

vote on rollcalls 115 through 123. Had I been present, I would have voted "yes" on all nine of those rollcalls.

HONORING THE CONTRIBUTIONS
OF LAREDO INDEPENDENT
SCHOOL DISTRICT BOARD OF
TRUSTEES MEMBER JOSE
VALDEZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Laredo Independent School District Board of Trustees Member Jose Valdez.

Jose A. Valdez has a long and distinguished career in public service. He is a previous member of the City Council of Laredo, and is active in community governance in a variety of ways.

He promotes community involvement by seniors as the South Texas Coordinator of RSVP, the Retired Senior Volunteer Program. Through his work, seniors have been given a way to continue to contribute to the community in their retirement, improving their quality of life and the quality of life of all those around them.

Mr. Valdez has also been an advocate for a population that is too often forgotten by government: migrant workers. He has been Deputy Director of the Texas Migrant Council, and Executive Director of the Minnesota Migrant Council.

The Laredo Independent School District now benefits from Mr. Valdez' experience and energy, as he continues his work as a Board of Trustees Member. Mr. Valdez has had an exemplary career in public service and volunteer work. He is a credit to his community, and I am proud to have had the chance to recognize him here today.

TRIBUTE TO CONGRESSMAN TOM
BEVILL

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CRAMER. Mr. Speaker, with profound sadness, I rise today to honor the life of my good friend and mentor, former U.S. Representative Tom Bevill. He passed away on March 30, 2005, one day after his 84th birthday.

Congressman Bevill served in this Chamber for the State of Alabama for 30 years. He was the Chairman of the House Energy and Water Appropriations Subcommittee. He was a powerful Congressman, who always remembered the people of Alabama who elected him. Under his chairmanship, he helped ensure that the State received funding for vital programs and projects and did a tremendous amount to improve the overall quality of life for his constituents.

Mr. Speaker, to honor the life and accomplishments of Tom Bevill, we must talk about the person he was. He was a devoted husband and father, a patriot and a statesman.

Mr. Bevill inherited me when I was elected to Congress in 1990. Actually, I had first met him in 1980 when he was getting off of Air Force One with President Carter in Huntsville. What a distinguished man he was coming down those steps, and I am talking about Tom Bevill. I had just been elected District Attorney of Madison County and I was meeting the man I had heard so much about, Tom Bevill. A powerful member of Congress and the Chairman of the House Appropriations Subcommittee on Energy and Water.

In 1991, I was a dangerous creature, a freshman Member of the U.S. House of Representatives. Mr. Bevill and his entire office became like family to me. He went out of his way to teach me everything he could and he let other members know that I was his partner, though I knew I was a very junior one.

One of the first legislative battles we fought together was over funding for NASA's Space Station. I had thousands of jobs at NASA's Marshall Space Flight Center in Huntsville connected to the space station. A Michigan Member was offering an amendment to an appropriations bill to kill the whole program, ending my jobs. So a number of us, including Mr. Bevill, organized to defeat the amendment. Mr. Bevill, like a good teacher, sent me to talk to this Michigan Member.

Now Chairman Bevill didn't do all this work "for" me, he always did it "with" me. In this case, he sent me to talk to the man, alone. I did not know this man, but off I went, and I talked to him, or tried to, and it did not go well at all.

This man from Michigan put his hand on my shoulder, grinned and said, "You might as well kiss those jobs goodbye." He was crude and rude. So I reported this back to Chairman Bevill and he said, "You don't say? Well, truth be known the man is practically a communist. But, we'll beat him." And we did. Chairman Bevill was brilliant on the floor during the debate. We saved those jobs and probably mine too. And the Space Station is out there in Space. But, I sure learned a lot from Tom Bevill.

I can see him now. Always neatly dressed, hard at work for his Alabama and his Country. Chairman Bevill was from a different, and I have to say better era. A time in the U.S. House when members were civil and even courteous to one another. They might disagree and often did, but they walked away as friends. And they did it with dignity.

Tom Bevill was always at the Thursday morning prayer breakfast. He sat in the same place every week with his friends. He took me with him the first time I went and I was and am a better person for it. He showed me where members of Congress could eat lunch in the Capitol. As often as I could I would eat there, watching and listening to Tom Bevill and his friends. Members were always trying to talk to Tom Bevill, to ask him for something, and he was always kind and courteous.

The Alabama delegation, seven of us, would tend to gather at every vote in the same area of the House Floor. Mr. Bevill would watch our votes and every now and then he would make a comment. A careful comment—"Bud, are 'we' being a politician today or a statesmen?" or "I find that 'our' people in Alabama don't see this issue the way some do . . ." Offering wonderful, helpful, wise advice, that was the kind of man he was.

