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No. 9

## Senate

The Senate was not in session today. Its next meeting will be held on Monday, February 2, 2004, at 1 p.m.

## House of Representatives

FRIDAY, JANUARY 30, 2004

The House met at noon and was called to order by the Speaker pro tempore (Mr. BARTLETT of Maryland).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 30, 2004.

I hereby appoint the Honorable ROSCOE G. BARTLETT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Reverend Dr. Ronald F. Christian, Pastor, Evangelical Lutheran Church in America, Fairfax, Virginia, offered the following prayer:

Almighty God, this day we acknowledge Your presence in our world, our Nation, and in our communities and lives.

We are made aware of Your majesty through the arts, in music, and nature's beauty which surrounds us. We seek Your guidance for our work, for our decisions, and for our families. And we rely on Your mercy for our failures, for our greed, and for our selfish choices.

This day, O God, may our concern be more directed to others than ourselves. May our help provide hope for any in despair. May our work for justice be blessed by Your righteousness. And may Your peace, which supersedes any

treaty created by human will, be found in our lives and passed on to others through our deeds.

Bless, we pray, peacemakers, artisans, poets, protectors, defenders, public servants, ministers, officials and all who heed the call to serve and to save the common good. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### PAKISTAN'S NUCLEAR PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise today to urge my colleagues and the Bush administration to once again take a look at Pakistan through a critical and analytical lens.

Pakistan is one of our strongest allies in the war against terror, yet I am deeply disturbed by our supposed ally's involvement in supplying nuclear technology to North Korea, Iran, and Libya. There is ample evidence of these ties, and I find it very convenient that President Musharraf takes a position of denial and that he blames everyone besides the Pakistani Government.

Mr. Speaker, we must understand that Musharraf's response to these serious international violations of transferring nuclear weapons to rogue nations is simply inadequate. By blaming the scientists involved, and by detaching the Pakistani Government's role in preventing further transfer of nuclear equipment, Musharraf is insulating himself, when in fact he should be proposing steps to ensure the world that Pakistan will no longer be participating in such criminal activities. As an ally in the war against terror, we deserve such assurances, commitment and action from Pakistan that their programs to assist in nuclear proliferation have been terminated.

Unfortunately, Musharraf is in denial about his country's participation in aiding such countries as North Korea, Iran, and Libya; but the denial must come to a close immediately. The same situation was true regarding Pakistani fundamentalist infiltration into Kashmir. While cold-blooded murders of innocent Kashmiri citizens were taking place on a daily basis, President Musharraf for years denied that he was providing anything but moral support to the infiltrators.

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

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



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While the murders have continued, Musharraf has recognized that infiltration is a problem that requires his intervention, and he has pledged to end terrorism in Kashmir. Although Kashmiri citizens continue to endure terrorism and infiltration at the Line of Control, the situation seems to have improved to a certain degree since the cease-fire between India and Pakistan and the countries' plan on holding talks within the next several weeks.

Mr. Speaker, my point is that the issue of Pakistan transferring nuclear equipment requires as much focus and intervention on President Musharraf's part.

In contrast to the situation in Pakistan, I wanted to take a moment to highlight India's nuclear program. In reflection of what I saw earlier this month during my visit to India, I applaud the government for maintaining an open nuclear science program. The three most important ways in which India's program is a model to be emulated by Pakistan are the following: first, India's program is defensive in nature; second, it is civilian controlled; and, third, technology is shared in accordance with international nuclear transfer laws.

As a result of India's nuclear policies, India has a strong defense relationship with the United States and a strong science partnership with the United States. In fact, a recent agreement between the United States and India would call for increased exchange of scientists, particularly in the area of nuclear technology. Moreover, as part of a new space and nuclear cooperation agreement between the United States and India, the two countries will work as partners to bring stability to South Asia and the world, including efforts to end proliferation of weapons of mass destruction.

Mr. Speaker, I include for the RECORD a statement that was made jointly by the President of India and by the President of the United States in that regard.

#### NEXT STEPS IN STRATEGIC PARTNERSHIP WITH INDIA

In November 2001, Prime Minister Vajpayee and I committed our countries to a strategic partnership. Since then, our two countries have strengthened bilateral cooperation significantly in several areas. Today we announce the next steps in implementing our shared vision.

The United States and India agree to expand cooperation in three specific areas: civilian nuclear activities, civilian space programs, and high-technology trade. In addition, we agree to expand our dialogue on missile defense. Cooperation in these areas will deepen the ties of commerce and friendship between our two nations, and will increase stability in Asia and beyond.

The proposed cooperation will progress through a series of reciprocal steps that will build on each other. It will include expanded engagement on nuclear regulatory and safety issues and missile defense, ways to enhance cooperation in peaceful uses of space technology, and steps to create the appropriate environment for successful high technology commerce. In order to combat the proliferation of weapons of mass destruction,

relevant laws, regulations and procedures will be strengthened, and measures to increase bilateral and international cooperation in this area will be employed. These cooperative efforts will be undertaken in accordance with our respective national laws and international obligations.

The expanded cooperation launched today is an important milestone in transforming the relationship between the United States and India. That relationship is based increasingly on common values and common interests. We are working together to promote global peace and prosperity. We are partners in the war on terrorism and we are partners in controlling the proliferation of weapons of mass destruction and the means to deliver them.

The vision of U.S.-India strategic partnership that Prime Minister Vajpayee and I share is now becoming a reality.

Mr. Speaker, let me say in conclusion, in order for there to be peace and stability in the South Asia region, it is necessary for President Musharraf to move Pakistan forward by taking responsibility for its reprehensible actions, such as transferring nuclear technology and infiltrating Kashmir. Until President Musharraf's leadership is applied and he is not only willing to accept responsibility but turn his words into actions, our safety continues to be in jeopardy.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

#### ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Tuesday, February 3, 2004, at 12:30 p.m., for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

6466. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Yucatan Peninsula; Addition to the List of Regions Considered Free of Exotic Newcastle Disease [Docket No. 02-036-2] received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6467. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Lactic Acid, n-Butyl Ester, (S) and Lactic Acid, Ethyl Ester, (S); Exemption from the Requirement of a Tolerance [OPP-2003-0341; FRL-7338-4] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6468. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Sulfuryl Fluoride; Pesticide Tolerance [OPP-2003-0373; FRL-7342-1] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6469. A letter from the Under Secretary, Department of Defense, transmitting A report on the implementation of the recommendations submitted by the Defense Task Force on Domestic Violence, pursuant to Public Law 107-248 section 8148(c) (116 Stat. 1572); to the Committee on Armed Services.

