

EXTENSIONS OF REMARKS

RECOGNIZING JOHN G. TAYLOR

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize John G. Taylor for being selected as the Person of the Year 2000 for his accomplishments in the area of religious journalism. The Muslim Public Affairs Council-Fresno presented the award to Taylor on Saturday, April 28, 2001 at their annual awards dinner.

John G. Taylor is a first-generation American. He was born in Brooklyn, New York in 1950. He worked as a reporter for a weekly newspaper and as a correspondent for the New York Times while he earned a degree in journalism at New York University. After college, he worked as a desk editor at newspapers in Hartford and New London, Connecticut. John always made time to do freelance writing on the side.

In 1981, John and his family relocated to Fresno, where he found a job with the Fresno Bee. In 1989, John landed a job as a religious reporter. He covered various historic religious events, including Pope John Paul II's World Youth Day gathering in Denver and the "Stand in the Gap" million-man Christian march in Washington, D.C. He eagerly pursued stories about people and matters of faith for the Fresno Bee until January of 2001. After his tenure at the Bee, John accepted a position as a senior communications specialist/senior writer with Community Medical Centers.

John and his wife Judy have six children and seven grandchildren.

Mr. Speaker, I rise to recognize John G. Taylor for his Person of the Year Award presented by the Muslim Public Affairs Council-Fresno. I urge my colleagues to join me in wishing John G. Taylor many more years of continued success.

SIXTH DISTRICT COACH ACHIEVES A NATIONAL HONOR

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. COBLE. Mr. Speaker, the Sixth District of North Carolina is proud to congratulate John Ralls, who has been named as the runner-up for the National High School Coach of the Year Award. Ralls, coach of the Ledford High School girls' basketball team, received this honor from the Women's Basketball Coaches Association on April 7th. In addition to this achievement, Ralls earlier was named the Southeast Region Coach of the Year and the North Carolina Coach of the Year.

Mixed in with the good news of these accomplishments was a painful back injury that required surgery. "I was kind of out of it,"

Ralls told the Greensboro News and Record, "so I didn't pick up on it (the award) for about a week." Ralls's first back surgery was in 1992, his first year of coaching. The more recent surgery was much more serious, however, and Ralls was concerned that he might be unable to attend the ceremony on April 7th. Fortunately, Ralls was well enough to participate as well as perform as the assistant coach for the All-American girls' game in Phoenix, Arizona, where he picked up his award.

Ralls came to be nominated for this national award by one of his opponents. His Ledford team scrimmaged Apex High School, and it was the Apex coach, Scott Campbell, who nominated Ralls for the honor that he received.

During his 15 years as coach Ralls has greatly impacted the basketball program, but more importantly, many young lives. In the last seven seasons, the Ledford Varsity girls' basketball team has won three state championships, as well as appearing in the state finals four times.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate Ledford coach John Ralls for his many accomplishments both on and off the basketball court.

INTRODUCTION OF INTERNET EQUITY AND EDUCATION ACT OF 2001

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. ISAKSON. Mr. Speaker, today I am introducing the Internet Equity and Education Act of 2001.

The Web-Based Education Commission, on which I served as Vice Chairman, set out to discover how the Internet was being used to enhance learning opportunities for all learners regardless of age. We heard testimony from many experts and witnessed many demonstrations of how successfully to use technology in education. Last fall, the Web-Based Education Commission issued its report, "The Power of the Internet for Learning."

Throughout the report, the Commission makes several recommendations for improving and expanding the use of the Internet so that all learners may have greater access to educational opportunities. One specific recommendation made by the Commission was to "[r]evise outdated regulations that impede innovation and replace them with approaches that embrace anytime, anywhere, any pace learning." The bill I am introducing today addresses this recommendation as it applies to postsecondary education.

The Commission identified specific areas that should be addressed immediately if we truly are to embrace anytime, anywhere and any pace learning. The bill I am introducing today provides a limited expansion of internet-based educational opportunities for students.

By the next reauthorization of the Higher Education Act we will know if our efforts at expansion were successful and if greater expansions are warranted.

The first provision addressed in this legislation deals with on-line education programs. As a result of past concerns regarding correspondence education, the Higher Education Act limits the number of courses an institution may offer and the number of students an institution may enroll in such courses and remain eligible to participate in the title IV student aid programs. In addition, the Higher Education Act limits the amount of aid a student enrolled in distance education courses delivered via telecommunications may receive if the institution offers half or more of its courses by correspondence or telecommunications. These provisions hinder innovation and do nothing to promote the concept of anytime, anywhere, any pace learning. However, with modest changes to the law, we can lift these rules and allow greater innovation and flexibility that will undoubtedly expand educational opportunities for all learners, without increasing risks to program integrity. Under the bill I am introducing, postsecondary institutions that are already participating in the federal student loan programs with student loan default rates under 10 percent over the three most recent years would face no limit to the number of

The second provision addressed in this legislation is the repeal of a regulation known as the 12-hour rule with respect to non-standard term programs. This rule governs the amount of "seat-time" students must spend in class per week, and hinders innovation and flexibility in the offering of academic programs as a result of the enormous and expensive administrative burdens it imposes on colleges and universities. In the case of one university offering a nontraditional, non-standard term program, this rule translates into 370,000 reports each year that must be prepared, approved by faculty and stored in a way that they are available for inspection. These reports fill 20 four-drawer file cabinets every year. Who is going to review and read these mind-numbing reports? My guess is that no one is going to actually review or read these mind-numbing reports? My guess is that no one is going to actually review or read these reports, but the government continues to require that the reports be written and retained. Under these circumstances, why would any college try to offer innovative and flexible academic programs specifically designed to expand educational opportunities? This regulation clearly fits the Commission's call for revising outdated regulations that impede innovation. It needs to be repealed. The bill I am introducing today repeals this outdated regulation and simply treats non-standard term programs the same as standard term programs with respect to the definition of a week of instruction.

The final provision addressed by the legislation would clarify the incentive compensation

• 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.

requirements currently found in the law. This provision would return to postsecondary institutions the ability to reward employees appropriately for their job performance, as long as they are not directly recruiting students.

This legislation provides much needed changes to the Higher Education Act that will allow all learners to take the fullest advantage of what the newest technologies can provide for their education. I thank the Chairman of the subcommittee, Mr. MCKEON, and Ranking Minority Member of the subcommittee, Ms. MINK, for their help in crafting this legislation, and I urge the support of all the members of this body.

MEMORIAL DAY

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. RYUN of Kansas. Mr. Speaker, as we approach Memorial Day, I would like to take a moment to reflect on the sacrifices that our veterans have made to keep us free.

This Freedom does not come without a price. It has been earned through the blood sweat, toil and tears of our military servicemen throughout history. Many of these men and women have paid the ultimate sacrifice on battlefields around the globe.

Now we must fulfill our promises to them. We must fulfill a promise of honor, respect and dignity today as we observe the sacrifices to services members.

I urge every American to pause and recognize that all of our liberties have been earned by thanking a veteran for their sacrifice.

Countless soldiers have died for our peace and stability. They knew the threat to their lives when they answered the call to stand up and fight for liberty.

We owe a huge debt of gratitude to this dedicated group of heroic Americans. Let's honor them by giving them our thanks and praise this weekend.

PERSONAL EXPLANATION

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. RADANOVICH. Mr. Speaker, my "yea" vote (Rollcall No. 144) on May 23, 2001 was recorded in error. I intended to vote "no" and would like the RECORD to reflect my position on the Motion to Recommit.

TAX RECONCILIATION CONFERENCE

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. MEEKS of New York. Mr. Speaker, I rise today to express my deep and alarming concerns about the pending Tax Reconciliation Conference Report.

While the Senate, that now distinguished body across the divide, has managed to scale

back the size of the tax cut, Mr. Speaker it is still too large. We cannot afford this tax cut! If we are to meet our obligations to the nation's youth, elderly and impoverished, we must act responsibly.

However you slice it, Mr. Speaker, this is tax cut for the rich. This is a bank account builder for those in our country who least need the boost.

We are basing this tax cut on projected revenues which, even by the most liberal of estimates, may not materialize.

Mr. Speaker, the most irresponsible part of this tax cut is that it relies on, and threatens the Medicare and Social Security Trust Funds. It is an irresponsible tax cut because it totally ignores hundreds of billions of dollars in interests costs. It seeks to line the pockets of the rich while fleecing the poor on energy, education and housing.

Mr. Speaker, I urge my colleagues to continue to expose this tax cut for what it really is, an irresponsible, poorly calculated and skewed to the wealthy budget buster.

TRIBUTE TO JAMES A. HARMON

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CALLAHAN. Mr. Speaker, I would like to take a moment to recognize the departure of James A. Harmon as Chairman of the Export-Import Bank of the United States and thank him for a job well-done.

I had the pleasure of working closely with Chairman Harmon on a number of Ex-Im Bank issues during my time as Chairman of the Appropriations Committee's Subcommittee on Foreign Operations. I know firsthand what a strong advocate he has been for the agency and its important mission of supporting U.S. jobs through exports. From making Ex-Im Bank financing available in new foreign markets, to making the Bank more customer friendly, Chairman Harmon has done much to make Ex-Im Bank a more effective tool to support U.S. exports and U.S. jobs.