And so, every now and then some, not many, will say to me in my district in North

Alabama, "You are going to be another Tom Bevill," or at least that's the way I hear it in my mind. They probably actually say, "You keep this up and you 'might' be another Tom Bevill." Then I know, that after 15 years, I have heard the best compliment one could pay . . . To be compared to Tom Bevill.

He gave us so much and I will miss him dearly.

To his children, Susan, Don, and Patty, thank you for letting us share him with you and your families.

Mr. Speaker, I rise today on behalf of everyone in North Alabama, to show my thanks to Congressman Bevill and honor him as a true American leader. There won't be another one like Tom Bevill.

PEST MANAGEMENT AND FIRE
SUPPRESSION FLEXIBILITY ACT

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. OTTER. Mr. Speaker, I rise today to introduce the Pest Management and Fire Suppression Flexibility Act. This bill codifies the Environmental Protection Agency's rule-making, while affirming Congressional intent and the long-held positions of Republican and Democrat administrations with regard to the Clean Water Act and pesticide applications, fire suppression and other pest management activities. I am pleased to be joined by 28 members in introducing this legislation.

Congress passed the federal Clean Water Act (CWA) in the early 1970s in an attempt to better account for and more closely regulate discharges of municipal wastes and pollutants into our nation's waterways from large industrial facilities.

More than 30 years later, however, federal courts have expanded the scope of the CWA far beyond the original intent of Congress. Today, family farmers, mosquito-abatement and pest-control districts, irrigators, rural water districts, federal and state agencies, foresters, pest and lawn-care control operators and many others are subject to unnecessary, bureaucratic permitting requirements and nuisance lawsuits based on misguided interpretation of the CWA by the 9th U.S. Circuit Court of Appeals.

Known as the Talent and Forsgren decisions, the court ruled that persons applying a pesticide according to the federally approved label directly to or above a body of water must obtain a CWA permit prior to the application. The Forsgren decision also significantly narrowed a longstanding Environmental Protection Agency (EPA) rule exempting forestry activities such as pest and fire control from CWA permitting requirements. Similar cases are pending in other parts of the country.

The court's viewpoint in Talent blatantly disregards the comprehensive pesticide registration process required by the primary federal pesticide statute, the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Under FIFRA, the EPA reviews environmental effects and water quality data, and approves specific use directions for pesticides based on the information it has evaluated—a factor the district court in Talent relied heavily on in rejecting the suit. Failing to use a pesticide in accordance with its EPA-approved labeling is a violation of federal and state laws.

EPA does not issue CWA permits solely for the direct application of a pesticide to target a pest that is present in or over water, nor has it ever stated in any general policy or guidance that a permit is required for such applications. EPA recently issued rulemaking specifically exempting pesticide applications performed according to label instructions from CWA permitting requirements. The action would codify a 30-year-old policy.

By transferring the primacy of pesticide use from FIFRA to CWA, the 9th Circuit has authorized attorneys representing activist groups to file lawsuits to bully and intimidate farmers, mosquito abatements districts, the U.S. Department of Agriculture and others into ceasing long and widely practiced activities that have been authorized by—and already are closely overseen by—Federal and state governments.

While the EPA's rulemaking is a step in the right direction, many groups are concerned that it will not provide the necessary protection from activist lawsuits. The legislation I am introducing today would make permanent the EPA's current rulemaking related to pesticide applications and CWA permits as well as its 30-year-old rule exempting certain forestry activities. Moreover, it would provide much-needed protection from nuisance suits for groups that already are too heavily regulated.

INTRODUCTION OF THE STOP SENIOR HUNGER ACT OF 2005

HON. FRANK. A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. LOBIONDO. Mr. Speaker, I rise here today in support of the "Stop Senior Hunger Act of 2005." This important piece of legislation reauthorizes vital senior nutrition programs. These programs help these men and women in cities, suburbs and rural communities across America who are elderly, homebound, disabled, frail or at risk. They help those with long-term illnesses and those who may just need a little short-term assistance after a hospital stay or during a time of need. In the words of the Meals-on-Wheels Association of America, the oldest and largest national organization representing senior meal programs in the United States, these programs are needed "so no senior goes hungry."

The "Stop Senior Hunger Act of 2005" reauthorizes through 2010 both congregate and home delivered nutrition services—those meals provided at local senior centers and those meals delivered to homebound seniors. It also reauthorizes the Nutrition Services Incentive program which provides additional funds to states based on each state's share of the total meals served by Meals on Wheels and other senior nutrition programs in all states the prior year.