6470. A letter from the Secretary of the Air Force, Department of Defense, transmitting notification that the Evolved Expendable Launch Vehicle (EELV) Program exceeds both the 15 percent and 25 percent Nunn-McCurdy Program APUC and PAUC thresholds, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

6471. A letter from the Under Secretary, Department of Defense, transmitting Approval of Captain Arthur J. Johnson to wear the insignia of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

6472. A letter from the Director, Procurement & Industrial Base Policy, Department of the Army, transmitting the Department's final rule — Foreign Acquisition (RIN: 0702-AA38) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6473. A letter from the Director, Procurement & Industrial Base Policy, Department of the Army, transmitting the Department's final rule — Solicitation Provisions and Contract Clauses (RIN: 0702-AA39) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6474. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Free Trade Agreements-Chile and Singapore [DFARS Case 2003-D088] received January 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6475. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Implementation of the Equal Access to Justice Act in Agency Proceedings — received January 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6476. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Biological Products; Bacterial Vaccines and Toxoids; Implementation of Efficacy Review [Docket No. 1980N-0208] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6477. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Pediculicide Drug Products for Over-the-Counter Human Use; Amendment of Final Monograph [Docket No. 2002N-0058] (RIN: 0910-AA01) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6478. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Revisions to South Carolina State Implementation Plan: Transportation

Conformity Rule [SC-50-200405(a); FRL-7614-7] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6479. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Indiana [IN 144-4; FRL-7611-5] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6480. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York State Implementation Plan Revisions; 1-Hour Ozone Control Programs [Region 2 Docket No. NY65-270, FRL-7610-7] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6481. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2004 [FRL-7615-3] (RIN: 2060-AM01) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6482. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

6483. A letter from the Secretary, Department of State, transmitting convening of a Accountability Review Board to examine the October 15, 2003 attack on a U.S. Embassy Tel Aviv motorcade in Gaza, which resulted in the wounding of one and deaths of three DynCorp personnel, pursuant to 22 U.S.C. 4834(d)(1); to the Committee on International Relations.

6484. A letter from the Secretary, Department of Commerce, transmitting pursuant to Section 6 of the Export Administration Act of 1979, as amended, the Department's 2004 Report on Foreign Policy-Based Export Controls, as prepared by the Department's Bureau of Industry and Security (BIS); to the Committee on International Relations.

6485. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Lifting of U.N. Sanctions Against UNITA [Docket No. 031219324-3324-01] (RIN: 0694-AC86) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6486. A letter from the Deputy Secretary, Department of Commerce, transmitting the semiannual report on the activities of the Inspector General for the period April 1, 2003 through September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6487. A letter from the President, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6488. A letter from the Chairman, Consumer Product Safety Commission, transmitting in accordance with the Accountability of Tax Dollars Act, the Commission's Audited Financial Statements for FY 2003; to the Committee on Government Reform.

6489. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6490. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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6495. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6496. A letter from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's annual report on the Government in the Sunshine Act for Calendar Year 2003, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

6497. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2003, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

6498. A letter from the Chairman, Federal Election Commission, transmitting the report in compliance with the Federal Managers Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

6499. A letter from the Comptroller General, General Accounting Office, transmitting the Office's Performance and Accountability Report for FY 2003, pursuant to 31 U.S.C. 719; to the Committee on Government Reform.

6500. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Senior Executive Service Pay and Performance Awards (RIN: 3206-AK32) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6501. A letter from the Chair, Federal Election Commission, transmitting the Commission's final rule — Travel on Behalf of Candidates and Political Committees [Notice 2003-24] received December 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

6502. A letter from the Office of Independent Counsel, transmitting the 2003 annual report for the Office of Independent Counsel-Barrett, pursuant to 28 U.S.C. 595(a)(2); to the Committee on the Judiciary.

6503. A letter from the Deputy Under Secretary for Intellectual Property and Deputy Director of the Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — January 2004 Revision of Patent Cooperation Treaty Application Procedure [Docket No. 2003-P-021] (RIN: 0651-AB61) received October 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6504. A letter from the Deputy Assoc. General Counsel for Regulations, Department of

Homeland Security, transmitting the Department's final rule — Implementation of the United States Visitor and Immigration Status Indicator Technology Program ("US-VISIT"); Biometric Requirements (RIN: 1651-AA54) received January 8, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6505. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Civil Monetary Penalties — Adjustments for Inflation [USCG-2003-15486] (RIN: 1625-AA73) received December 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6506. A letter from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule — Comments on UNICOR Business Operations: Clarification of Addresses [BOP-1115-I] (RIN: 1120-AB15) received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6507. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Water Quality Standards for Puerto Rico [FRL-7613-2] received January 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6508. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Central Contractor Registration (RIN: 2700-AC95) received January 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6509. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Investigative Requirements (RIN: 2700-AC74) received January 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6510. A letter from the Secretary, Department of Veterans Affairs, transmitting the Special Medical Advisory Group's Annual Report to Congress for FY 2003, pursuant to 38 U.S.C. 4112(a); to the Committee on Veterans' Affairs.

6511. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Exemption of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2004-2) received December 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6512. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2004-1) received January 8, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6513. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Electronic Delivery of Form 1099 and Form 5498 Payee Statements [Notice 2004-10] received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6514. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Prohibited allocation of securities in an S corporation. (Rev. Rul. 2004-4) received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6515. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Correction of User Fee in Appendix A of Rev. Proc. 2004-1 — received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6516. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Low-Income Housing Credit Allocation Certification; Electronic Filing [TD 9112] (RIN: 1545-BC90) received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6517. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2004-9) received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6518. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous [Notice 2004-9] received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6519. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Last-in, first-out inventories. (Rev. Rul. 2004-7) received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6520. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Sidney L. Olsen and Miriam K. Olsen v. Commissioner 48 T.C. 855, supplemented, 49 T.C. 84(1967), acq. 1968-2 C.B.2 [Docket Numbers: 1713-65, 1714-65, 1715-65, 1716-65, 3328-65] received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6521. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Adjusted Gross Income Defined (Rev. Rul. 2004-1) received January 28, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6522. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Federal Old-Age, Survivors and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Administrative Review Process; Video Teleconferencing Appeared Before Adminis-

trative Law Judges of the Social Security Administration (RIN: 0960-AE97) received December 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6523. A letter from the Director, Congressional Budget Office, transmitting a report on "Unauthorized Appropriations and Expiring Authorizations," pursuant to 2 U.S.C. 602(f)(3); jointly to the Committees on the Budget and Appropriations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1417. A bill to amend title 17, United States Code, to replace copyright arbitration royalty panels with a Copyright Royalty Judge, and for other purposes; with amendments (Rept. 108-408). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, and Mrs. CHRISTENSEN):

H.R. 3750. A bill to provide for the correct treatment of territories and possessions in the health care service supports under the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 3751. A bill to require that the Office of Personnel Management study and present options under which dental and vision benefits could be made available to Federal employees and retirees and other appropriate classes of individuals; to the Committee on Government Reform.

By Mr. PAYNE:

H. Res. 509. A resolution honoring and recognizing the achievements of Thurgood Marshall and encouraging Congress to award him the Congressional Gold Medal; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, 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.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1043: Mr. COOPER.