Chairman Harmon brought to Ex-Im Bank nearly 40 years of private sector experience in investment banking. This gave him an acute appreciation of global capital markets and the challenges U.S. exporters face in obtaining financing to transact business in emerging market economies. He put this experience to work at Ex-Im Bank, developing innovative financing structures, implementing marketing programs to better reach out to small businesses and other exporters that cannot access private sources of financing, and streamlining transaction processing.

At the same time, Chairman Harmon has been a responsible steward of taxpayer dollars. He has managed the Bank's portfolio and resources in a responsible manner, including through some difficult times in the global economy. When the Asian economies went into a tailspin early in Chairman Harmon's tenure, Ex-Im Bank was put to the test. He ably steered the Bank through this crisis, keeping losses on its Asian portfolio to a minimum by restructuring problem credits and aggressively pursuing claim recoveries. The Bank was also able to play a constructive role during this crisis by extending new financing to creditworthy

Asian businesses that helped restart stalled U.S. export trade with the region. Ex-Im Bank emerged from the crisis having stood by U.S. exporters and prudently managed its assets.

As Ex-Im Bank moves into the 21st Century, it faces new challenges from both competitor export credit agencies and from new emerging markets. Chairman Harmon has put the Bank on firm footing to face these challenges and continue its important mission.

Once again, I'd like to thank Chairman Harmon for his four years of service to Ex-Im Bank and wish him well in his future pursuits.

STATEMENT OF INTRODUCTION FOR BAH REDUCTION LEGISLATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. JONES of North Carolina. Mr. Speaker, I rise today to introduce legislation aimed at improving the quality of life for our military personnel.

Last Year, Congress began funding an important Department of Defense initiative to reduce the out-of-pocket housing costs for service members residing in off-base housing. That program envisioned decreasing the out-of-pocket costs from almost 18.9 percent of housing costs incurred by our servicemen and women in 2000 down to zero in 2005. The average E-6 will receive about \$175 more a month in BAH by 2005, while the average E-4 will receive about \$111 more, allowing them to seek better housing options.

This is a great initiative that will have real benefits for almost 750,000 military personnel. However, I believe that we can and should do more.

Deputy Under Secretary of Defense for Installations Randall Yim recently testified before the House Military Construction Appropriations Subcommittee that up to 60 percent of all DoD housing is substandard. Two-thirds of this inventory is over 30 years old and requires a substantial annual investment to meet the maintenance requirements. In the barracks, over 50 percent of the inventory is over 30 years old. While we are taking many steps to eliminate this substandard housing through increased funding and several privatization initiatives, it will still be 2010 before most services have eliminated their poor quality housing—2014 for at least one service.

Our men and women in uniform risk their lives to protect the freedoms that we enjoy today. We owe it to those servicemen and women, and their families, to do everything we can to improve their living conditions.

It is for that reason, that I am introducing this legislation today. The legislation is very simple. Rather than waiting five years to buy down the out-of-pocket housing costs of our military personnel, this legislation would reduce out-of-pocket costs to 7.5 percent by the end of 2002, and zero by the end of 2003. By more rapidly reducing the costs associated with living off-base, more of our military personnel will be able to move into quality housing for them and their families.

I urge my colleague to join me in supporting this important legislation to improve the standard of living for those bravely serving in our Armed Forces.

INTRODUCTION OF INTERNET EQUITY AND EDUCATION ACT OF 2001

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. McKEON. Mr. Speaker, today I join Representative ISAKSON in introducing the Internet Equity and Education Act of 2001.

The proposed amendments to the Higher Education Act are modest, but will provide an immediate benefit to students and improve the ability of postsecondary institutions to offer instruction over the Internet.

I will focus my comments on the issue of incentive compensation. There has been widespread acknowledgment within the higher education community and at the Department of Education that this provision and the implementing regulation that mimics the statute are unclear and the cause of much confusion with respect to allowable activities. The language included in this legislation attempts to clarify the intent of Congress, while recognizing that this particular provision needs to be regulated in a clear and concise manner with input from all interested parties.

For example, the reference to "other incentive, non-salary payment" in this bill clarifies that the statutory prohibition on certain monetary compensations extends only to bonuses, commissions, and similar payments. It does not prohibit setting or prospectively adjusting salary from time to time, based on performance of legitimate job functions.

The reference to payments "based directly on success" in securing enrollments clarifies that institutions may compensate admissions personnel based on their performance of legitimate recruiting activities and are commonly undertaken by recruiters on behalf of institutions of higher education prior to enrollment and the start of classes. Such activities and practices include, but are not limited to, recruiting visits to high schools; telephone calls and similar communications (including written letters and e-mail) aimed at recruiting prospective students; personal interviews of prospective students; tours for prospective students; providing various academic and general, school-related information to prospective students; and obtaining certain information from prospective students, including but not limited to applications, transcripts, high school diplomas, and other documentation needed to complete an application to enroll at an institution of higher education.

In addition, the change in language is intended to clarify that employee and owner participation in the profits of an institution is permitted.

The reference to persons or entities "directly engaged" in recruiting or awarding financial aid clarifies that the statutory prohibition applies only to those whose primary function is to recruit students or award financial aid. It is not intended to apply to supervisors or higher-level executives who, although they may supervise such persons or be above them in the institution's organizational chart, do not recruit prospective students or award financial aid. In addition, this change clarifies that the statutory

prohibition is not intended to apply to contractual arrangements with third parties, such as web services providers marketing companies, or other service providers that have no control or authority over admissions or enrollments at the contracting institution.

Finally, this provision is being deleted from Section 487 and placed in a new Section 484C. It was never the intent of Congress that this provision should be deemed an element or condition of institutional, programmatic, or student eligibility. In changing the placement of the provision, it will give the Secretary the discretion to levy appropriate sanctions, in the event an institution is found to have violated the statutory ban.

I believe this clarification of the incentive compensation provision, along with the provisions addressing the 12-hour rule and correspondence education limitations, will provide postsecondary institutions with much needed relief from "outdated regulations that impede innovation," and will allow the institutions to provide students with approaches to education "that embrace anytime, anywhere, any pace learning." It will do so within the context of maintaining the integrity of our student financial aid programs. I urge my colleagues to support this legislation.

THE BUSH ADMINISTRATION HAS NOT KEPT FAITH WITH OUR NATION'S VETERANS

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. EVANS. Mr. Speaker, on Monday we will commemorate Memorial Day. We will pause to humbly and gratefully remember the service and sacrifice of the men and women who have served in uniform and have defended and preserved our shared ideals.

Shamefully, on Memorial Day 2001, hundreds of thousands of disabled veterans and their families continue to wait for action on claims for veterans benefits now pending before the Department of Veterans Affairs (VA). To his credit, the Secretary of Veterans Affairs, Anthony Principi, has been candid with veterans and their advocates about the crisis that exists today in veterans' claims adjudication. Repeatedly, Secretary Principi has stated that addressing the backlog of 513,309 claims currently pending before regional offices of the Department of Veterans Affairs (VA) is his number one priority. In acknowledging the claims adjudication crisis, Secretary Principi recently stated in an interview with the Veterans of Foreign Wars, "In the short-term, we will train more specialists. The staff will be increased to assist in clearing the backlog."

Secretary Principi is to be commended for recognizing the size and scope of the problem. He has taken action to authorize the hiring of additional staff needed to begin addressing the claims crisis. He has made known the need for additional resources to resolve this crisis successfully.

However, President Bush and his Office of Management and Budget (OMB) have failed to promptly take actions needed to ameliorate

the burgeoning veterans claims adjudication crisis. For its part, OMB established a significant roadblock by refusing to submit to Congress a supplemental funding request for less than \$30 million needed to pay for the critically needed additional VA staff Secretary Principi is hiring.

Early this year, VA requested a supplemental appropriation of \$29.1 million for this fiscal year to pay for the additional staff needed to address the backlog of compensation, pension and education claims. Despite the evident need for this

Those who have taken the time to talk with and listen to veterans understand that the time veterans are forced to wait for medical care is long and excessive, especially for certain specialized care form many VA medical facilities. The Committee on Veterans' Affairs submitted a bipartisan request to the Budget Committee pointing to a more than \$1 billion shortfall in the Administration's 2002 budget.

Since the Bush Administration took office, the backlog of veterans' claims has increased by more than 100,000. The number of claims awaiting a decision for more than six months also continues to grow—from 95,680 on January 19, 2001, to 143,777 on May 16, 2001.

A number of factors have caused the increased backlog. The processing of VA claims is a complex and labor intensive job. Recent legislation requires VA to obtain records in the custody of the federal government, including military records and medical evidence, before deciding a claim for service-connected compensation. This assistance to veterans supported by President Bush is intended to assure that veterans' claims would be treated with fundamental fairness and result in an accurate and fair decision. I am under no illusion that by bringing in additional staff, the backlog will disappear overnight. Similarly, I understand the backlog of claims will not be reduced while quality decision-making is maintained and improved unless and until additional resources are made available—resources needed to hire additional personnel and train them appropriately.

