well-designed research asking the right questions does not mean that a connection is not there. What it does mean is that our health agencies have failed the American public.

For ten years, the Institute of Medicine has asked for research to be conducted in this area—to look at the autism-vaccine connection. This independent agency has repeatedly found that there is a paucity of studies evaluating vaccine adverse reactions. They found that there was inadequate science to rule in or rule out a connection between autism and thimerosal, but they also found that it was "biologically plausible" for such an injury to occur. We continue to see the Department of Health and Human Service's agencies stalling on doing the right kinds of studies. Vaccines are the only medications that are mandated for American citizens to receive as a condition of school and day care attendance and in some instances, for employment. Therefore, it is even more important that vaccines are as safe as possible, that only those vaccines that are really needed are mandated, and that we accelerate the level of well designed studies that actually answer the questions on vaccine adverse reactions.

#### NO MORE CONFLICTS OF INTEREST IN RESEARCH AND POLICY

It is important for individuals and institutions that are going to conduct this research not to have financial ties to the manufacturers of vaccines. It is a travesty that the NIH and CDC only seem to fund those institutions that also receive a lot of pharmaceutical funding and do not fund those researchers who have chosen not to accept industry money and who are in the trenches answering the tough questions. Some of those researchers have been before the Committee on Government Reform. They had long histories of receiving NIH funding, but as soon as they started looking at vaccine injury issues, their NIH funding dried up. This is a clear indication to me that our health agencies are more devoted to the vaccine industry than to the vaccine injured. This must change. It is also a travesty that so many of the experts that HHS agencies appoint to sit on advisory committees are individuals who have financial ties to the pharmaceutical industry.

#### THE VACCINE INJURY COMPENSATION PROGRAM

Late in the 107th Congress, we as a Congress failed this same community, Mr. Speaker, by tacking provisions into the Homeland Security Act which cut off the ability of families to seek legal recourse to the manufacturers of thimerosal, while not including provisions to include those families whose statute of limitation had expired, in the Vaccine Injury Compensation program. We as a Congress have failed this community. This retroactive provision was not about homeland security.

We tripled infants' exposure to thimerosal through their vaccines for the first six months of life in the late 1980's. And yet it was not until 1999 that the FDA realized what they had done. It was more than ten years before they



realized the dramatic increase in infants' exposure to mercury. Many families realized that their child became autistic after receiving vaccines, but they had nowhere to turn. Doctors discounted the possible connection because they were not informed until late 1999 of this thimerosal/mercury exposure in vaccines. Many of these families were not aware that the Vaccine Injury Compensation Program existed until well after their three year statute of limitations had expired. The Department of Health and Human Services acknowledges that their media campaigns on this program were inadequate. In fact it has been the advent of the Internet and online autism and vaccine injury discussion groups that first informed most of these families of this program.

We must work quickly this year to first repeal the provisions of the Homeland Security Act that cut off families' legal options and second to pass legislation that will improve the Vaccine Injury Compensation Program for these families and for all individuals who face an injury from a covered vaccine. There is over 1.3 billion dollars in the trust fund. It is wrong that families have to fight for five, seven, even ten years to be compensated. It was not supposed to be a fight or a long process. The over-zealous government lawyers and program managers have lost sight of what this program is about. The Compensation program was supposed to be compassionate and non-litigious. When it was a close call, the program was supposed to rule in favor of the injured. Instead, the government goes to battle on many of the close cases and challenges the special masters when they lose. Oftentimes, when the Special Master rules in favor of the injured, Justice Department lawyers and HHS program managers call it a "bad decision by the Special Master." They see this as litigation and not compensation and because of that mindset, in many instances; it has become exactly what Congress was trying to avoid—a difficult, litigious, drawn-out process.

Mr. Speaker, in November I wrote the President and asked him to host a White House Conference on Autism to address many of these issues. Today the families of vaccine-injured children are in Washington to protest the loss of their legal options as a result of the Homeland Security Act provisions. I hope that my colleagues will take the time to listen to these families—their constituents—as they come around to their offices this week. Many of my colleagues are already members of the Autism Caucus and will be actively working on autism issues this year. Every member of Congress needs to pay attention to this issue. Autism and vaccine issues are not partisan issues. I am pleased that in the last congressional session we set aside partisanship and focused on the issues. I hope that as we bring legislation through committees and to the floor for votes, that I can count on all of your support to put the families first, to do the right thing, and pass effective, compassionate legislation. I am introducing legislation today to repeal the provisions in the Homeland Security Act and I hope to have all of your cooperation in getting this done quickly. These families deserve justice and the opportunity to seek compensation.