H.R. 1117: Mr. CHOCOLA.

H.R. 1563: Mr. WHITFIELD and Mr. TOWNS.

H.R. 3066: Ms. HOOLEY of Oregon, Mr. ROGERS of Michigan, Mr. PENCE, Mr. DEMINT, Mr. SMITH of Washington, Mr. BAIRD, Mr. PAUL, Mr. BISHOP of Utah, and Mrs. MYRICK.

H.R. 3171: Mr. JACKSON of Illinois.

H.R. 3420: Mr. GEORGE MILLER of California, Mr. DEUTSCH, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. WAXMAN, and Mr. KILDEE.

H.R. 3573: Mr. UDALL of Colorado and Mr. COX.

H.R. 3728: Mrs. TAUSCHER, Mr. OTTER, Mr. CALVERT, and Mr. THOMPSON of California.

H. Con. Res. 86: Mr. CUMMINGS.

H. Con. Res. 310: Mr. HALL.

#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

53. The SPEAKER presented a petition of Wisconsin Commercial Ports Association, relative to Resolution #02-03 authorizing funding for modernization of lock and dam infrastructure on upper Mississippi and Illinois rivers' inland waterways transportation system, as also approved by the Brown County Harbor Commission and the Brown County Board of Supervisors; to the Committee on Transportation and Infrastructure.

54. Also, a petition of the Mayor and Council of Mayfield Village, Ohio, relative to resolution 2003-14 urging the President and Congress of the United States to take enact measures to respond to the adoption of the Breast Cancer Patient Protection Act of 2003 to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require health plans to provide coverage for a minimum hospital stay for mastectomies and lymph node dissections performed for the treatment of breast cancer; jointly to the Committees on Energy and Commerce and Education and the Workforce.

## EXTENSIONS OF REMARKS

### PERSONAL EXPLANATION

#### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. ROGERS of Kentucky. Mr. Speaker, on Wednesday, January 28, I was unavoidably detained due to the inclement weather and was not present for votes on S. 1290, a bill to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted. Had I been present, I would have voted "yea" on Rollcall No. 10 and "nay" on Rollcall Nos. 8, 9, and 11.

### PERSONAL EXPLANATION

#### HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. KOLBE. Mr. Speaker, yesterday, I was unavoidably detained and missed the vote on the Baldwin of Wisconsin substitute amendment to S. 1920 (No. 8). I intended to vote "nay."

### HONORING JOHN W. LAKE

#### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. RADANOVICH. Mr. Speaker, I rise today on behalf of Representative DOOLEY, Representative NUNES and myself, to honor John W. Lake on the occasion of his being distinguished as an Honorary Alumni Member of the California Agricultural Leadership Foundation's California Agricultural Leadership Program. This designation will be bestowed upon Mr. Lake at the annual conference of this organization.

Selection for this distinction is reserved for "special individuals who have, over a period of time, demonstrated consistent commitment and uncommon excellence in the furtherance of education and leadership in California agriculture." The mission of the California Agricultural Leadership Program is to enhance the long-term viability of California agriculture through leadership development, which in turn benefits the people and the communities that agriculture serves.

A native Californian, John graduated from the University of California, Santa Barbara in 1970 with a Bachelor of Arts degree in Mechanical Engineering. He also completed 1 year of graduate work in Mechanical Engineering at Cal Poly, San Luis Obispo. In 1974, Mr. Lake began his career with Rain for Rent, working his way through the Engineering and Manufacturing Departments and management of Lake and Lake International, irrigation sub-

sidaries of Western Oilfields Supply Company. He founded Lake Leasing Company in 1983, Rain for Rent's agricultural irrigation equipment financing division. John has served as President and Chief Executive Officer since April of 1990.

Since its beginning in 1934, Western Oilfields Supply Company/Rain for Rent has evolved and expanded in its product offering and the markets it services, providing solutions to temporary liquid-handling problems. Their products and services cover a wide variety of industries, including, but not limited to: construction, petro-chemical, municipal, environmental, agricultural, and other industrial businesses that are serviced by 47 branches and 650 professionals nationwide. During John's tenure as President, the company has expanded into the tank, pump and specialty rental markets.

Mr. Lake is active in the Cal Poly San Luis Obispo Advisory Council, the California Agricultural Leadership Program, the Fellowship of Companies for Christ International, Quest Club, Idaho Irrigation Association and Safari Club International. John and his wife, Sheila, have two sons and attend Fruitvale Community Church in Bakersfield, California.

Mr. Speaker, I rise today along with Representative DOOLEY and Representative NUNES to pay tribute to John W. Lake as an Honorary Alumni Member of the California Agricultural Leadership Foundation's California Agricultural Leadership Program. I invite my colleagues to join me in wishing John many years of continued success.

### INTRODUCTION OF THE PACIFIC INSULAR AREAS RURAL TELE-MEDICINE ACT

#### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Ms. BORDALLO. Mr. Speaker, today I am introducing the "Pacific Insular Areas Rural Telemedicine Act" to provide for better treatment of Guam, American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) in the health care service supports under the Communications Act of 1934, as amended by the Telecommunications Act of 1996. This bill amends the Act to redesignate the "urban area" for Guam, American Samoa, and the CNMI to be Honolulu, Hawaii. This bill also seeks to define the maximum allowable distance for the Pacific Insular Areas to be the distance between the capital cities of each jurisdiction and Honolulu, Hawaii. Finally, this bill would specify that the urban rate to be used for rate comparison purposes for the rural health care support mechanism will be the urban rate for Hawaii.

The Rural Health Care Program (RHCP) is a universal service support mechanism that provides reduced rates to rural health care providers for telecommunications services re-

lated to the use of telemedicine and telehealth. Currently, the RHCP can fund up to \$400 million annually to ensure that rural health care providers pay no more than those in urban areas for the same or similar telecommunication services. This support is determined based on mileage or a comparison of urban and rural rates.

Under the mileage based support, the RHCP will pay the difference in charges between the standard urban distance (SUD) for each state and the maximum allowable distance (MAD). Under the urban/rural rate comparison, the RHCP will support the difference between the rural health care provider's charges and what the rural health care provider would have been charged if it were located in an urban area of the state.

The designation of an "urban area" and "rural area" determines which health care providers and carriers are eligible for support under the RHCP. In their initial rulemaking for the RHCP, the Federal Communications Commission (FCC) designated the urban areas for these Pacific insular areas to be Tutuila in American Samoa, Agana in Guam, and Saipan in the CNMI. These designations were made despite the fact that none of these cities have a population of over 50,000, the threshold used by the FCC in making an urban area designation for a state. By defining the jurisdictions' capital cities as the "urban area" for the RHCP, the health care providers in these Pacific insular areas have been informed that the RHCP telecommunication discounts would only be applicable to interconnecting health care facilities in remote locations within their jurisdictions. For Guam, there are no health care facilities that would benefit from this definition. For American Samoa and the CNMI, the only health care facilities that would qualify are those located on remote islands within the political boundaries of their territories.