Critically needed additional funding must be requested by the Administration. Alternatively, the backlog will continue to increase and the time taken to resolve it will likewise continue to increase. Surely this will not honor our veterans.

The question today is how soon will VA exhaust funds to pay for the costs of needed additional staff? What other programs are being cut to cover the costs of the additional employees desperately needed to adjudicate claims? How many

Mr. Reyes and I have today introduced H.R. 1980. This bill would authorize an emergency supplemental appropriation to provide the funding needed to address the crisis in VA claims adjudication that exists today. I call on President Bush to support this legislation or submit a similar request to the Congress now.

This Memorial Day, our Nation's veterans will be the subject of many finely crafted speeches delivered to honor them. Words, however, are not enough. Our deeds are a better measure of how well we truly honor our veterans. The need for additional resources is

real. Claims adjudication is, and will remain for some time, a labor-intensive work. Let our deeds match our words of commemoration and remembrance. Let us provide the critically needed funding to pay for the resources needed to address the backlog and let us do this now.

During the campaign for President, then candidate Bush said, "health care for veterans is a complicated, bureaucratic process involving too many delays and uncertainties in coverage. Disability compensation claims can be an even longer ordeal, taking an average of 165 days to complete. So chaotic is the process there is now a backlog of nearly one-half million claims. This is no way to treat any citizen, much less a veteran of our Armed Forces. The veterans health-care system and the claims process will be modernized, so that claims are handled in a fair and friendly way." Mr. President, I agree and now is the time for you to act.

Candidate Bush also said, "I have great faith in those who serve our nation—in the temper of their will and the quality of their spirit. Our men and women in uniform love their country more than their comfort. They have never failed us, and we must not fail them." Mr. President, we must not fail those who have served and sacrificed. Take action now to request the additional funding so desperately needed for our Nation to keep faith with our veterans. It is time for your words and deeds to be one.

TRIBUTE TO CAPTAIN DAVE
WALKER

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. OTTER. Mr. Speaker, I rise today to pay tribute to a great American, Dave Walker, who today will be laid to rest in Arlington Cemetery. Captain Dave Walker served his country on the sea, in the sky, and among the stars.

Captain Walker graduated from the United States Naval Academy in 1966, completed his flight training, and became an F-4 Phantom Pilot. He led many combat missions over Vietnam. After returning from Vietnam, Dave became a test pilot and helped the Navy transition from the F-4 to the F-14 Tomcat that is still flown today. During his naval career, he was awarded the Distinguished Flying Cross, six Air Medals, and the Vietnamese Cross of Gallantry, among others.

In 1978 Dave was selected by NASA for astronaut training and graduated in 1979. He served in many important support roles, including chase plane pilot for STS-1, and mission support leader for STS-5 and 6. Dave first went into space aboard the Space Shuttle discovery during Mission STS 51-A in 1984—the first salvage operation completed in space.

Dave Walker returned to space in 1989 as commander of STS-30 aboard the Space Shuttle *Atlantis*. Dave and his crew again contributed to scientific knowledge by launching the Magellan space probe to Venus. He also commanded the Space Shuttles *Discovery* and *Endeavour* on important missions in recent years.

After leaving NASA in 1996 Dave Walker entered the private sector, and he and his wife

purchased a home in McCall. Dave quickly advanced as President of the Idaho Aviation Association and the Idaho Aviation Foundation, and worked tirelessly to promote and protect the aviation community. He was particularly interested in working to reopen Cascade Reservoir Air Strip, one of the most beautiful fields in Idaho.

Sadly, Dave will never get the chance to fly into Cascade Reservoir airstrip again. He was diagnosed with cancer in March and passed away on April 23rd. He is survived by his wife Paige, his children Michael and Mathieson, and a grateful nation. Heroes are buried in Arlington Cemetery, but heroes like Dave Walker will live on in the lives of the people he fought to protect in Vietnam, the knowledge he contributed to space technology and aviation, and the friendships he made in Idaho.

RECOGNITION OF GLENN ROYAL
BATTY

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. NETHERCUTT. Mr. Speaker, this coming weekend, the United States will observe Memorial Day and honor the service of America's soldiers, sailors, airmen and marines. As we take time this weekend to reflect on the sacrifices of members of our Armed Forces, I commend to the attention of my colleagues a poem written by a constituent, which I am entering into the CONGRESSIONAL RECORD. Glenn Royal Batty, of Spokane, Washington, has authored a moving poem entitled "The Soldier," which serves as a reminder of both the hardships of military life and the dedication of the American soldier. As Mr. Batty noted in a personal letter introducing his poem, "There can be no greater sacrifice than to give one's life for another but no greater shame than to spend life for less." I urge my colleagues to take a moment from their busy lives and reflect upon the message in this poem.

THE SOLDIER

(By Glenn Royal Batty)

I am one of a chosen few, a warrior of might.
And I will stand or I may fall, but I will join
the fight.

I am he who fights for you, throughout history.

While vain men speak of glory, to hide
hypocrisy.

The captain calls for volunteers, to mount a
bold defense,

While shades are drawn and shutters closed
with indifference.

And as the ranks are gathered, above the
rolling plain.

The soldier takes his courage into battle
once again.

Battle is begun, and with it fear's perfume.
When this day is done, we'll see a bloody
moon!

As you sing of glory and righteousness of
cause,

We march courage six abreast, into the devil's
jaws.

There to face our destiny with honor or in
shame.

But to face it not, is not a thing we know, or
can explain.

You won't feel my deadly steel or taste this
fearsome blade,

But it will haunt your dreams at night, until
its price is paid.

And you might wish to turn away, before the
bugle sounds.

For righteousness is hard to find within a
battleground.

Battle is begun! May God be on our side.
We pray a kingdom come, where peace may
yet abide.

For fame or notoriety, what is the value
there?

For land or grudge, we cannot see. What pur-
pose? I declare!

For names, twice whispered on men's lips or
tails of great renown,

We will march to battle, for honor is our
crown!

Battle is begun! The day is warm, the wind
blows sweet.

It stirs the banners with each breath,
While valiant souls together meet to share
ignoble death.

Battle is begun no matter where or when,
We will fight and die. That's how it's always
been.

I am one of a chosen few You're not to
blame, It's what I do.

And if God's mercy will decree, with hard-
ened heart and strength of will,

Throughout the flow of history, I will be
fighting still.

THE CONSERVATION SECURITY
ACT

HON. JOHN R. THUNE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. THUNE. Mr. Speaker, I would like to thank all Members who joined as original cosponsors of H.R. 1949. A special thank you goes to Ms. KAPTUR of Ohio, the lead cosponsor and Ranking Member of the Agriculture Subcommittee of the House Committee on Appropriations. In this spirit of bipartisanship, we can move forward to address the conservation needs of the farmers in rural America.

The Conservation Security Act (CSA) would create a win-win situation for farmers and the environment. The bill would allow farmers, ranchers and other agricultural producers to participate in a voluntary, incentive-based conservation program. Under this legislation, the farmer or rancher would not have to set aside land. It would give them resources to carry out conservation practices on working lands as they work to make a living off the land.

CSA would allow landowners and operators to enter into contracts and receive payments based on the type of conservation practices they are willing to plan, implement and maintain. Conservation practices may include soil and residue management, contour farming, and cover cropping as well as comprehensive farm plans that take into account all the resource concerns of the agricultural operation.

CSA would establish three tiers of progressive conservation practices, plans and payment levels while allowing for continued participation in other agriculture conservation programs. Under the legislation, a participant may also receive payments based on established practices and for adopting innovative practices and systems, pilot testing, new technologies, and new conservation techniques. The program is voluntary.

I believe CSA is a balanced, responsible approach to encouraging conservation on our agricultural lands. As Congress moves forward

on reshaping federal farm policy, conservation, and CSA specifically, will be an important part of the discussion. I hope my colleagues will consider cosponsoring this bill.

TRIBUTE TO COMMANDER JAMES
F. STADER

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. HOBSON. Mr. Speaker, I rise today to recognize an outstanding Naval Officer, Commander James Stader, who has served with distinction and dedication for almost two years for the Secretary of the Navy, as the Congressional Liaison Officer for Civil Engineering, Appropriations Matters Office under the Assistant Secretary of the Navy (Financial Management and Comptroller). It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Department of the Navy, the Congress, and our great Nation as a whole.

During his tenure in the Appropriations Matters Office, which began in August of 1999, Commander Stader has provided members of the House Appropriations Committee, Subcommittee on Military Construction as well as our professional and personal staffs with timely and accurate support regarding Department of Navy plans, programs and budget decisions. His valuable contributions have enabled the Subcommittee on Military Construction and the Department of the Navy to strengthen their close working relationship and to ensure the most modern, well trained and well equipped naval forces attainable for the defense of our great nation.