# REGARDING THE INTRODUCTION OF LEGISLATION PROVIDING APPROPRIATIONS FOR FISCAL YEAR 2003 FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

## HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. REGULA. Mr. Speaker, today I am introducing legislation to provide appropriations for the Departments of Labor, Health and Human Services, Education and Related Agencies for fiscal year 2003.

Mr. Speaker, this is an appropriations bill that truly touches every life in our nation—from funding our children's education, to research on countless diseases to job training funding to improve our nation's workforce and thus our competitiveness in the world economy.

The bill I am introducing today provides \$130,902,000,000 for the discretionary programs and activities within the jurisdiction of the Subcommittee on Labor, HHS, Education and Related Agencies. It is the same funding level as the President's budget request and \$3.3 billion over the fiscal year 2002 level.

The challenging demands of funding the important programs in this bill have required us to seek a very delicate balance in crafting the legislation. Therefore, I would like to share with my colleagues some of the programs we have focused our attention on in structuring this bill.

### HEALTH AND HUMAN SERVICES

First in the area of our nation's health, we are providing \$26.6 billion for the National Institutes of Health (NIH), and increase of \$3.357 billion over last year. This funding level brings us very close to our final investment in our five year commitment to double the NIH biomedical research budget. Research efforts to date have resulted in great progress in understanding, preventing and treating disease and I am pleased to support these efforts.

The Centers for Disease Control and Prevention (CDC) is our nation's first line of defense in bioterrorism preparedness. The agency is also our nation's leader in promoting health and wellness as well as disease prevention. It is critical that we support the CDC's efforts in these areas, and we therefore provide \$4.3 billion for fiscal 2003 to carry out these functions.

The Health Resources and Services Administration programs provide the vital backbone for carrying out health programs across the nation. We provide \$1.457 billion for Community Health Centers, the access points for healthcare for our nation's uninsured and underinsured. This is a \$115 million increase over last year's level. At this new level, we anticipate that nearly 13 million people will receive these important services.

The Health Professions account in this bill has a long tradition of support by the Members of this House, and I am pleased to report that the bill continues this longstanding tradition. We have included \$377.6 million for the numerous health professions accounts. Included in this number is additional funding for nursing education, as our nation is now experiencing a critical nursing shortage.

Two further health programs of importance to many Members in this body include funding for the Ryan White CARE Act, at \$1.93 billion and Children's Hospitals Graduate Medical Education at \$292 million.

LIHEAP, the program that provides heating and cooling assistance to the poor will receive \$1.7 billion in regular formula grant funding, the same level as last year. All of the funding is provided to the states for distribution to families and individuals rather than diverting a portion to emergencies as requested, as \$300 million for emergency funding remains available for this purpose.

Other human services programs we focus priority funding on include the Safe and Stable Family program that we fund at \$70 million. To support those young people who are no longer of eligible age to receive foster care, we are providing \$40 million for Independent Living Vouchers. Finally, for the Compassion Capital Fund we are providing \$30 million and for abstinence education we are providing \$60 million, bringing the total for discretionary program initiatives to \$200 million.

### EDUCATION

Turning to education, Mr. Speaker, this appropriations bill provides the funding for implementing our nation's new elementary and secondary education law, the No Child Left Behind Act. Since the enactment of this important law a year ago, much attention has been devoted to the need to fund this law, giving states and local education agencies the necessary resources to comply with the act.

The bill I am introducing today provides the important resources to assist teachers, school administrators, parents and students to achieve the goals of this new law. Funding for the numerous programs included in the No Child Left Behind Act totals \$22.3 billion. This figure includes increases in the following areas: \$500 million for the Title I program; \$100 million for teacher quality, \$100 million for the new Reading First program and \$87.5 million for Math and Science Partnerships. Also of substantial importance, Special Education is increased by \$500 million over last year.