The health care providers in the Pacific insular areas reflect the size, remoteness, and economic status of their communities. They seek access to advanced medical facilities, specialists and health professions education programs to better serve their rural and remote communities. The populations of these Pacific insular areas are approximately 57,000 for American Samoa, 155,000 for Guam, and 69,000 for the CNMI. These jurisdictions, in their entirety, are classified as "rural areas" and qualify for the rural development programs of the U.S. Department of Agriculture. The FCC designation of the capital cities of these jurisdictions as "urban" has prevented the HCPs in these remote, rural areas access to much needed services.

The FCC has recognized that its current regulations may disadvantage health care providers in the Pacific insular areas. In 2002, the FCC issued a Notice of Proposed Rulemaking (NPRM) to review the rural health care universal service support mechanism and requested comments how to address this issue. Comments submitted by the health care providers in Guam, American Samoa, the CNMI and telecommunications carriers that service

• 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.

these jurisdictions, and by Federal agencies and other programs providing health services raised the need to redesignate their "urban area" to enable the maximum allowable distance to be based on their geographic location. The governments of these jurisdictions specifically requested that their urban area be re-designated to the closest urban area with advanced medical facilities. Honolulu, Hawaii is the closest urban area to each of these jurisdictions with advanced medical facilities as well as an accredited medical school. However, the FCC, in its recent Report and Order, indicated that it is beyond their statutory authority under 47 U.S.C. 254(h)(1)(A) to designate an urban area outside of a state, whose definition includes the territories and possessions, as the benchmark for comparison for the insular areas.

The residents of Guam, American Samoa, and the CNMI contribute to the Universal Service Fund and represent the types of communities that were envisioned to be served by the RHCP. The health care providers in the Pacific insular areas are in need of telecommunication connections with health care providers and with health professions education programs outside of their jurisdictions in order to obtain needed specialty services and access to advanced health professions education and continuing education programs. However, the current costs of these telecommunication connections are too high to make the connections feasible. The Rural Health Care Program, the program that was designed to serve rural communities and which would make such a critical difference in these jurisdictions, currently does not benefit those most in need.

In closing, I want to thank my colleagues, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. ACEVEDO-VILÁ, and Mr. ABERCROMBIE for co-sponsoring this bill. I urge support for this legislation so that we may provide for fair treatment of the Pacific insular areas in the health care service supports under the Communications Act of 1934. Designating Honolulu, Hawaii as the "urban area" for Guam, American Samoa, and the CNMI is the most logical, sensible, and possible approach to resolve the deficiencies in the implementation of the RHCP for these jurisdictions. I look forward to working with the leadership in moving this legislation.

#### IN MEMORY OF SANDY ELSTER

#### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Ms. HARMAN. Mr. Speaker, I rise to say goodbye to a dear friend and neighbor.

Earlier this week, I received news that local activist and businessman Sandy Elster passed away at his Venice, California home at age 86.

Sandy was a true progressive, who cared intensely about policy. He volunteered for my first congressional campaign and was generous with both his time and ideas. He was unafraid to speak out, whether he agreed or not with my positions. Indeed, I know that many of my views were shaped by the discussions we had during our bike rides and brunches along our coastal bike path.

Sandy was known, in particular, for his environmental activism. In recent years, he was a consultant to the Metropolitan Transit Authority to develop a non-polluting, mass transit system. He drove one of the first electric cars, the EV-1, made by General Motors, and later became an advocate for the hybrid Toyota Prius and persuaded his friends to buy it.

Sandy also led local efforts to protect the California least tern, a small gray and white seabird that was added to the endangered species list in the mid-1970s. After moving to Venice in the early 1970s, he helped cut through red tape to erect a fence around a plot of sand about half the size of a football field to keep dogs, cats and other predators away from tern eggs and chicks. Today, the least tern population is stable and growing because of his stewardship.

I know that one of his proudest accomplishments was seeing then-President Ronald Reagan sign the U.N. Genocide Convention—an agreement whose ratification he spent many years working to secure. But beyond making genocide a crime under international law, he believed it important that our citizens know the horror of genocide, its roots, and the need for vigilance. During the 1980s, he was instrumental in the campaign that resulted in legislation to require California's public schools to teach about genocide to students in seventh through 12th grade.

It's emblematic of Sandy's active life that the service to his memory was held at the Beverly Hills Tennis Club. He was an avid tennis player and biker, and I found it challenging to keep up with him.

My thoughts are with his spectacular wife and partner of 56 years, Ernestine, and his family. Sandy was very special.

#### HONORING DR. JOE SABOL

#### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. RADANOVICH. Mr. Speaker, I rise today on behalf of Representative DOOLEY, Representative NUNES and myself, to honor Dr. Joe Sabol on the occasion of his being distinguished as an Honorary Alumni Member of the California Agricultural Leadership Foundation's California Agricultural Leadership Program. This designation will be bestowed upon Mr. Sabol at the annual conference of this organization.

Selection for this distinction is reserved for "special individuals who have, over a period of time, demonstrated consistent commitment and uncommon excellence in the furtherance of education and leadership in California agriculture." The mission of the California Agricultural Leadership Program is to enhance the long-term viability of California agriculture through leadership development, which in turn benefits the people and the communities that agriculture serves.

In 1963, Joe received his Bachelor of Arts degree in General Agriculture from California State University, Fresno. He obtained his M.Ed. in 1965 from University of California, Davis and his Ph.D. in 1976 from Colorado State University. Dr. Sabol came to Cal Poly San Luis Obispo in 1972 to teach Agricultural Education. He later became Associate Dean

and the Dean of the College of Agriculture, as well as Project Director of the Costa Rica E.A.R.T.H. Project. He was named Director of Outreach Services in 1993 and currently teaches within the College. Among his special teaching projects Joe counts the Mexican Ag Education Program, the Pakistan Project, an Advisor's Workshop for Vocational Student Organizations, and the Victorian (Australia) College of Agriculture and Horticulture.

Joe has been involved with the Western Region American Association of Teacher Educators in Agriculture, the FFA Alumni Association, Farm Bureau, the San Jose Unified School District Agriculture Program, and the California Agriculture Teachers Association. He has been named an honorary CFFA Member, Honorary State Farmer with FFA and Grange Youth Booster of the Year for California. In 1987, Joe received the Honorary American Farmer Degree at the National FFA Convention and has been recognized as a "Teacher of Teachers" for 10 consecutive years.

Mr. Speaker, I rise today along with Representative DOOLEY and Representative NUNES, to pay tribute to Dr. Joe Sabol as an Honorary Alumni Member of the California Agricultural Leadership Foundation's California Agricultural Leadership Program. I invite my colleagues to join me in wishing Joe many years of continued success.

#### HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 21, 2004*

Mr. KUCINICH. Mr. Speaker, I would like to show my support for House Resolution 492, honoring the contributions of the 8,000 Catholic schools in our nation.