Mr. Speaker, James Stader and his wife Clara have made many sacrifices during his career in the Navy. His distinguished service has exemplified honor, courage and commitment. As they depart the Appropriations Matters Office to embark on yet another great Navy adventure in the service of a grateful nation, I call upon my colleagues to wish them both every success and the traditional Navy send-off "fair winds and following seas."

HELP SCHOOLS HELP PUPILS

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CONDIT. Mr. Speaker, we hear a lot about the crises in education and the failure of our public schools. Recently, Mr. James Enochs, the Superintendent of Modesto's schools, addressed this issue at a district meeting. I think we can all benefit from the comments and opinions of those who are involved in the front lines of education. I submit Superintendent Enochs' comments for insertion into the CONGRESSIONAL RECORD.

HELP SCHOOLS HELP PUPILS

(By James C. Enochs)

I have been asked to comment briefly on what the schools need. It seemed like an agreeable enough topic. But, as with much of the discussion about education, if the answer

is neat and simple, it is probably wrong and misleading.

I am not a great pep-talk speaker. I think it is more important that we all face up to some of the grim realities that confront us. I get a lot of unsolicited advice in my job. Much of it from my friends in business, or as they prefer to call it, the "real world." Our conversations invariably end with my reminding them that they have three distinct and important advantages over schools:

You get to screen your applicants. You can take them or reject them based on the qualifications or lack of qualification they bring to the opening. We can't do that. We are required to take everybody irrespective of their qualifications.

You can pay them to get them to do what you want. We can't do that.

And, of course, if they don't please you, you can fire them. We can't do that, either.

And thank goodness we can't. Because those are hardly solutions to the kind of issues we face. Which is why I have chosen to be very direct and begin by telling you that you probably can't help us very much with the things schools need most. We need—we desperately need: More stable families; fewer abused children; less dope, alcohol and violence in the lives of our students; fewer gangs in the schools and more parents; we need kids who are fed before they come to school; we need more parents with the sense to discipline their children and guts enough to turn off the television; we need young children whose parents have taken the time to read to them; we need fewer fathers—and recently mothers—who think the axis of the earth passes through the 50-yard line; adults, suffering from a prolonged adolescence, who mistakenly believe that Saturday's hero is more important than Monday through Friday's good citizen and scholar; and we need 400-500 fewer pregnant unwed girls every year.

That's what schools need most. And, of course, that is what society needs most. In effect, my problems are yours; I only have to deal with them before you. And they certainly don't yield to something as simple, and unthinking as just don't accept them, or "can" them if they don't shape up. And I do think that an understanding of that—an understanding that not all failure is institutional failure—is a necessary precondition for a genuine partnership between schools and business.

Modesto City Schools, with nearly 35,000 students, is among the 25 largest school districts in California. And one of every eight children in America lives in California. . . Our school enrollment is greater than that of the 24 smallest states combined. And the public needs to understand something about that school population. And if you understand California, you will understand Modesto City Schools.

There is no place on the face of the earth with a more diverse population. Two-thirds of the state's newcomers are foreign-born. In fact, 15 percent of California's population was born in another country; and in the public schools, more than 30 percent of the children are of parents born in a foreign country; and for one-third of the children in California, English is a foreign language.

In Modesto City Schools, we have nearly 7,000 students who speak more than 40 different languages. That's an increase of 157 percent in the past 10 years. While it is hard for some people to accept, Modesto and, as a result, Modesto City Schools has taken on the characteristics of most urban areas in California: A very low educational level of parents. Nearly 30 percent of the parents of MCS children did not graduate from high school; a high percentage of welfare recipient families: nearly 9,000 of our students.

Families constantly on the move: We measure mobility on the number of students who leave or enter school after the first school month: nearly 10,000 students a year. Only 30 percent of the students who start kindergarten with us are still enrolled—by the eighth grade.

And I have mentioned the high and increasing number of children who do not speak or read English as their primary language. Just to translate that into something more manageable, the raw material resulting from these trends and the social disintegration of the family, has turned a typical class of 10th graders into a statistical nightmare in the Golden State:

Eight students will be on public assistance;
Three students will have sexually transmitted diseases;

Four will speak no English—none;

Three will be teen parents;

Three will grow up in public housing;

Two will be victims of child abuse;

Three will be regular drug users;

Three of them will have been born out of wedlock;

And half of them will have experienced at least one divorce in their family.

Now, if you look at that list, it must occur to even the greatest critic of public schools that educators didn't do it—we didn't introduce them to drugs, or break up their families, or force them onto public assistance, or get them pregnant, or any of the other myriad problems they pack with them to school. So, it's no good to say, "That's your problem, Mr. Superintendent; I pay my taxes and that's enough." Well, today's social dynamite piling up in the nation's school is tomorrow's headache for all of us, including the business community.

Among other consequences, the link between the social ills that plague many young children and early school failure, later high school dropouts, and ultimately a functionally illiterate or marginally literate, unskilled work force is an inexorable progression.

And to paraphrase that oil filter commercial, we can deal with it now, or we can deal with it later. But we have a problem. It was captured very nicely about a year ago in a cover article in *Time* magazine with the rather sharp title, "A Nation of Finger Pointers."

The major premise of the article was that we are becoming a nation of passive crybabies. People who absolve themselves of any individual responsibility, sit on their duffs, and assume the status of victims as a result of someone else's incompetence or even malevolence.

I get it from both ends. Some teachers and administrators want to blame it on the absentee parents who are sending us all these undisciplined kids who do not value education and are loaded down with problems created by those parents. It's the ill-prepared raw material argument: "How can we teach kids like that?"

On the other end of the process, I get it from the business community who says much the same thing, but substitutes "educators" for "parents." Educators are sending us all these undisciplined kids who do not value work and are loaded down with problems created by the schools. It's the same ill-prepared raw material argument: "How can we hire kids like that?"

So, what we have here is a problem in which everyone is either a victim or a scapegoat. If we have a problem, don't join hands anymore, point fingers. What we don't have is that old-fashioned American interdependency, shared responsibility, mutual understanding, the common ground where people meet and solve problems. And that is what this is about today.

We need community people—business people—to support us in our efforts to elevate academic excellence and good character—to convey to the young that we value the qualities we pay lip-service to. We need businesspeople who can stimulate interest in career development and training. Students have heard it all before from teachers and counselors. They need to see it and hear it from the people who will be doing the hiring and firing.

And finally, we just need more adults who will spend time with these kids; kids who haven't had many caring adults in their lives. Someone to read to them, to listen to them read, to treat them like they are somebody.

I can't tell you how many people tell me, "I feel so sorry for those kids." Well, frankly, that's not good enough.

There is a revealing exchange between the great Englishman Samuel Johnson and his friend and biographer James Boswell in the greatest biography ever written. Boswell confesses, "I have often blamed myself for not feeling for others as sensibly as many say they do." Johnson replies, "Don't be duped by them anymore. You will find these very feeling people are not ready to do any good. They pay only by feeling."

He's right. When the young have grown to adulthood, they will not think kindly of those adults who have given them sympathy without help.

TRIBUTE TO HOLLI DUNAYER

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mrs. MCCARTHY of New York. Mr. Speaker, I proudly recognize the academic and personal achievements of Holli Dunayer of East Meadow, New York.

Holli is a spirited and dedicated woman who has triumphed through life's continual ups and downs.

Although Holli gave her all to the North Bellmore Hair Salon family business, she always wanted to contribute to the community. While managing the salon, Holli helped the neighborhood's homeless, organizing a benefit for the poor from her store.

But times were difficult for Holli. In the early 1990s, she lost her home, was divorced, and went on public assistance so she could care for her daughter, Samantha, then seven.

But Holli bounced back.

In 1996, she enrolled in Nassau Community College, where she received an Associate's Degree in sociology. Holli was awarded a partial scholarship to Adelphi University, where she received a Bachelor's Degree in social work last year. On Sunday, May 20th, 2001, Holli received a Master's Degree in social work from Adelphi University.

While Holli pursued her Master's Degree, she interned in my Hempstead District office. I was impressed by her commitment, and I hired her as a full-time legislative aide to handle education, IRS, grants and passports. I'm excited to have a second social worker on my staff.

Holli is a recipient of a \$5,000 Maurice Paprin Memorial Fellowship given to students who demonstrate commitment to social change through past or present work.

Holli calls her employment "poetic justice" since she has gone from the government taking care of her to being a government employee helping others in tough situations. Holli is proof that hard work and dedication is all you need to make your dreams come true.

I congratulate Holli and her daughter, Samantha, now 15, on their achievements and Holli's graduation.

I am honored to have her as a member of my staff and as my friend.

INTERNATIONAL MIGRATORY BIRD DAY

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BORSKI. Mr. Speaker, I rise today in recognition of International Migratory Bird Day (IMBD), which was officially celebrated on Saturday, May 12, with hundreds of events across the country including one at Philadelphia Zoo.

International Migratory Bird Day celebrates the annual return of millions of birds from wintering habitats in Latin America and emphasizes that the continued enjoyment of these birds depends upon our actions as consumers, homeowners, and citizens. At least 200 species of birds migrate to, from and through Philadelphia each year.