Mr. Speaker, to some in the education arena this funding level may not be sufficient. However, I would like to take the opportunity to remind my colleagues that education is not exclusively about dollars. Historically, we have watched federal funding for Title I and other programs increase while test scores either remained stagnant or have actually declined. Hence, in the No Child Left Behind Act we seek results. Results in student achievement, results in accountability. How can we best accomplish these goals? I believe we can achieve these goals by ensuring that every year, every child has a good teacher in his or her classroom. It is for this reason that I continue to dedicate attention and resources to teacher quality in this bill.

Pell Grants continue to receive pressure for funding, as large numbers of people of returned to higher education as a result of our economic downturn. These new students seek additional skills to improve their position in our job market and in our global economy. In the bill we retain the maximum level for the Pell Grant set last year at \$4000, providing \$11.2 billion to fund the program. At this level nearly 4.5 million students are expected to receive this aid.

Head Start is an important program that serves our nation's poor and is being called

upon to more fully prepare our nation's children for school. We are providing \$6.667 billion for this program. At this funding level, we anticipate that program may serve 915,000 children.

## LABOR

Keeping in mind our nation's current economic situation, the bill focuses increases within the Department of Labor account on dislocated workers, providing an additional \$113 million above fiscal year 2002. With this increase, local workforce development boards will receive a total of \$1.4 billion for re-employment assistance to these dislocated workers.

## CONCLUSION

Mr. Speaker, the numbers before us represent our best efforts at crafting this bill. It focuses our priorities on protecting our nation against bioterrorism, providing assistance to dislocated workers and investing in our future by funding important education programs. The numbers are subject to change as we proceed to work both here in the House and together with the other body to produce a final bill.

# AN ARIZONA PUBLIC POWER UTILITY TURNS 100

## HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. PASTOR. Mr. Speaker, I call attention today to an Arizona institution that has risen from dusty frontier beginnings to become one of the nation's most successful public power companies. On Feb. 7, 2003, the Salt River River Project, generally known as SRP, will mark the centennial of its incorporation the oldest multi-purpose reclamation project in the nation.

On rivers east and north of Phoenix, SRP maintains a system of six large dams and reservoirs essential to maintaining central Arizona's economy. The company also operates a generation and transmission system that provides electricity to more than 60 percent of businesses, industries and residents of the greater Phoenix metropolitan area.

One could say much of SRP's one hundred-year history—how it began when pioneering settlers mortgaged their farms and lands for a federal loan to build Theodore Roosevelt Dam on the Salt River; how SRP paved the way for expanded water storage projects to quench central Arizona's thirst; how SRP got into the power business; and how it grew from hydro-power provider to Arizona's copper mines to the third largest public power utility in the U.S.

While these are noteworthy achievements, SRP deserves further note for the community-minded spirit and it has continued to show since the days when a partnership between small desert farm communities led to the building of Roosevelt Dam.

Many times in recent years the company's employees have been recognized locally and nationally for their spirit of volunteerism and generosity. They have led in fundraising for the United Way and have contributed time to many good causes, including litter clean-ups, school mentoring, environmental teaching, meal service at homeless shelters, Special Olympic programs, summer camps for youths—the list is long.

In short, one could say that the community partnerships that led to SRP's formation a

century ago have instilled in the company an ongoing commitment to community service. And, while SRP in virtually every respect must operate by the same competitive standards as private industry, it has not forgotten the meaning of the word "public" as a public power and water provider.

Mr. Speaker, I wish SRP a bright future of continuing good service in the year of its centennial.

## HONORING ALBERTSONS

## HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. SIMPSON. Mr. Speaker, it is my honor to recognize and congratulate Albertsons Corporation for receiving the State Chairman Award from the Employer Support for Guard and Reserve.

Who puts their lives on the line for us? Who provides the combat ready forces that will help protect our national security interests? With the support of their employers, members of the National Guard and Reserve are there when we need them.

The National Guard and Reserve provide half of our nation's uniformed military forces. In fact, some military skills are found only in the Reserve components. The Secretary of Defense will call Reserve forces to serve along side their Active duty counterparts anytime the United States is conducting a significant military operation.

Now, more than ever, we as a nation are relying on our Reserve Members. Because they are Reserve and this is not their regular, full-time job, it is essential that employers support them. That's why I am so proud of Albertsons.