I would also like to recognize the delegation of students, teachers, and parents who make the National Appreciation Day for Catholic Schools a special day by visiting Capitol Hill offices throughout this day. Their commitment to creating exceptional education opportunities and maintaining quality Catholic schools ensures that Catholic students will continue to benefit from their schooling for years to come. When the 2.5 million students currently enrolled in Catholic schools graduate, an overwhelming percentage of them will attend college. This is a clear sign of the powerful and positive impact Catholic schools are having on millions of our nation's children.

I am a proud graduate of Catholic schools and have a first hand knowledge of the important role Catholic schools can play in the formation of hard-working, caring, and well educated Americans by teaching discipline, pride, and instilling a life-long love of learning in their students. I am so grateful to the priests, nuns and lay persons who taught me at St. Peter's Elementary, Holy Name Elementary, Parmadale, St. Aloysius Elementary, St. Colman Elementary and St. John Cantius High School. Their thirst for knowledge and desire to share it with others has played a critical role in my own life.

Providing quality educational opportunities for all children is one of the most important

goals of our country. Catholic schools, parents, and teachers across the nation play a critical role in achieving this end, and I again congratulate them for their ongoing contributions to education.

#### PASSIONATE COMPASSION

### HON. BARNEY FRANK

OF MASSACHUSETTS  
IN THE HOUSE OF REPRESENTATIVES

Friday, January 30, 2004

Mr. FRANK of Massachusetts. Mr. Speaker, I am increasingly distressed by the trend of public policy at the federal level. For years people blamed federal deficits and increased federal spending on excesses in programs that seek to alleviate poverty and meet the needs of lower income people. Today, from the standpoint of those of us who care about social justice, we have the worst of both worlds—a steeply increasing deficit at the budget level while the percentage of national resources devoted to meeting the economic needs of the poorest of our citizens decreases.

I try to keep this issue constantly in focus, and I am greatly aided in doing so by one of the most dedicated fighters for social justice I have even met—Mark A. Sullivan, Jr., the Executive Director of Citizens for Citizens, an excellent community action program based in Fall River, Massachusetts, with responsibilities in much of the southeastern part of our state.

Mark Sullivan is a man of very considerable talent. His intelligence, commitment, and organizing skills could have led him to a number of lucrative careers. He has instead for the past thirty years stayed at his post in trying to fight poverty and economic deprivation.

Sadly, his job had been made much harder in recent years by the distorted budget priorities being followed by the current administration and Congressional majority. Too often people here vote for cuts as if they were dealing with abstractions without understanding the terrible human consequences of their efforts. No one I know does a better job of trying to make these impacts clear than Mark Sullivan, and in a recent excellent article in the Fall River Herald News, by Deborah Allard-Bernardi, Mr. Sullivan gives one of the expositions at which he excels about the negative effects of what we have been doing.

Because in my mind no issue is more important than reversing this trend of cutting back on the help we give to the neediest among us, I ask that this important discussion by Mark Sullivan in the Fall River Herald News be printed here.

[From the Herald News, Jan. 22, 2004]

CFC DECRIES LACK OF FUNDING  
(By Deborah Allard-Bernardi)

FALL RIVER.—If society doesn't see the invisible man, it's not looking for him, according to Mark A. Sullivan Jr., executive director of Citizens for Citizens Inc.

Actually, it's not just the invisible man Sullivan is worried about, but an entire society of poor people including the elderly, single women and children as well as men. He says they . . . by the very entity that is charged with caring for them: the government.

"Low-income people are off the radar screen," said Sullivan at a press conference Wednesday. "People in this country are locked into being poor."

It's been cuts after cuts for CFC and other agencies that provide food, fuel assistance, housing, day care and other core services to the needy. CFC's most recent plight is a new unemployment formula that is threatening to close its Head Start program before its usual summer hiatus.

The increased unemployment charges that CFC must pay to stay in business as a non-profit organization rose on Jan. 1 from \$125,000 a year to \$255,000 a year. Sullivan said unemployment insurance rose from 4.9 percent for the first \$10,800 each employee makes to 8.2 percent for the first \$14,000.

Coupled with a \$63,000 deficit to the Head Start program, which Sullivan said CFC discovered about eight months into the fiscal year, it's devastating news for the anti-poverty organization.

"We'll have to shut down Head Start early," said Sullivan.

He said unless there is some other solution, Head Start will close in June, about two weeks early. The program serves 410 children in Greater Fall River and Taunton.

All 110 employees would be laid off. Sullivan said that even this solution will adversely affect CFC because it will have to pay higher rates when employees collect unemployment benefits.

"We're being squeezed by every aspect of government," said Sullivan.

But Sullivan said he isn't surprised. After being employed at CFC for 30 years, he said it gets worse every year. There's a constant increase in need and a lack of funding. The newest victims of poverty, according to Sullivan, are the elderly and children.

Currently, 62 percent of Greater Fall River CFC clients receiving fuel assistance are elderly. He said 34 percent of those eligible for the program have already exhausted their benefits, and it's only mid-January. CFC pays up to \$490 per family for heat during the winter season, which runs until April.

Feeding the hungry has also gotten more difficult. With a cupboard that is almost always bare shortly after being filled, CFC handed out more than 4,000 bags of groceries during the month of December.

"We're getting more and more people with less and less money," said Sullivan. "The tragedy of this is (most of) our new clients are elderly."

Sullivan condemned the way the government allocates funding and what it views as important. He laughed at the phrase "jobless recovery" when it is used to describe an economy that some say is getting better.

"How can you have a recovery when people have no jobs?" asked Sullivan, who is passionate about helping the, needy and angered by what he calls "double talk" and unfulfilled promises by government officials.

"A budget is the reflection of the morality of a society. It's getting kind of scary what we deem as important," said Sullivan.

With a one-third cut in discretionary spending by the federal government, Sullivan said that what is considered discretionary is what funds core services that help the poor and working poor stay warm and fed.

"Discretionary spending is what saves poor people from being destitute," said Sullivan.

The losses and cuts in core poverty programs, along with the increases in rent and prescription drugs, are just too much for many families to handle, according to Sullivan, who admits that he has no solution.

"The poor are falling in the cracks and they need a way out," said Sullivan. "I do wish people would start becoming concerned."

Sullivan has also seen a decline in charitable donations to CFC and other nonprofit organizations. He said the middle class is the societal section that has always donated the

most, but even it is feeling the pinch lately and giving less, if at all.

"Those are the people who used to take care of the poor. They're having a hard time taking care of themselves now," said Sullivan.