In addition to the sheer enjoyment of watching them, migratory birds are important biological indicators of ecosystem health as well as sentinels for potential human health risks. Their populations are declining dramatically due to the destruction and degradation of their habitat throughout the Americas. Making small changes to some of our daily habits can contribute to the conservation of migratory birds and their habitats, as well as the planet's overall health.

One small change is drinking shade-grown coffee, which helps protect habitat for migratory birds. According to experts at the U.S. Fish and Wildlife Service, the way coffee is grown can have a direct effect on many of the birds we see in our neighborhoods each spring. Coffee farms or plantations that leave a canopy of shading trees ("shade-grown coffee") benefit migratory birds by providing habitat for their wintering grounds in Mexico, Central and South America, and the Caribbean. The Wilson's warbler, scarlet tanager, northern oriole, indigo bunting, and wood thrush are among the dozens of migratory birds that spend part of their lives in the U.S. and that winter in the coffee-growing regions of Latin America.

Encouraging our local coffee shop or grocery store to carry shade-grown coffee is one way that each of us can make a difference. Another way is becoming more informed about migratory birds and the threats to their habitats through involvement in bird watching and other programs such as those at Philadelphia Zoo. The Zoo's involvement in avian conservation dates to before the opening of its original Bird House in 1916. More recently, scientists at Philadelphia Zoo have played a major role in the conservation of the American

bald eagle. Once on the brink of extinction due to the use of the pesticide DDT, which was banned in the 1970s, the bald eagle is a national conservation success story. The Zoo's pair of eagles was brought to the Zoo by wildlife rehabilitators when it

Today, America's First Zoo is building a new Avian Conservation Center that will feature state-of-the-art exhibitions and research facilities illustrating the diversity of the world's bird populations and their varied habitats. A central focus will be the challenges of conservation and preservation of rare species like Micronesian kingfishers, which are extinct in the wild. A key aim of the Center is to increase visitor awareness of avian conservation and issue a "conservation call to action."

We can also encourage innovative public-private partnerships such as the bird conservation initiative that was announced at the Zoo, when City and U.S. Fish and Wildlife officials met to formally recognize Philadelphia as the third Migratory Bird Treaty City in the nation.

I applaud the City of Philadelphia, the U.S. Fish and Wildlife Service, and Philadelphia Zoo for their efforts to promote the conservation, habitat restoration, protection and hazard reduction of migratory birds, and all those organizations and individuals celebrating International Migratory Bird Day.

INTRODUCTION OF THE COBRA COVERAGE EXTENSION AND AFFORDABILITY ACT OF 2001

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. STARK. Mr. Speaker, I rise to join with my dear friend Representative JOE MOAKLEY (D-MA) to introduce the COBRA Coverage Extension and Affordability Act of 2001.

COBRA is the law that allows employees who face a change in their work status—and would otherwise lose their health insurance—to be able to continue that same coverage through their previous employer for a period of generally 18 months and sometimes as much as 36 months depending upon their particular situation. During this continuation period, employees must pay 102% of the cost of their current health insurance plan. That means they pay their previous employer share, their own share, and an extra 2% to make up for any administrative costs faced by their previous employer for maintaining their coverage.

COBRA was created in order to provide a bridge for workers to be able to maintain health benefits for themselves and their families. It has been in place since 1986 and is overdue for remodeling.

The bill we are offering today makes three key improvements to existing COBRA law:

(1) It extends the length of time that COBRA continuation benefits are available for all workers and their families from an average of 18 months to 5 years with workers paying 102% of premiums as required under current law.

(2) It creates a new category of COBRA continuation coverage for people age 55 and

over. Anyone age 55 and over is eligible to extend the 5 year limitation on COBRA coverage. They are able to keep their COBRA coverage until they become eligible for Medicare. If they choose to extend this coverage beyond the 5 year limitation, they will be responsible for premium payment of 125% the cost of the employer plan.

(3) It makes all COBRA recipients eligible for a refundable federal tax credit worth 50% of their premium costs.

The attraction of the COBRA program is that it enables people to maintain continuity of coverage when they are between jobs, or temporarily in a job that doesn't offer health benefits. It also usually allows them to maintain much more comprehensive coverage than would be available in the individual health insurance marketplace at a similar cost. Unfortunately, 18 months is often not enough time for someone to obtain a new job with comprehensive health care benefits for themselves and their family.

Our legislation would allow people to maintain the safety net of COBRA for up to five years—which should provide ample time for a new position with solid benefits to be found. Because the worker pays 102% of the premiums, there is no cost to the employee of maintaining them in their group plan.

Our legislation goes even further for people age 55 and older because many people in this age category retire before becoming eligible for Medicare or find themselves "downsized" out of a job. These people are the least likely segment of our population to be able to obtain affordable coverage in the individual health insurance marketplace. And, with the aging of the baby boom generation, this is a quickly growing segment of our population. In 1999, there were 23.1 million Americans in this age group. This number is expected to grow to 35 million by 2010 and to 42.5 million by 2020.

For these people, we would enable them to extend COBRA coverage until they become eligible for Medicare. This provision would provide them with stable health insurance until they become covered by Medicare. The bill recognizes the fact that this age group is more expensive to insure and compensates business accordingly by increasing the cost of participation to the worker from 102% of the premium to 125% of the premium cost if they maintain COBRA more than the standard of five years put forth in the first provision of our legislation.

Finally, we are especially excited about the provision that provides a new, refundable tax credit worth 50% of the premium costs. This tax credit is vitally important because health insurance is expensive! We are requiring people to pay 102% of the premium and these are often people with no job—or seriously underemployed for a temporary period of time. Overall premiums for health insurance have an average annual cost of \$2400 for an individual and more than \$6000 for a family.

The tax credit will defray some of the otherwise potentially unaffordable new cost forced on workers who wish to take advantage of the COBRA continuation option. They will still be responsible for much more of the cost than under a comprehensive employer-provided health plan in which the employer pays 80% and the employer pays 20%. But, this tax credit will enable many more people to take advantage of the opportunity to remain insured until another employer-provided plan becomes available to them.

Many of our colleagues on the other side of the aisle are enamored of a tax credit approach to solve the problem of the uninsured. Unfortunately, those members refuse to create a marketplace where health insurance would be made affordable and be fairly offered. The beauty of attaching a tax credit to COBRA continuation benefits is that you have guaranteed buy-in to a group health plan with comprehensive benefits that does not underwrite the price of the premium based on an individual's—or their families'—health status.

This bill has something in it for everyone. It builds on the existing COBRA law. It helps people who are between jobs maintain affordable, comprehensive health insurance for themselves and their families. And, it includes the favorite solution put forth by the Republicans to reduce the number of uninsured—a tax credit approach.

Again, we know this bill is no panacea for solving all of the health insurance problems facing our nation. However, it certainly makes dramatic improvements on the status quo.

We look forward to working with our colleagues on both sides of the aisle to enact the COBRA Coverage Extension and Affordability Act and make important strides to help workers maintain affordable, continuous health insurance coverage for themselves and their families.

MEMORIAL TO BOYARSKI FAMILY ESTABLISHED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to commend the law enforcement officers of Luzerne County and other members of the community, including the Hazleton Standard-Speaker, who have worked to establish a memorial to the late Luzerne County Deputy Sheriff Eugene Boyarski and his family.

Deputy Sheriff Boyarski faced threats for doing his job, and when he refused to give in, he and his family were murdered by a firebomb thrown into their home in the middle of the night on February 14, 1976.

The stone memorial will be dedicated next week outside the Luzerne County Courthouse Annex in Hazleton. It will read: "Deputy Sheriff Eugene Boyarski, his wife Lorraine and his family who tragically died in the intentional fire bombing of their home on Feb. 14, 1976, and all the deputy sheriffs from the Greater Hazleton area and Luzerne County who serve their community and elected sheriff with pride and honor."

The ceremony will also include the presentation of the Boyarski Memorial Award, which will be given each year to a law enforcement officer. The first recipient of this award will be State Trooper Thomas McAndrew of Troop N in Hazleton "for his dedication, resourcefulness and tenacity above and beyond the call of duty during the recent Algar/Molina homicide investigation."

Trooper McAndrew certainly deserves this award for his efforts as the lead investigator, spearheading the intensive probe that led to two arrests and convictions. I am honored to have been asked to participate in this solemn ceremony.

Deputy Sheriff Boyarski's memory will also be perpetuated at the county courthouse in Wilkes-Barre with a plaque and a display of photographs and news clippings. In addition to these memorials and the award, a scholarship in his name will help students to pay for the six-month course at Lackawanna Junior College's branch campus in Hazleton that certifies them to become deputies or police officers.

Every day, our law enforcement officers put their lives on the line to protect our communities. Too often we take their service for granted, and I am pleased that Deputy Sheriff Boyarski's courage will continue to be remembered and honored in Luzerne County.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives these efforts to honor the memory of the Boyarski family, and I commend all those who worked to created this lasting memorial.