Albertsons has gone beyond the letter and the spirit of the law. After September 11th terrorist attacks, Albertsons implemented an enhanced military leave policy. Albertsons now provides wage differentials; continued health care coverage and retirement plan participation. Albertsons even set up a "hot line" to support impacted employees and their families. The company is a leader in reinforcing and enhancing its corporate policies in support of National Guard activities.

Because of this voluntary, proactive action that Albertsons took to assist our Reserve, they are receiving the State Chairman Award. This award is presented on behalf of the Assistant Secretary of Defense for Reserve Affairs in recognizing "outstanding" contributions in support of Reserve Forces made by individuals, organizations or employers. Each award signifies extraordinary endowments that materially affect the Reserves.

Albertsons deserves this award and I'm proud to acknowledge them for receiving it. Thank you, Albertsons, for supporting your country in such a patriotic manner.

## THE SECOND AMENDMENT PROTECTION ACT

## HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. PAUL. Mr. Speaker, I rise to restore the right the founding fathers saw as "the guar-

antee of every other right" by introducing the Second Amendment Protection Act. This legislation reverses the steady erosion of the right to keep and bear arms by repealing unconstitutional laws which allow power-hungry federal bureaucrats to restrict the rights of law-abiding gun owners.

Specifically, my legislation repeals the five-day waiting period and the "instant" background check, which enable the Federal Government to compile a database of every gun owner in America. My legislation also repeals the misnamed ban on "semi-automatic" weapons which bans entire class of firearms for no conceivable reason beside the desire of demagogic politicians to appear "tough on crime." Finally, my bill amends the Gun Control Act of 1968 by deleting the sporting purposes test, which allows the Treasury Secretary to infringe on second amendment rights by classifying a firearm (handgun, rifle, shotgun) as a "destructive device" simply because the Secretary believes the gun to be "non-sporting."

Thomas Jefferson said "The constitutions of most of our States assert that all power is inherent in the people; . . . that it is their right and duty to be at all times armed." Jefferson, and all of the Founders, would be horrified by the proliferation of unconstitutional legislation which prevent law-abiding Americans from exercising their "right and duty," to keep and bear arms. I hope my colleagues will join me in upholding the Founders' vision a free society by cosponsoring the Second Amendment Restoration Act.

## A BILL TO REAUTHORIZE THE UNITED STATES PEACE CORPS

## HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. FARR. Mr. Speaker, I ask permission to revise and extend my remarks.

Mr. Speaker, I have the pleasure and the honor today of introducing a bill which will reauthorize the United States Peace Corps. I served in the Peace Corps for two years, from 1964–66, in Colombia and it inspired me to devote my life to public service. With this bill, over 14,000 Americans will be given the chance to have the same inspiration.

This bill is long in the making. We in Congress have been advocating the increase and strengthening of the Peace Corps for a long time. The goal of increasing the Peace Corps to 10,000 volunteers was announced by President Ronald Reagan in 1986. It was echoed by President Clinton in 1992. Finally, President George W. Bush announced in his State of Union address last year, his commitment to double the number of Peace Corps volunteers in five years. Last year, following the President's statement, I introduced a bill, which would help fulfill this vision for the Peace Corps. The same bill was introduced in the Senate, where it was ultimately passed by unanimous consent.

The bill I am introducing today is essentially the same bill that was passed by the Senate:

It doubles the number of volunteers in five years;

It restates the independence of the Peace Corps;

It asks for reports to Congress on new initiatives and security for Peace Corps volunteers; It makes a commitment to recruit and place Peace Corps volunteers in countries where they could help promote mutual understanding, particularly in areas with substantial Muslim populations;

It develops training programs for Peace Corps volunteers in areas of education and prevention of AIDS;

It streamlines and empowers the Peace Corps Advisory Council and creates a fund to promote the work of returned Peace Corps volunteers in fulfilling the third goal of the Peace Corps—to educate other Americans about their experience overseas.

This is a crucial time to invest in the Peace Corps, a crucial time to invest in improving America's relations with peoples and countries across the globe. I believe that this bill represents an important symbol of the good will of the United States, and reflects our fundamental nature as a concerned and caring nation.