#### CONGRATULATING NORTHROP GRUMMAN'S LAKE CHARLES MANUFACTURING CENTER FOR RECEIVING THE 2003 LOUISIANA PERFORMANCE EXCELLENCE AWARD

### HON. DAVID VITTER

OF LOUISIANA  
IN THE HOUSE OF REPRESENTATIVES

Friday, January 30, 2004

Mr. VITTER. Mr. Speaker, I rise today to recognize the hard working employees at Northrop Grumman's Lake Charles Manufacturing Center located in Southwest Louisiana. Recently the Louisiana Quality Foundation named the Lake Charles Manufacturing Center as the winner of its 2003 Louisiana Performance Excellence Award, the foundation's highest quality honor.

The Louisiana Performance Excellence Award is an annual recognition of Louisiana organizations that achieve high levels of performance excellence and excel in the application of outstanding quality principles. Organizations that serve as role models for quality, customers satisfaction and performance excellence are considered for this award.

This facility is a business unit of Northrop Grumman's Integrated Systems sector. This sector is a premier aerospace defense system integration enterprise. Integrated Systems designs, develops, produces, and supports network-enabled integration systems for government and civil customers worldwide. Most importantly, Integrated Systems helps fight the War on Terrorism by delivering the best value solutions, products and services that support our military missions in the areas of intelligence, surveillance and reconnaissance, space access, battle management command and control, and integrated strike warfare.

I come to the floor of the House of Representatives today to personally commend and recognize the men and women of Lake Charles Manufacturing Center for this well-deserved award that acknowledges their level of talent and commitment to performance excellence. Louisiana has a talented workforce, and some of the most productive employees in the Nation. This Center truly exemplifies the solid work ethic for which Louisiana is known.

Again, congratulations to the employees of Northrop Grumman's Lake Charles Manufacturing Center for receiving this much deserved award.

#### REMEMBERING SEBASTIAN GARAFALO

### HON. ROB SIMMONS

OF CONNECTICUT  
IN THE HOUSE OF REPRESENTATIVES

Friday, January 30, 2004

Mr. SIMMONS. Mr. Speaker, when I first ran for Congress many people from across eastern Connecticut came forward to introduce me to their communities. One of those who was



instrumental in offering his wealth of experience, good humor and knowledge—before, during and after the campaign—was Sebastian Garafalo, of Middletown, Connecticut. Seb was a good friend and a devoted public servant. Sadly, Seb Garafalo died on Wednesday, January 21. He was 71.

To appreciate Seb's political wisdom and his warm personality you need to know that Middletown is a city in which Democrats outnumber Republicans by a margin of 3 to 1. Seb was a Republican, yet he was a former town councilman and a four-term mayor. Seb won his first mayoral race in 1983. He won two more consecutive terms, lost in 1989, and was elected mayor again in 1991. How did he do it? Well, Seb once said, "It's easy, sometimes I vote their way."

Those of us who work in politics know it's much more than that. Seb was first of all a "people person." He liked people and he liked helping them. Second, while Seb was proud to be a Republican he always wanted to do the right thing for his community. Seb put his constituents first and his politics second.

He also served as co-chair of Middletown's 350th anniversary celebration and until July, when his cancer finally slowed him down, he was on the high school building committee.

Seb had a sincere smile, a warm handshake and his goal was always to bring folks together in common purpose. That's as good a definition of public service as I have ever heard. You see, Seb believed in the old adage: From what we get, we make a living; from what we give, we make a life.

The Hartford Courant wrote, in Seb's obituary, "Mr. Garafalo's three decades serving Middletown were marked by his listening to others and leading with his heart."

That tells you a lot about Seb Garafalo; about why he was important to his community and why he will be deeply missed.

#### SUPPORTING ISRAEL'S NATIONAL DAY TO COMBAT ANTI-SEMITISM

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. SMITH of New Jersey. Mr. Speaker, I am pleased to lend my support for the efforts of our close ally, Israel, in the fight against the scourge of anti-Semitism worldwide. It is fitting and appropriate that Israel has chosen January 27th to raise the issue of anti-Semitism because it marks the day that the Auschwitz death camp was liberated by the Allies. Many of our European friends and allies also held Holocaust remembrance and public education events yesterday.

The painful lesson that the Jewish people learned after World War II was that the logical conclusion of anti-Semitic thought and ideology inevitably leads to anti-Jewish violence. People who are consumed by hatred are almost never content to keep their hatred to themselves. Organized, systematic doctrines of hatred are not just differing opinions. Instead, these anti-Semitic ideologies usually contain an exhortation to action, and that action almost always includes vandalism and violence.

The lesson for the rest of the world is that racial hatred and religious extremism usually starts with the Jews, but if left unchecked, continues to engulf all other peoples and religious views that do not comport with the spewers of hatred. Untold millions of Slavs, Roma, disabled persons, political dissidents, and other so-called "undesirables" marched alongside the Jews into the death camps. They realized all too late, as the saying goes, that first the Nazis came for the Jews, but then they came for them too; no one was left to stand up for their rights. If Europeans and Americans had had more courage to stand up to the fascists and communists who argued that human rights must be subservient to the whims of totalitarian ideologies, perhaps the mass genocides could have been averted.

The painful lessons of World War II are just as relevant today. Even now, we find that the suicide bombers who gleefully hurtle themselves into oblivion in the attempt to kill Israelis and Jewish Americans have been steadily fed a rich diet of anti-Semitism. We have learned that the September 11th bombers emerged from an extremist Wahhabi totalitarian world view in which all those who don't subscribe to their own views are not worthy of human rights, and can be killed at will. Not only that, but the Wahhabi extremists behind 9/11 actually believe that their hatred is divinely justified and required by God.

Regardless of whether my colleagues already agree with the policies of the State of Israel, it is foolish in the extreme to believe that if somehow the United States suddenly abandoned our most loyal ally in the Middle East, that somehow the Wahhabi extremists and Osama Bin Laden supporters would suddenly stop trying to destroy the United States. And yet right after September 11th, there were stories popping up all over Europe and around the world that made the argument that America got its comeuppance that day for its years of staunch support for Israel. This argument is a subtle expression of anti-Semitism in that it implies that support for Israel and the Jews is a crime, and that massacring thousands of innocent civilians can be justified as punishment.

These extremists surely have a systematic doctrine of hatred that starts with hatred of the Jews, but it by no means ends with the Jews. As far as these extremists are concerned, the very values and beliefs America holds dear are blasphemy and punishable by death. I say this because there is a strategic nexus involved here. Israel's fight against anti-Semitism is America's fight against the extremists bent on our own destruction. If we do not join the battle against the rising tide of anti-Semitism both here and abroad, the legacy of that neglect will be a disaster for the U.S. Anti-Semitism is a cancer, and like cancer it will spread until it is either stopped, or it kills you. In a very real sense, anti-Semitism is like the canary in the mine. It alerts you that trouble lies ahead.

I have been actively engaged in the fight against anti-Semitism and have both written and supported legislation designed to expose anti-Semitism. Last summer, I offered an amendment to the State Department Authorization Bill for fiscal years 2004 and 2005 (H.R. 1950) calling on the State Department, the Administration, and the General Account-

ing Office to expand an ongoing investigation and audit of schools run in Palestine by the United Nations Relief and Works Agency (UNRWA).