CONGRATULATIONS DON AND MARY LOU JACOBS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BARCIA. Mr. Speaker, I rise today to honor Don and Mary Lou Jacobs of Bay City, Michigan, as they prepare to celebrate fifty years of marriage and a life-long commitment to each other and their nine children. The Jacobs' dedication and loving relationship serves as an excellent model for their family, friends and neighbors.

Don and Mary Lou met at LaLonde's Ballroom on Center Avenue in Hampton Township, Michigan. After a year and a half of courtship, Don proposed, and Mary Lou accepted. They were married on the twenty-sixth of May, 1951, and their marriage has been blessed with nine wonderful children: Maureen, Marie, Marlene, Donald, Darrell, Michele, Darin, Duane and Marcia. Mary Lou has devoted her life to raising and nurturing the children and providing a stable and supportive family environment. Don had a long and distinguished career in the automobile industry and, in 1988, retired from the UAW International staff giving him more time to spend with Mary Lou, their children and their grandchildren.

In today's society, it is a rare and praiseworthy occasion for a couple to spend fifty years together. Over the years, Don and Mary Lou have had many good times and much happiness to celebrate. Like any strong relationship, they also depended upon each other and their family to overcome some hardships. Their enduring love helped them make it through those times of strife and only served to deepen and enrich the joy of their partnership.

A good marriage is one of life's greatest covenants because it represents a declaration of love, and, as Paul said in his Letter to the Corinthians, "Though I speak with the tongues of men and angels, but do not have love, I am nothing." Don and Mary Lou exemplify the promises outlined in the marriage pledge that so many others have invoked: through sickness and health, for richer or for poorer, their commitment and their love has remained strong.

Mr. Speaker, I ask my colleagues to join me in congratulating Don and Mary Lou Jacobs

for the strength of their commitment to their family and to each other and in wishing them many future years of happiness.

TRIBUTE TO CYRUS M. "RUSS"
JOLLIVETTE

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mrs. MEEK of Florida. Mr. Speaker, I rise today to pay tribute to a man who has dedicated himself to the advancement of higher education and public service, Cyrus M. Jollivette, who is affectionately known as "Russ."

For 24 years, Russ Jollivette has compiled a remarkable record of achievement as the representative of the University of Miami, not only in these halls and in this city, but throughout Florida and the nation. He has announced his decision to leave the University now in further pursuit of his many interests. He leaves at the same time that the University's beloved president, Edward T. Foote, retires after 20 years at this institution. They leave together, two very extraordinary men whose mutual trust, skill, hard work and vision have left a permanent mark on the University and our entire community.

Russ is long-time personal friend and one of the finest men that I know. He has had a remarkable impact on improving the lives of students at U of M and creating new opportunities for dozens of talented students and researchers in fields like biomedical research, international education and development and marine sciences. Through Russ' efforts, the University has secured almost \$200 million in federal support for cutting-edge education, training and research objectives. He has worked with me on minority health and education issues, cancer, diabetes and marine research and environmental science issues. His abilities as a problem-solver are legendary. There are very few University representatives who have Russ Jollivette's professionalism, knowledge, commitment judgment and persuasive ability, or who can match his success.

But his achievements do not begin or end with his service to the University. He is a special leader in the world of higher education and public service, and a leader in the African-American community. He understands the meaning of friendship in the truest sense. He comes from a prominent S. Florida family with a long history in our

Russ Jollivette's name is synonymous with academic service and excellence. He holds a Masters in Business Administration and a law degree. At the University of Miami, he served for more than two decades as Vice President for Government Relations, as the Secretary of the University, as Director of Public Affairs, Director of the Foundation and Corporate Relations, and, for many years, as the Executive Assistant to the President. In recognition of this service to the University, Russ was just awarded the 2001 Alumnus of the Year Award. Standing ovations at that ceremony and at meetings of the University's Executive Committee of the Board of Trustees reflect the depth of feeling and respect for him throughout the University.

In Florida, Russ Jollivette's reputation for public service and civic activities go well be-

yond U of M. Russ helped to shape the Florida Education as its Board Chairman and a Director—a fund dedicated to the advancement of African-American students with special promise to seek advanced degrees in many fields. He has served as a Chairman and Trustee for the Council for the Advancement and Support of Education (CASE) and as a Chairman and Trustee of the Public Health Trust of Miami-Dade County. He serves as Board Member and Secretary-Treasurer of the Miami Coalition for a Safe and Drug-Free Community and a member of the Orange Bowl Committee. He was a Board member of The Dade County Foundation and We Will Rebuild coalition following the devastation of Hurricane Andrew. The list goes on and on.

Mr. Speaker, the University of Miami; the Florida Congressional Delegation and the Congress; the world of higher education and countless young lives have been well-served by Russ Jollivette. I know my colleagues join me in thanking him and wishing him well. We can hardly wait to see what he will accomplish next.

MILITARY PAY

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BALLENGER. Mr. Speaker, today I am introducing a bill to restore a small measure of balance to the way military retired pay is handled during a divorce.

Under the Uniformed Services Former Spouses Protection Act, courts were given the authority to divide military retirement pay as property. This has resulted in certain injustices to many divorced military retirees. Chief among them is the fact that former spouses continue to receive a share of the retired pay even after one or more re-marriages—unlike other federal agency pensions, such as those of the CIA and Foreign Service, which terminate after a spouse remarries. Moreover, since there is no limitation on when former spouses can seek a division of retired pay, some former spouses seek this action many years after the divorce.

My bill has four principal components addressing problems created by the original legislation. First, it would terminate payments made as a division of property from retired pay upon remarriage of the former spouse. Second, it would require computation of the former spouse's portion of retired pay based on the servicemember's rank and year of military service at the time of divorce, not at the time of retirement. Third, it would limit the period of time after divorce in which a former spouse may seek a division of retired pay. Fourth, it would protect any veterans' disability compensation from division with the former spouse, which was originally intended, but has either been circumvented or ignored.

I urge my colleagues to join me in seeking equity for military retirees by cosponsoring this bill.

MEMORIAL DAY IS A DAY TO
REMEMBER THE SACRIFICE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BURTON of Indiana. Mr. Speaker, Memorial Day was established in 1868 to pay tribute to individuals who have made the ultimate sacrifice to the United States and their families. The men and women of the armed services of today and yesterday took an oath to uphold and protect the constitution against all enemies foreign and domestic. Those who served in the Army, Air Force, Navy, Coast Guard, and Marine Corps have been willing to lay their lives on the line to keep this greatest nation on the earth free. We must never forget the importance of this oath and this sacrifice.

Last year, when Public Law No. 106-579 was signed into law, we reaffirmed the importance of remembering and renewing the legacy of Memorial Day. We as a nation need to reclaim Memorial Day as the sacred and noble event the day was intended to be. We can do this by taking greater strides to domestic appreciation for those loyal people of the United States whose values, represented by their sacrifices, are critical to the future of the United States. As a Government, we have a responsibility to raise awareness of and respect for the national heritage, and to encourage citizens to dedicate themselves to the values and principles for which those heroes of the United States died.

As part of this reaffirmation, Congress and the President called on the people of the United States to pause at 3:00 p.m. on Memorial Day to observe a National Moment of Remembrance. By doing so we honor the men and women of the United States who died in the pursuit of freedom and peace.

Memorial weekend has become the signal in this country that summer has begun. In Indianapolis this weekend we have the great Indy 500 race and festivities. It is a great weekend for Hoosiers. I hope that each American as we go about our holiday weekend will at the very least remember to take that moment on Monday and pause at 3:00 p.m. for a moment of remembrance through prayer, quiet reflection, or meditation.

We have been blessed this week to have a great media focus on the heroes of our armed services. Last Sunday night the James Keach Movie, "Submerged" aired on network television. This movie portrayed the heroics of the submariners of our early Navy and told the true story of raising a submarine and saving many of its crew. This Friday the movie "Pearl Harbor" will premier in theaters across the nation. I am pleased that these artists have used their talents and efforts to share with the world the stories that are such a vital component of our nation's history.

I am also pleased that we are preparing a sixty-year remembrance event at Pearl Harbor. We are fortunate in the 107th Congress to have heroes among us. The following are members of the House and Senate who served in the armed services during World War II. From the House of Representatives: CASS BALLENGER, JOHN D. DINGELL, BENJAMIN A. GILMAN, RALPH M. HALL, AMO HOUGHTON, HENRY J. HYDE, JOE MOAKLEY, RALPH REGULA, Norman Sisisky, JOE SKEEN, and BOB STUMP.

From the Senate: DANIEL K. AKAKA, JESSE HELMS, ERNEST F. HOLLINGS, DANIEL K. INOUE, TED STEVENS, STROM THURMOND, and JOHN WARNER.

