

Our childcare professionals work tirelessly to care for our children and keep them safe. But they desperately need the appropriate resources to protect children from the hidden dangers of lead hazards. Like its companion bill, introduced in the other Chamber by Senator OBAMA, the Lead Poisoning Reduction Act will establish the Select Group on Lead Exposures which will be comprised of experts from the Secretary of Education, the Centers for Disease Control and Prevention, the National Institute of Environmental Health Science, the Administration for Children and Families, and the National Institute of Child Health and Human Development.

The Select Group will be charged with conducting a study of current State and local programs intended to prevent lead poisoning at childcare facilities. Within 1 year of enactment, the Select Group will establish lead safety standards and abatement procedures for such facilities. The bill provides for lead testing of child care centers, and directs the Select Group to establish and administer a grant program to defray abatement costs to help facilities comply with the new lead-safety standards. Finally, the Lead Poisoning Reduction Act will require that contractors hired for repair, renovation, or reconstruction of childcare facilities are provided with educational materials about lead hazards and the guidance necessary to avoid imposing additional risks of lead exposure. These initiatives will play an integral role in preventing future incidences of lead poisoning.

America's children deserve to be safe at their childcare facilities. I, therefore, urge my colleagues to join me in supporting the Lead Poisoning Reduction Act.

IN HONOR OF THE RETIREMENT
OF JAMES JOSEPH RUSH OF
BOSTON, MA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Mr. LYNCH. Mr. Speaker, I rise today in honor of James Joseph Rush, in recognition of his outstanding contributions to the Commonwealth of Massachusetts Trial Court and to commend him for 43 years of dedicated service.

The son of John and Mary Rush, immigrants from County Mayo, Ireland, James was born on February 9, 1931 in Boston's Mission Hill neighborhood. As a youth, James was very active in the Sacred Heart Church in Roslindale, MA, and served as the first president of the Boston Archdiocesan Chi-Rho Association.

After graduating from Roslindale High School, James enlisted in the United States Navy and served his country honorably from 1951 to 1955. During his tenure James served onboard the USS *John W. Weeks*, DD-701.

Upon completion of his distinguished service to our country James attended Boston College and graduated from the Carroll School of Management with a bachelor of arts degree in 1960. After graduation, James began a career in the Commonwealth of Massachusetts Trial Court as a probation officer overseeing juveniles. Following this position James was assigned assistant chief of probation until 2004

when he was named the chief of probation in the West Roxbury Division of the Boston Municipal Court.

Along with providing distinguished service to his country and State, James is also an active member of his community. A faithful parishioner at St. Theresa's in West Roxbury, James has served as a eucharistic minister for many years. James is a past president of the St. Theresa's School Parent-Teacher Association, has served on the parent advisory board of Catholic Memorial and is a member of the Boston College Alumni Association. James is also a member of the John G. Williams Council of the Knights of Columbus in Roslindale, MA.

Mr. Speaker, throughout his career in the Massachusetts Trial Court and his volunteer work in the community, James has served as a mentor and role model for Massachusetts youth. Above all of these accomplishments the title James cherishes most is that of husband and father. James has the enormous pleasure and tremendous good fortune to be married to his wife of 36 years, Virginia; they are the proud parents of six wonderful children and the grandparents of four adoring grandsons.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with James Rush's family, friends and contemporaries to thank him for his remarkable service to the Massachusetts Trial Court. I urge my colleagues to join me in celebrating James' distinguished career and wish him a happy and full retirement.

URGING THE PRESIDENT TO APPOINT
A PRESIDENTIAL SPECIAL
ENVOY FOR SUDAN

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. LANGEVIN. Mr. Speaker, I rise today in support of H.R. 3127, the Sudan Darfur Peace and Accountability Act of 2006, which passed Congress on September 25, and H. Res. 992, which calls for the appointment of a presidential special envoy for Sudan and passed the House on September 26. H.R. 3127 addresses the ongoing violence and humanitarian disaster in the Darfur region by directing the president to impose sanctions on the Government of Sudan as well as freeze the assets of anyone responsible for acts of genocide, war crimes, or crimes against humanity in Sudan.

H.R. 3127 also supports the United Nations and NATO to send a civilian protection force to assist the African Union Mission in Sudan. This is especially important since the Sudanese Government is currently refusing to allow U.N. troops into Sudan, which threatens a recent peace agreement and could lead to further violence. I am disappointed, however, that an earlier provision in H.R. 3127 that would have allowed States to make a decision to divest from Sudan was not included in the final version.

This conflict has resonated with people all over the world who want this travesty to end. It is a shame that we have not learned from our mistakes in the past regarding genocide, but it is not too late to change the situation in

Sudan. We must not stand by as the situation deteriorates in Darfur. It is our duty to end this human suffering, and I will continue to work to stop this conflict and promote peace in Sudan.

AMENDING THE INTERNAL REVENUE CODE OF 1986 TO TREAT INCOME EARNED BY MUTUAL FUNDS FROM EXCHANGE-TRADED FUNDS HOLDING PRECIOUS METAL BULLION AS QUALIFYING INCOME

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, today I introduced legislation to update the Internal Revenue Code mutual fund rules to clarify that a mutual fund is permitted by the tax rules, as they are by the securities law, to invest in publicly traded securities representing interests in trusts holding precious metal bullion, such as gold.

Beginning in November 2004, the Securities and Exchange Commission has permitted the registration of securities representing equity interests in trusts holding precious metal (gold and silver). These securities now trade on the New York Stock Exchange and the American Stock Exchange. They did not exist at the time the mutual fund tax rules were most recently amended by Congress.

These investments share the same essential characteristics as other securities that give rise to good income for mutual funds under the Internal Revenue Code. In particular, they are clearly "securities" for purposes of the Investment Company Act of 1940, and under the mutual fund tax rules, gain on sale of "securities" is clearly good income for the mutual fund.

However, because the bullion funds are treated as "grantor trusts" for income tax purposes, it is not clear whether the income from these securities would be considered qualifying income under the Internal Revenue Code Section 851(b) mutual fund rule that requires that 90 percent of the income of the mutual fund must be from securities and other specified passive investments. The Tax Code provisions applicable to grantor trusts generally treat the shareholder, "grantor," as owning directly the underlying assets of that trust, rather than owning merely its equity interest in the trust, even when the shares in the trust are traded as securities on the major exchanges. As a result, a mutual fund's income from such an investment, including gain on sale, could be considered nonqualifying income. Excessive nonqualifying income would destroy the mutual fund's qualification as a mutual fund and subject the fund income to a layer of tax at the fund on the same income that is also taxed to the shareholders.

The bill updates the Internal Revenue Code to correct that problem for securities holding precious metal bullion. It provides that the income derived from any interest in such a trust, including gain on the sale of such an interest, is considered qualifying income for purposes of the 90 percent rule. To qualify under this amendment, at least 95 percent of the holdings of the trust must be in the form of precious metal bullion.