Incredibly, the U.S. provides one-third of UNRWA's budget even though this agency has failed to take appropriate measures to combat terrorism and fix its broken education system. For instance, UNRWA continues to use anti-Semitic textbooks that glorify martyrdom and deny the legitimacy and existence of Israel as a Jewish state. If children continue to be brainwashed to hate and incited to commit violence in UNRWA schools, then there is no real hope for peace in the region. These UNRWA schools are like greenhouses that are used to grow the next crop of suicide bombers. We must work to change the school curriculum so that it teaches peace and tolerance between Muslims and Jews.

Last summer, I also called for and chaired a Congressional forum after a terrible attack that left 16 people killed and more than 80 wounded after a suicide bomber blew up a Jerusalem city bus during the afternoon rush hour. Ms. Sarri Singer, a New Jersey native, was on the bus and gave moving testimonies at the forum that highlighted the plight of innocent, suffering victims subjected to these awful terrorist attacks.

Unfortunately, anti-Semitic violence and hatred is not limited to the Middle East; in the last year other parts of Europe have also experienced a rise in anti-Semitic acts. In June 2003, I led a State Department delegation, along with former New York City Mayor Rudy Giuliani, to a special conference in Vienna of the Organization for Security and Cooperation in Europe (OSCE).

The conference addressed the rise in anti-Semitic acts both in Europe and North America, and discussed ways to combat this problem. In addition, both this summer and last, I introduced special resolutions at the OSCE Parliamentary Assembly that called upon all 55 member nations to redouble their efforts to combat anti-Semitism in Europe, the United States, and Canada.

After returning from Vienna, H. Con. Res. 49, a resolution I authored to condemn anti-Semitism in Europe and around the world, passed the House on June 25 by a 412-0 vote. H. Con. Res. 49 calls upon lawmakers, law enforcement officials, and educators to amplify their efforts to counter violence and hatred against the Jewish people and their faith. Specifically, the resolution calls upon all nations to aggressively investigate, prosecute, and punish incidents of anti-Semitic violence, discrimination, and destruction of property.

My resolution and the Vienna conference have spurred several nations to act, including Germany, who agreed to host a follow-up conference on anti-Semitism next year in Berlin. The symbolism of this gesture is obvious, as the former center of Nazi Germany will host a conference to address how countries can fight the scourge of anti-Semitism. I will continue to tirelessly push governments and elected officials to speak out against anti-Semitic acts when they occur as well as to vigorously prosecute the perpetrators of these hateful acts. And I am looking forward to attending this follow-on Berlin conference and working to continue the effort to roll back the tide of anti-Semitism.



HONORING THE SERVICE OF PAUL  
IGASAKI**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. HONDA. Mr. Speaker, I rise today to honor the eight years of service Paul Igasaki provided to the United States Equal Employment Opportunity Commission (EEOC).

Mr. Igasaki's tenure as a commissioner and Vice Chair of the EEOC started in 1994, when he was nominated by President Clinton and confirmed by the United States Senate, and his second term began in 1998. During his nearly 1 year as acting Chair, Mr. Igasaki convinced Congress to pass one of the largest increases in funding for the EEOC. This increase allowed the perpetually underfunded agency to fill staffing needs throughout its regional offices, implement mediation programs, extended outreach to underserved communities and begin creating a national networked information system.

At the EEOC, Paul Igasaki was one of the architects in creating the EEOC's more strategic approach in taking on cases, which prioritizes the most egregious cases as well as those that may prevent future cases of employment-related discrimination. Mr. Igasaki's recommendations to overhaul the EEOC's case processing system and create the National Enforcement Plan helped reduce the agency's backlog of cases by 70 percent.

The EEOC was extremely fortunate to have someone with Paul Igasaki's experience serve on the Commission. As executive director of the Asian Law Caucus in San Francisco, one of the Nation's premier Asian American and Pacific Islander legal advocacy organizations, Mr. Igasaki spent several years handling issues such as employment discrimination and sexual harassment cases, as well as wage and hour issues, hate crimes, voting rights, housing, immigration and immigrant rights and other civil rights concerns. Litigating these issues at the Asian Law Caucus prepared him for the work that he would do with the EEOC.

Mr. Igasaki enhanced his Congressional advocacy skills with the Japanese American Citizens League serving as their Washington, D.C. Representative. Clearly, the major legislative victory for the Japanese American community was the passage and signing into law of H.R. 442, the Civil Liberties Act of 1988. This measure provided an apology and symbolic payments from the U.S. government to Japanese Americans for the wrongful deprivation of their civil liberties during World War II.

Serving as Washington Representative, Mr. Igasaki advocated for the appropriations to fund payments promised in the Civil Liberties Act of 1988. Without these symbolic payments to individuals who suffered the loss of their civil liberties, many would view the Civil Liberties Act as a hollow gesture. Among other critical issues, Mr. Igasaki also worked with Congressional offices, the Department of Transportation and the White House to resolve unequal enforcement of antiquated maritime law against Vietnamese American fishermen in California.

While I think of my friend Paul Igasaki as a Californian, he truly learned the art of politics

and its role in improving people's lives in his hometown of Chicago, Illinois. In the Windy City, he served as executive director of the Commission on Asian American Affairs; prior to that position, he was legal counsel and advisor to the Mayor on Asian American community affairs.

After receiving his Juris Doctor, from University of California, Davis and his Bachelor of Arts from Northwestern University, Evanston, Mr. Igasaki was the first staff director of an American Bar Association project that increased private sector civil legal services to poor clients in Chicago. This service came at a time when federal funding for such services was greatly reduced.

Mr. Speaker, I am honored to pay tribute to my good friend Paul Igasaki for his great service to this nation and look forward to his continued success in the fight to protect our civil rights and civil liberties.

HONORING SGT. EDMOND L.  
RANDLE, JR. OF 2ND BATTALION,  
20TH FIELD ARTILLERY REGI-  
MENT, 4TH INFANTRY DIVISION**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, January 30, 2004*

Mr. MEEK of Florida. Mr. Speaker, President George Bush made his highest profile reelection pitch yet with his annual State of the Union speech. His aides said that President Bush planned to defend the war in Iraq unapologetically. He was likely also to talk "at length" about the Middle East and Afghanistan and assure Americans that their Government is winning the global war on terrorism.

Oddly, unlike last year, the President's aides had not described what the President would say about Iraq's Weapons of Mass Destruction—the chemical and nuclear weapons that President Bush so confidently and urgently assured us last year that Iraq was developing and stockpiling;

The weapons of mass destruction President Bush said threatened the very lives and homes of the American people;

The weapons of mass destruction that President Bush told us last year was the reason this Nation had to go to war.

But on Saturday in Iraq, a remote-controlled bomb, planted on an access road and made up of two 155 mm artillery rounds and other explosives, was detonated killing three fine U.S. soldiers, two Iraqi civil defense workers, and wounding two other American soldiers. The blast was so powerful that it flipped the 30-ton Bradley over and set it afire.