As we go about remembering those who died in service, I hope we will also remember those who are still with us. Each month over 38,000 World War II veterans die. Our veterans are our nation's heroes. Whether a Private or a General, combat veteran who served on the front lines, a nurse in a MASH unit, or the quartermaster who was stateside during war—our veterans deserve to be remembered and honored by our country and by each of us. We need to make sure every eligible veteran who goes to a Veterans Administration (VA) Hospital or clinic for medical care is treated with compassion and respect and gets good medical care. We also need to make sure that we do a better job with those whose conditions mean their care is palliative and not curative.

During a Government Reform Committee hearing in October 1999, we learned that the VA had an initiative to improve their hospice programs. We heard from such experts as Dr. Ira Byock and Dr. Judith Salerno as well as Dannion Brinkley who founded Compassion in Action—a non-profit foundation that trains hospice volunteers to serve in VA hospitals. I am pleased that in four short years this organization has been able to train 4,000 hospice volunteers who last year provided 27,000 hours of service to veterans.

Americans who volunteer through Compassion in Action, the American Legion, the Paralyzed Veterans Association, and the many other volunteer service organizations at the VA are also our heroes. Many of these volunteers are veterans as well and continue to serve their country as brigades of volunteers without whom our VA hospitals could not function. I am pleased that our President is continuing the legacy of the Thousand Points of Light by rejuvenating the call to volunteerism and compassion through service.

NATIONAL SAFE BOATING WEEK

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Ms. BROWN of Florida. Mr. Speaker, this is National Safe Boating Week. In the year 2000, over 72 million Americans participated in recreational boating activities. However, between 700 and 800 Americans will be killed in recreational boating accidents this year.

It will take a continued effort by State Boating Law Administrators, Manufacturers, boating safety educators, and the many other organizations involved in boating to decrease the number of Americans killed every year on our waterways.

Today, I would like to ask the cellular telephone industry in the United States to join this effort by designating “*CG” as the emergency response number that boaters can use in an emergency to make free calls to the nearest Coast Guard unit.

Over the past decade, more and more Americans are carrying cellular telephones wherever they are—including on their boat. I am pleased to recognize that companies such as Verizon and Alltel wireless allow many of

their customers to call the Coast Guard using *CG. However, the use of *CG is not universal. For example, in Woods Hole, Massachusetts, *CG will reach the Coast Guard if you are using a Verizon phone. However, if you happen to be using a Sprint Cellular phone you reach a recording that says “invalid code entered”; on Cellular One and Nextel you get “call cannot be completed as dialed.” Even within a singular cellular telephone company, designation of *CG for emergency communications is not universal. For example, Verizon has *CG connections in Seattle and Massachusetts, but not in Norfolk, Virginia.

Mr. Speaker, when a boater is in distress they need to be able to reach the local Coast Guard unit as soon as possible. They may not have a VHF radio on board and the only way to reach the Coast Guard is by using their cellular telephone. Time is of the essence, and they can't wait to go through the operator to reach the nearest Coast Guard unit.

Today I would like to call on the U.S. cellular phone industry to designate *CG as the nationwide phone number for boaters to reach the Coast Guard during emergencies using cell phones and to ask them to program their networks to route these calls to the nearest appropriate Coast Guard facility. They too can join the coalition of people in the United States striving to save boaters lives.

The Coast Guard has a template agreement that they have been successfully implemented around the country. Once all of these companies are on board, we can initiate a boating safety campaign to educate the boating public about the universal access to *CG during emergencies.

Please help us save lives by establishing a national *CG system.

Mr. Speaker, I submit for the record an article about Verizon Wireless use of *CG in the Seattle area.

VERIZON WIRELESS LINKS BOATERS TO COAST GUARD

DON'T CAST OFF WITHOUT YOUR WIRELESS PHONE

SEATTLE, May 2 /PRNewswire/—With the official arrival of a new boating season on May 5, Verizon Wireless reminds boaters that it offers its customers a direct connection to the U.S. or Canadian Coast Guard by dialing *CG (*24) from their Verizon Wireless phone. There is no access fee to use *CG. Airtime is deducted from customers' calling plan bundle.

“While VHF-FM maritime channel 16 should be used as the primary means for reporting an emergency,” said Kelly DeLaney, Verizon Wireless regional president, “our extensive marine coverage gives boaters another reliable means of communication while on the water that increases convenience and enhances safety and security. Boaters can use *CG to get help if there is an emergency, or to pass along information about a navigational hazard that could endanger boats.”

Just as wireless users are encouraged to exercise caution when driving and dialing onshore, boaters should keep safety in mind when navigating and dialing.

To recognize National Safe Boating Week, May 19 through May 25, Verizon Wireless asks all boaters to think “safety,” by following these tips:

Safe boating is your first priority. Make sure your phone is positioned where it is easy to see and reach.

Use the speed dialing features on your phone to program frequently called numbers.

Let your wireless network's voice mail pick up your calls when you're unable to answer the phone. If you're heading into a navigational hazard, it's easy to retrieve your messages later.

Use your wireless phone to notify those on shore of your whereabouts and destination.

NO CHILD LEFT BEHIND ACT OF 2001

SPEECH OF

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind:

Mr. ROGERS. Mr. Speaker, as the father of two young children in the public school system, I have a vested interest in supporting any measures that will further strengthen the current system. Ensuring that our children have access to every educational opportunity necessary to achieve is my top priority in Congress.

The provisions contained in H.R. 1 will give states and local school districts the flexibility and decision-making authority they need to address the individual needs of their students and teachers. Paperwork mandates and regulations force states and local school districts to sacrifice student achievement in order to comply with bureaucracy; thus, taking time away from teaching. Giving state and local officials additional flexibility helps them tailor programs to more closely meet students' unique needs and priorities—whether it be through additional focus on teacher training and professional development or additional funding for technology needs or class size reduction. I firmly believe that local school districts, not Washington, know best what the needs of our children are and although the federal government can and should play an important role in our education system, it should not be the guiding force.

In Michigan and throughout the country, an alarming number of children enter school without the language and literacy foundation necessary to succeed in school. Many children are incapable of deciphering that letters make up words and that words carry meaning. This problem spans all socioeconomic backgrounds and leads to children entering school behind their classmates before they even get started. Therefore, I am extremely pleased by the enormous step forward H.R. 1 takes toward focusing on effective, proven methods of reading instruction and triples federal literacy funding from the present \$300 million to \$900 million in 2002. Furthermore, this legislation authorizes \$5 billion over the next five years on reading programs for children between kindergarten and third grade.

At a time when our economy is slowing and we are facing fiscal restraint here in Washington, our commitment to funding education has never been stronger. H.R. 1 provides for a \$4.6 billion increase, which represents an eight percent increase over current year funding for K-12 programs. This is funding that is primarily directed toward the economically disadvantaged. While dollars alone are not the

answer, combined with greater local autonomy over how those dollars can be spent, allows for targeted efforts on behalf of every school in my district. This could mean an increase in teacher salaries for the Lansing School District or extra computers for the Saline School District. Ensuring our school districts have the necessary resources to be successful is a positive step in the right direction.

I am voting yes on H.R. 1 because it provides school districts with greater flexibility, a strong focus on reading initiatives and increased funding for quality programs. After listening to the constituents of my district, I am confident that these are reforms that we can all support for the benefit of our children's future.

STAMP HONORING PAUL LEROY ROBESON

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. RUSH. Mr. Speaker, I rise today to introduce House Concurrent Resolution 143, expressing the sense of the Congress that the U.S. Postal Service issue a commemorative postage stamp honoring Paul Leroy Robeson. Sixty-six of my colleagues have joined me in support of this resolution.

Paul Robeson, a famous African-American athlete, singer, actor, and advocate for the civil rights of people around the world was born on April 9, 1898 in Princeton, New Jersey. After receiving his degree from Columbia Law School in 1923, Paul Robeson left the legal profession for a career in the arts. Paul Robeson is well known for his inspiring performances in musicals, such as *Show Boat*, and theatrical performances, such as Shakespeare's *Othello*. With his distinctive deep baritone voice, Paul Robeson left audiences around the world captivated.

Paul Robeson's brilliant on-stage performances were second only to his commitment to eradicating racial and social injustice in the United States and around the world. Paul Robeson used his oratory skills and knowledge of 25 languages to combat racial inequality in this country and around the world. Because of his stance, Paul Robeson was ostracized and disparaged by many.

Even at the risk to his own safety and professional stature, Mr. Robeson stood up against racial bigotry during a time when segregation was legal in America and lynching was common place.

Paul Robeson never took the easy road in life. Where he could have easily focused solely on his career, Paul Robeson chose to stand up in defiance of the unjust social practices of his time. Paul Robeson forced America to look into a mirror at itself and confront the racial injustice commonly accepted during his lifetime.

In honor of his undying efforts and enduring personal sacrifice, I have introduced this legislation and urge all of my colleagues to join me in this tribute to Paul Robeson.

PERSONAL EXPLANATION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BEREUTER. Mr. Speaker, on May 23, 2001, a visit to the Vice President's residence away from Capital Hill caused me to unavoidably miss rollcall vote no. 146 (motion to instruct conferees on H.R. 1836, the Economic Growth and Tax Relief Reconciliation Act). Had I been present I would have voted "no."