The average beneficiary may be very familiar to you—she may be your mother, your grandmother or your next door neighbor. She is an elderly woman in her very late seventies or early eighties and is more than twice as likely as her contemporaries to live alone, apart from family and friends. She is likely to have trouble with walking or climbing stairs and have a number of diagnosed chronic health conditions. In addition, she probably

has an income below \$18,000. Whatever the reason, she cannot shop, cook, or prepare meals for herself. She relies on Meals on Wheels and other senior nutrition programs to ensure she gets proper nutrition.

The demand for the services Meals on Wheels and other senior nutrition programs provide will continue to increase at an astounding pace. As many of you know, the over 65 population in the United States is growing and is projected to increase dramatically. In fact, those individuals age 85 or older, is the fastest growing segment of the entire United States population.

Meals on Wheels and other senior nutrition programs are also an excellent use of our increasingly scarce federal dollars. They save federal Medicare, Medicaid, and veterans' health care costs since malnourished patients stay in a hospital nearly twice as long as well nourished seniors. In addition, for every federal dollar spent as part of these programs as much as three dollars are leveraged from other funding sources, including state, local and private funds and participant contributions toward the cost of meals.

I was proud to participate in the Meals on Wheels Association of America's "March for Meals" last month. I joined volunteers from Meals on Wheels of Salem County, New Jersey in delivering meals and witnessed first hand both the need for these important programs and the incredible dedication of their staff and volunteers. I encourage each of you to get involved with your local programs—whether you help prepare meals, deliver meals, or just join local seniors in enjoying their meals—your support can make a difference.

For all of these reasons, I urge my colleagues in the House to support the "Stop Senior Hunger Act of 2005."

HONORING THE CONTRIBUTIONS OF FRIO COUNTY COMMISSIONER JOSE "PEPE" FLORES

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Frio Precinct Four County Commissioner Jose "Pepe" Flores.

Mr. Flores has a strong and varied background in public service. He graduated from Dilley High School, and from Sul Ross University in 1970 with a Bachelor's Degree in Chemistry. He subsequently received his certification as a Medical Technician.

He has worked as a drug abuse counselor, a college teacher at the University of Texas, and a Halliburton Oilfield Engineer, among other professions. He has also been part of several important community organizations, including the Tax Appraisal District, the Rio Grande Water District, and the Dilley Independent School District School Board.

Mr. Flores now serves the public as County Commissioner for Frio County. He owns and operates a ranch in South Texas, and is married to Jennifer Flores, with whom he has two children.

Mr. Flores has distinguished himself as an energetic, hardworking, and versatile businessman and public servant.

The city of Dilley and the people of Frio County have benefited greatly from the work he has done, and I am proud to have the chance to thank him here today.

HONORING LAIRD & COMPANY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. HOLT. Mr. Speaker, I rise today to honor Laird & Company on its 225th Anniversary as a family, owned and operated New Jersey business located in Scobeyville, New Jersey. Laird & Company is the oldest licensed distiller in the United States and is most well known for its famous Applejack.

The history of Laird & Company is very rich. The company can trace its origin back to 1698 when William Laird moved to Monmouth County, New Jersey from Scotland and began making Scotch by using one of the most abundant resources in the area, apples. He made this brandy for his own family, friends and neighbors.

During the Revolutionary War, Robert Laird served under George Washington and during the Battle of Monmouth, the Laird family would supply the troops with Applejack. Washington enjoyed Applejack and personally requested the recipe to produce his own. To this day, Washington is the only non-Laird family member to know the secret Laird's Applejack recipe.

During Prohibition, the company was able to survive by selling sweet cider and applesauce. Since the Prohibition, Laird & Company has produced roughly 95 percent of all Applejack apple brandy sold in the United States. Laird & Company halted their production of Applejack during World War II to aid in the war effort by converting their plant to dry and dehydrate apple pomace for pectin and other products.

Laird & Company was recognized by the New Jersey State Senate in 1964 as the "oldest native distilled spirit beverage in the United States." The plant in Scobeyville, New Jersey is the oldest operating distillery in the country and it produces close to 1.5 million cases of distilled spirits annually.

I rise today to commend Laird & Company in its 225th year as a family owned and operated business with a deep history. I applaud the service that Laird & Company has made to the individuals and communities of Central New Jersey and the country.

TRIBUTE TO LAWRENCE DUNHAM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 21, 2005

Mr. PAYNE. Mr. Speaker, I rise to honor an outstanding State Department professional, Lawrence Dunham, as he retires after three decades of dedicated government service.

Mr. Dunham served as Assistant Chief of Protocol for Diplomatic Affairs at the State Department and also assumed the position of Acting Chief of Protocol when he was designated to manage the transition from the Clinton to the Bush administration. He is well-respected by Members of Congress from both