I would like to thank Congressman MARK UDALL, whose mother was a Peace Corps volunteer in Nepal, for helping to author the bill. I would also like to thank my fellow Congressman MIKE HONDA for also being an original cosponsor. I would also like to thank all of the Returned Peace Corps Volunteers who have given invaluable input in creating this bill.

I encourage my colleagues to join us in cosponsoring this important piece of legislation.

TRIBUTE TO MRS. PATRICIA  
BROOKS CAREY OF HUTCHINSON,  
KANSAS

**HON. JERRY MORAN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. MORAN of Kansas. Mr. Speaker, I rise today to pay tribute to a woman who affected the lives of thousands of people in Kansas and across the country. This month we mourn the death of Mrs. Patricia "Patty" Brooks Carey of Hutchinson, Kansas.

As Kansans, we are dutifully aware of our state motto, *Ad Astra Per Aspera* which translates, "To the Stars Through Difficulties." Patty lived this theme with an unsurpassed passion.

In 1962, with vision and determination, Patty launched a small planetarium in the poultry house on the Kansas State Fairgrounds. From this humble beginning, the planetarium has evolved into a multifaceted space science education museum that today houses one of the world's largest and most significant collections of United States and Soviet space artifacts. Thanks to Patty's devotion, the Kansas Cosmospere and Space Center stands as a testament to her mission of excellence.

Patty's dedication to her hometown is legendary. Throughout her life, Patty touched the lives of many—especially those of children—taking a lead role in making certain her community was progressive in pursuits of education, culture and other quality of life issues. Her leadership and service on the board of directors for the Cosmospere, Community Foundation and hospital were always marked with practicality, persuasion and genuineness.

Most important to Patty was her family. Over the course of 61 years she and her hus-

band Howard J. "Jake" Carey, grandson of the founder of Carey Salt, raised three sons, Brooks, Christopher and Michael, and devoted endless love and attention to six grandchildren.

Gene Cernan, the last man to walk on the moon and whose Apollo 17 mission is featured at the Cosmospere, summed up his goodbye to his friend this way: "Patty was a very small woman in size, but certainly a big woman in stature. She had a dream, and she stuck with it." I can think of no finer compliment.

Patty Carey made her community, State and Nation a better place. I join her many friends and admirers in extending my deepest sympathies to Jake and his family during their time of loss.

TRIBUTE TO THE HONORABLE  
WAYNE OWENS, FORMER MEM-  
BER OF CONGRESS FROM UTAH

SPEECH OF

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 2003*

Mr. UDALL of New Mexico. Madam Speaker, I thank the gentleman from Utah (Mr. CANNON) for all he has done in organizing these words today on the floor for Wayne Owens. His untimely death was unfortunate and a real loss to this country.

Wayne Owens was a fine public servant. Many will talk and some already have about his tireless efforts for peace in the Middle East, but Wayne had an extensive legislative record here in the House of Representatives. During his term, he helped secure funding for the large-scale Colorado River Storage Project that is the main source of water for Utah and other Western States. He continually fought for wilderness designation to protect vast expanses of Utah's mountains from development.

Wayne was not afraid to take a stand for what he believed in. For example, in 1987 he introduced legislation to reintroduce wolves into Yellowstone National Park to help save the threatened species. He was the only member of the Utah congressional delegation to vote against giving former President Bush the authority to go to war against Iraq in 1991. No matter the issue, Wayne voted his conscience.

The issue that I specifically would like to talk about today is his bringing justice to the Colorado plateau uranium miners.

Wayne saw this as a situation with the Colorado uranium miners that had to have justice be brought to the situation. And what happened is these uranium miners went into mines on the Colorado plateau, worked in very dangerous, dirty air mines. There were high radon levels, as the gentleman from Utah (Mr. CANNON) knows. He has worked on this very issue. The government knew these levels were very high. Government doctors did reports and doctors issued studies, but nobody told the uranium miners that there was really a problem. And so many years they continued to work in these uranium mines, 10 or 15 years in these dirty air mines.