The number of U.S. service members who have died since the Iraq conflict began on March 20th reached 500 with that blast.

The 500th young American to die was from my district in Miami, Florida, Sergeant Edmond Randle, Jr.

Pentagon officials reported to me that Sgt. Randle of 2nd Battalion, 20th Field Artillery Regiment, 4th Infantry Division died with two others of his comrades in Taji, Iraq. He has joined 502 other Americans who have given their lives in defense of our country, and on behalf of its citizens.

I visited Karla Randle-West, Edmond's mother and Hattie Hightower, his grandmother, in Carol City, Florida where Edmond grew up. I prayed with them, and they told me a little about the son who would have turned 27 this coming Saturday. Like many of our courageous soldiers, he was pragmatic and ambitious, joining the Army 3 years ago to raise money in order to continue studying at Florida A&M University, my Alma Mater.

He was a pharmacy student in one of the most challenging programs in the Nation. His mother told me that he also played the trumpet in the Marching 100, one of the best marching bands in the world. He gave up his music scholarship to pursue a degree in Pharmacy and took a job in order to pay his tuition and expenses.

He found out that the Army would pay for college tuition if he joined and served for 4 years. He signed up, and though initially worried, embraced his deployment to Iraq as a means to help out his fellow man. His family described him as a caring and sympathetic person who often looked for ways to help out other people.

On Saturday, that was exactly what he was doing, helping people. He and his mates were conducting a surveillance sweep for roadside bombs north of Baghdad when the attack occurred. He died alongside a fellow Floridian, Private First Class Cody Orr, and a Texan, Specialist Larry Polley, Jr. They were all brave soldiers, soldiers who put themselves in harm's way to honor their commitment to the United States of America. They were soldiers who chased an often faceless enemy to protect men, women, and families they will never know. Unfortunately, they were among 503 Americans who gave the ultimate sacrifice while proudly defending the Red, White, and Blue.

Reaching that threshold underscores the dangers still facing U.S. forces in Iraq as President Bush's administration prepares to seek help from the United Nations in building a new Iraq, after shunning the world organization for months.

Sgt. Randle was to return home to his family in March, when another mother's son would likely replace him. As it is, his cousin is soon to be deployed himself. Certainly, it would make Sergeant Randle's death, the death of the other 502 soldiers; the wounds and injuries of 2,893 others, and the countless civilian casualties of no importance were we to pull out of Iraq without an established government with some form of democratic identity.

But, we should expend every energy, every diplomatic means, and every world resource to make the turn-over of power to the Iraqis happen as quickly as possible, so that we can bring our troops home. In the meantime, I would continue to hope that the supplemental appropriations given to the Pentagon last Fall would purchase the jammers that might have prevented the remote detonation of the bomb that killed Sgt. Randle.

Edmond Randle represented everything about the American soldier that we look up to—he was a talented musician, dedicated student, and much-loved son and grandchild. He was also a brave and honorable soldier in the United States Army. He will be missed by his family, his friends, and his fellow troops.

BANKRUPTCY ABUSE PREVENTION  
AND CONSUMER PROTECTION  
ACT OF 2003

SPEECH OF

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 28, 2004*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (S. 1920) to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted:

Mrs. MALONEY. Mr. Chairman, with more than 1.6 million annual bankruptcies, America needs real bankruptcy relief.

In the past, I have voted for the bankruptcy bill that is on the floor.

But today I cannot, because the majority has once again shown its allegiance to the most extreme elements of the anti-choice movement and removed the bipartisan, negotiated Schumer amendment.

The bill on the floor is an especially devious attempt to pass the bill without the Schumer language, now inserting the entire bill into Chapter 12 bankruptcy relief for farmers.

By doing so, the Majority is holding up much-needed bankruptcy reform and relief for struggling farmers hostage to appease anti-choice extremists.

But for the lack of the bipartisan Schumer language I would support the bill. The idea at the heart of the bill, that debtors who can pay their debts should, is a fair one. The reforms in the bill are long overdue and consumer spending is so important to the economy that it saddens me that the Majority decided to play games rather than pass needed reform. Without the bill, all consumers who pay their bills on time suffer as they experience higher credit costs than they otherwise would. This legislation is also important because it includes legislation dealing with the netting of financial contracts. As derivatives continue to play a larger role in the economy, this netting legislation grows in import.

The purpose of the bankruptcy code is to help provide a fresh start to the "honest but unfortunate debtor."

With over 4,100 acts of violence at our nation's clinics, it is clear that these criminals are not honest, but instead are violent criminals who are getting away with their efforts to injure and intimidate women.

Without this provision, if someone hurts or kills someone outside an abortion clinic, he or she can file for bankruptcy and avoid paying any judgements made against them. In other words, they are not held financially responsible for violating the law.

If we strip this provision from bankruptcy reform, we send a message to criminals that they can continue to trample on the rights of American women and use violence to do so.

We must stop these people from violating the law and must stop them from finding shelter in bankruptcy.

I urge a "no" vote on this bill which is a shameless attack on a fair, bipartisan compromise and an unjust assault on America's farmers and women.

# Daily Digest

## Senate

### *Chamber Action*

The Senate was not in session today; it will next meet at 1 p.m., on Monday, February 2, 2004.

### *Committee Meetings*

No committee meetings were held.

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## House of Representatives

### *Chamber Action*

**Measures Introduced:** 2 public bills, H.R. 3750–3751; and 1 resolution, H. Con. Res. 509, were introduced. **Page H250**

**Additional Cosponsors:** **Page H250**

**Reports Filed:** Reports were filed today as follows:  
H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with a Copyright Royalty Judge, amended (Rept. 108–408). **Page H250**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Bartlett to act as Speaker pro tempore for today. **Page H247**

**Chaplain:** The prayer was offered today by Rev. Dr. Ronald F. Christian, Pastor, Evangelical Lutheran Church in America in Fairfax, Virginia. **Page H247**

**Quorum Calls—Votes:** There were no votes or quorum calls today.

**Adjournment:** The House met at noon and adjourned at 12:08 p.m.

### *Committee Meetings*

No committee meetings were held.

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### CONGRESSIONAL PROGRAM AHEAD

Week of February 2 through February 7, 2004

(For Congressional Program Ahead see DAILY DIGEST of Wednesday, January 28, 2004, page D36)

*Next Meeting of the SENATE*

1 p.m., Monday, February 2

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Tuesday, February 3

## Senate Chamber

**Program for Monday:** After the transaction of any morning business (not to extend beyond 2 p.m.), Senate will resume consideration of the motion to proceed to consideration of S. 1072, SAFE Transportation Equity Act, with a vote on the motion to close further debate on the motion to proceed to occur at 5:45 p.m.

## House Chamber

**Program for Tuesday:** To be announced.

## Extensions of Remarks, as inserted in this issue

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