As many of us know, when you contract radon in a uranium mine and it is at high levels what ends up happening is 10 or 15 years

down the line you get lung cancer, and that is in fact what happened on the Colorado plateau, an epidemic of lung cancer. Lawsuits were brought on behalf of these uranium miners but many of them were unsuccessful. My father was one of the ones, Stewart Udall, that brought many of the lawsuits and represented the miners. He just told me the other day when we learned of Wayne's death, he said, if it had not been for Wayne at that particular point when the miners lost their lawsuits, when the families were discouraged, when they thought there was going to be no justice, it was Wayne Owens that picked up the fight. And he went out and held hearings and he involved TED KENNEDY and BARNEY FRANK and the Committee on the Judiciary and brought justice to this situation by helping pass a piece of legislation known as the Radiation Exposure Compensation Act. And many families today in Utah and across the Colorado plateau are now in much better shape because of Wayne Owens' efforts on that piece of legislation.

In closing, I want to say that Wayne genuinely loved people and was extremely generous with time and resources. He was a wonderful and caring husband and father. His wife, Marlene, five children and fourteen grandchildren always knew of his unconditional love. He had boundless energy and reached out to everyone he met. He treated everyone with respect. Perhaps there is no greater way to be remembered than that.

It is my privilege to pay tribute to Wayne Owens for his commitment and service. I send my heartfelt condolences to his family, friends, and the State of Utah.

When I reflect upon the lives of men such as Wayne Owens, who dedicated his life to serving others, I am reminded of the principles of public service.

A TRIBUTE TO THE THIRTEEN  
BEST COMPANIES TO WORK FOR  
IN THE BAY AREA

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Ms. ESHOO. Mr. Speaker, I rise to honor the 13 companies in the Bay Area which were selected by Fortune magazine as one of the "100 Best Companies to Work For."

Xilinx, Adobe Systems, Cisco Systems, Intel, Agilent Technologies, Silicon Graphics, Network Appliance, Autodesk, Intuit, Sun Microsystems, Genentech, Charles Schwab and Electronic Arts have distinguished themselves as employers. How proud I am to represent the District which is either home to several of the honorees or who employ some of my constituents.

Despite adverse market conditions each one of these companies has demonstrated in important ways how much they value their employees. Top executives have taken pay cuts and many have set a high corporate standard of providing employees incentives to work for nonprofit organizations in their communities.

Each company who is part of this 'honor role' has come to the list experiencing a challenging economy and tough workplace issues. Yet they've done it with fairness, with integrity and with respect for their employees.

Mr. Speaker, I ask my colleagues to join me in honoring Xilinx, Adobe Systems, Cisco Systems, Intel, Agilent Technologies, Silicon Graphics, Network Appliance, Autodesk, Intuit, Sun Microsystems, Genentech, Charles Schwab and Electronic Arts for everything they've done to create the best workplaces of the 21st century and as they do, we salute them for what they contribute to the well being of our nation.

IN APPRECIATION FOR SHARING  
AN EXTRAORDINARY STORY

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to an individual from my district who has lived an extraordinary life and is now working to share the stories of his incredible experiences during the Second World War.

Growing up on his family's small Missouri farm during the Depression, Fred Randle became well acquainted with hardship and adversity. One of the first members of his family to graduate high school, Fred was looking forward to earning a steady living and beginning a new life with his new bride when the Japanese attacked Pearl Harbor. The young man immediately enlisted in the United States Army, unaware of the unique role he would play in determining the outcome of World War II.

During the Quebec Conference of 1943, President Franklin D. Roosevelt, Prime Minister Winston Churchill of England, and other allied leaders conceived the idea of having an American ground unit spearhead the Chinese Army with a Long Range Penetration Mission behind enemy lines in Burma. Its goal would be the destruction of Japanese communications and supply lines and generally to play havoc with enemy forces while an attempt was made to reopen the Burma Road.

A Presidential call for volunteers for "A Dangerous and Hazardous Mission" was issued, and approximately 2,900 American soldiers responded to the call, including Fred Randle. The unit later became popularly known as Merrill's Marauders, named after its leader, Brigadier General Frank Merrill.

Shortly after completing basic training at the age of 21, Randle and the Marauders embarked on their mission. During a rendezvous with other ships in the Mediterranean, about 30 German bombers attacked the convoy without success. Fifteen minutes later, a smaller group of planes arrived and one released a guided missile that struck the side of the HMT Rohna. Witnesses watched the total destruction of the boat with its 1,600 Americans aboard. Fewer than 600 survived.

Fred Randle was among those 600 survivors, and despite the loss of his fellow soldiers, he continued on to ensure the success of the Marauders' mission. I find Randle's war-

time experiences truly inspiring, and I salute him for his eagerness to share his story with younger generations so they may understand what it is like to fight for your country, even when faced with unbelievable setbacks. Fred Randle is truly part of America's greatest generation, and his sacrifices and contribution to our country are among the reasons we remain free today.

FIRST BIRTHDAY OF DIEGO  
VINCENT OLIVAREZ

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today on a point of personal privilege to exercise my rights, responsibilities and pride as a grandmother to note a significant occasion in the life of the Roybal-Allard family—the first birthday of my beloved grandson, Diego Vincent Olivarez.

Diego is my first grandchild and the first great-grandchild of my father, former Rep. Edward Roybal, and I can with great modesty and accuracy report to my colleagues that he is the most beautiful baby in the world.

Diego's first birthday is notable because he was diagnosed at birth with microcephaly, and not expected to live more than a few months. While the birth and first year of a grandchild are always joyful, this year has been a particularly challenging one for his loving parents, Ricardo and Rory Olivarez. To Ricardo and Rory's everlasting credit, they rejected medical advice to institutionalize Diego. At home, they have provided a stimulating and nurturing environment for Diego, helping him to thrive. As a result, Diego's progress has far surpassed the original pessimistic medical opinions.

As I'm sure is true for all grandparents, Diego has brought real joy and meaning to our lives. His medical affliction, while an on-going concern for us, has been a blessing in disguise because it has emphasized, in a way that nothing else probably could, how precious each day is that we are given on this earth.

Diego, although your grandmother is in Washington today serving her constituents, she is thinking about you and wishes you a Happy Birthday.

STOP DISCRIMINATION AGAINST  
SEVEN STATES ACT OF 2003

**HON. JIM COOPER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2003*

Mr. COOPER. Mr. Speaker, most Americans take for granted that federal laws apply to every American equally, regardless of what state we live in. Well, you may be surprised to

learn that taxpayers in seven states are discriminated against by the Internal Revenue Code, and have been since 1986. This means that the 51 million people who live in the states of Texas, Florida, Tennessee, Washington, New Hampshire, Alaska, and Wyoming are treated differently, and punitively, by the federal government, due to no fault of their own, and for no good reason of public policy. This injustice amounts to many billions of dollars in higher taxes paid by residents of these states every year.

How did this discrimination occur? Prior to 1986, federal tax law allowed taxpayers to deduct from their federal income tax any state taxes that they paid, whether for a state income tax or a state sales tax. This deduction allowed all Americans the ability to reduce their federal tax burden due to the accepted principle that (1) the federal government deferred to the chosen tax system of each state, and (2) to prevent double taxation of taxes paid to state governments.

After 1986, in the tax reform act of that year, only state income taxes were deductible. Taxpayers in states with no income tax were suddenly allowed no deduction on the money they paid to their state governments. The 1986 tax reform legislation was a giant bill with many unintended consequences. There was no sound public policy reason for discriminating against states which have chosen to rely on a sales tax, yet this discrimination has persisted for 16 years.

There are 43 states today which have a state income tax and seven states which have no income tax, but which in most cases use a state sales tax for their primary source of revenue. This means that taxpayers in 43 states get different and better treatment from the Internal Revenue Code than the residents of the other seven states: Texas, Florida, Tennessee, Washington, New Hampshire, Alaska, and Wyoming.

I have introduced a bill today to remedy this situation. My original cosponsors are BART GORDON, JOHN TANNER, and LINCOLN DAVIS. My legislation would allow taxpayers in states which rely on a sales tax to get the same deduction as residents of income tax states—no better and no worse.

To allow the current injustice to continue means that federal law is forcing all states to adopt an income tax. This should never be federal policy. To deny 51 million Americans the benefits of a deduction that every other American enjoys is rank discrimination. And to deny this deduction is to effectively double-tax the hard-earned pay of residents of seven states.

My colleague BRIAN BAIRD has been fighting this battle for years now, as has my predecessor, Bob Clement. There are 79 Members of Congress whose constituents are directly and adversely affected by this discrimination. We owe it to our seven states, and to the 51 million people we represent to restore basic fairness to our tax code.