TRIBUTE TO CHARLES NEWTON COOK OF HOLLYWOOD, ALABAMA

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

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CRAMER. Mr. Speaker, I would like to take this opportunity to pay tribute to the long and fruitful life of Mr. Charley Cook, of Hollywood, Alabama, an extraordinary man whose one hundred and five years have been marked by his love of country, family and God.

Mr. Cook was born in Hollywood, Alabama on May 28, 1896. When he was 21, he volunteered for the Navy and served in the Navy during World War I until 1919 making three trips to French waters. He is believed to be the last living WWI Veteran in Alabama. Mr. Cook also served on the Battleship *Utah*, which the Japanese sunk at Pearl Harbor.

Mr. Cook's life reads like a chronicle of this nation's history. He has witnessed Babe Ruth hit his legendary home runs from Yankee Stadium and been in the audience of a vaudeville show starring Eddie Cantor and George Burns. When he finished his service time, he returned to Hollywood, Alabama maintaining his garden until 1995. He voluntarily quit driving at age 99.

I would like to enclose words from his "Armed Guard Detail" certificate, "Members of the Armed Guards . . . may well be proud of this duty. The efficient and courageous performance of this duty, replete with successful encounters with hostile submariners, will insure its indelible inscription in the history of the United States Navy." We can never afford to forget the victories and sacrifices of Mr. Cook's generation lest we take for granted the precious freedoms we enjoy every minute of every day.

On behalf of the people of Alabama's Fifth Congressional District, I join them in celebrating the extraordinary life of this brave soldier. I send him and his family my best wishes on this special birthday reception this Sunday at the Veterans Hall in Scottsboro. I wish Mr. Cook a happy and healthy 105th year.

NO CHILD LEFT BEHIND ACT OF 2001

SPEECH OF

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2001

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind:

Mr. UNDERWOOD. Mr. Chairman, I rise today to express my concerns and to urge my colleagues to consider the children who will be left behind on H.R. 1. The President's Education Plan to "Leave No Child Behind" is woven into the language of H.R. 1, which is our blueprint for elementary and secondary education in this country. While I support many of the initiatives in this legislation, I must raise again the reality that the children living in U.S. insular areas like Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands will be left behind in this reauthorization bill.

While H.R. 1 addresses the needs of children living in rural areas, the needs of American Indian and Alaska Native children, the needs of children with Limited English Proficiency, the needs of children of military families, it fails to begin addressing the needs of children living in the insular areas. And, although the insular areas have a unique status under Federal law that requires special policies to serve the educational needs of children, there is no Federal education policy that focuses on the specific and unique needs of insular area school systems.

It is difficult for insular area educational systems to compete for Federal funding distributed by competitive grants because schools lack the personnel needed to prepare grant application and the resources to higher specialists in the writing of Federal grant proposals. They are also faced with unique challenges in hiring and retaining qualified administrators and certified school teachers. This is alarmingly the case in American Samoa where 77 percent of school teachers are uncertified.

Children living in insular areas rank among the lowest in the nation in educational achievement. In particular, the jurisdictions of Guam and the Virgin Islands rank among the lowest in the nation in NAEP scores. Consequently, the high school drop out rates of children living in the insular areas are among the highest in the Nation.

Insular area educational systems face other challenges such as geographical barriers, high unemployment rates, shrinking economies, aging buildings which are strained by the acceleration of weathering caused by tropical storms and typhoons, high costs of importing and providing equipment and supplies, and a host of other limited resources.

If the goal is indeed to leave no child behind in education, then Congress and the Federal Government must work to ensure that no child is left behind, whether they reside in the states or the territories. The current language of H.R. 1 neglects to take into account the special needs of children living in the territories and the special challenges insular area educational systems must undergo to provide quality education in the insular areas.

As the Delegate from Guam to the U.S. House of Representatives, and a life-long educator who taught and served in the administration of public high schools and later served as the Academic Vice President of the University of Guam, I have always advocated for improvements in the manner that federal policy is developed by the Federal Government in its treatment of the insular areas.

The insular areas are generally included in most national education programs, but mostly

as afterthoughts. As a result, educators in the insular areas must follow a patchwork system of funding arrangements, varying from state shares to special formulas for outlying areas, in order to obtain needed and fair funding of federal program resources.

I am pleased that we will be included in most of the increases, including the President's proposal to increase spending by \$5 billion on reading programs for Kindergarten to 3rd grade. And, I am particularly pleased that local school districts will be given greater flexibility to transfer up to 50 percent of the Federal education dollars they receive through ESEA programs. I am also pleased that the bill will help states and local schools with their development of annual reading and math assessments for students in 3rd through 8th grade and that there will not be a uniform ruler to measure all achievement because one size does not fit all. However, I remain concerned that the over-reliance on standardized testing as the only measure of educational success might only lead to failure. In a place like Guam, standardized testing as a single measure can be particularly misleading, therefore, additional measures should be employed.

I have long been an advocate for establishing a Federal educational policy for the insular areas that would help to bring consistency to their treatment throughout H.R. 1. In the absence of such policy, I have worked to develop language and legislation to extend the opportunities provided to all Americans to those living in the insular areas. Thus, I proposed an amendment to H.R. 1 which provides the framework for Federal education policy to the insular areas and calls for the reestablishment of the Territorial Assistance Program to provide teacher training to help students graduate from high schools in the insular areas. Unfortunately, this amendment was struck down along with more than a hundred other amendments proposed for this deliberation today.

I am here before you to urge your consideration of the special needs of children living in the insular areas. The Federal Government has recognized that special attention must be given to the challenging circumstances of insular area educational systems. It is my hope that Congress will work to resolving these longstanding issues which impede the delivery of education to children living in the insular areas. Why should our educators be left to searching for information in footnotes and obscure references to find the policies which apply to them?

We need to work in concert to level the playing field for all American children in the states and in the territories. I hope my colleagues will join in supporting my legislation to ensure that no American child is left behind in our national education programs no matter where they live, and urge support for the inclusion of this policy in any final agreement of H.R. 1.

forts of Professor Basilio Catania of Turin, Italy. Professor Catania is the retired director general of Italy's Central Telecommunications Laboratory, a distinguished scientist, holder of the European Union's first Telecommunications Prize, holder of Italy's internationally acclaimed Marconi Prize. Following years of meticulous research, Professor Catania is now trying to bring to light the merits of Mr. Antonio Meucci, who claimed that he and not Alexander Graham Bell invented the telephone. In October 2000, at New York University, Professor Catania presented "Antonio Meucci, Inventor of the Telephone: Unearthing the Legal and Scientific Proofs."

Had Mr. Meucci been able to afford the ten-dollar fee to extend his 1871 caveat from the United States Patent Office beyond 1874, the Bell patents could never have been issued and we would have a very different vocabulary today in discussing telecommunications issues.

The fight over who actually should hold the patent for the telephone and succeeding inventions dates back to the earliest days of the telecommunications industry. The federal government even played a direct roll. In 1885, the Meucci claim was presented before Secretary of Interior Lucius Lamar, who at the time had jurisdiction over the Patent Office. Fifty affidavits and the exhibition of two dozen of Meucci's telephone models were part of the presentation. One of the affidavits was the translation into English of Mr. Meucci's Memorandum Book, in which he kept the notes on his various experiments on the telephone as far back as 1862. A drawing in the Memorandum Book shows that Mr. Meucci had discovered the inductive loading of long distance telephone lines many years before the Bell Company. It was also found that Mr. Meucci should have been credited with other firsts, such as call signaling, the anti-side tone circuit, and the first measures to optimize the structure of telephone lines.

The outcome of the hearings led to a recommendation to proceed against the Bell Company. Unfortunately, little attention has been paid to this important trial brought by the Department of Justice in January 1887 *United States v. Bell Telephone Company and Alexander Graham Bell*. This lawsuit was instituted by the federal government against Bell to strip him of his patents for fraud and misrepresentation. Appealed on demurrer to the Supreme Court, it was determined by the High Court that a viable and meritorious contention against Bell had been raised, and the case was remanded for trial. The record of the trial proceeding was never printed and now resides in storage with the National Archives and Records Administration.

Interestingly, the hearings before the Interior Secretary coincided with a lawsuit brought by the Bell Company against Mr. Meucci for patent infringement. Sadly, none of proceedings at Interior were made available during the patent infringement trial.

by the IRS that has interfered with the ability of municipal gas systems to enter into long-term prepaid contracts to obtain natural gas for their citizens. I am joined today by 20 of my colleagues who share my great concern for this issue.

The approximately 1,000 publicly owned gas distribution systems in the United States comprise about 5 percent of the market. They are primarily located in small towns and rural communities. In the last 15 years there have been major changes in the natural gas industry that have increased their exposure to the great uncertainties of the natural gas market. In 1985 the Federal Energy Regulatory Commission "FERC" began deregulating the delivery of natural gas. In 1993 FERC began requiring that pipelines "unbundle" their services to customers. This meant that municipal gas systems could no longer purchase natural gas supplies on a reliable and regulated basis from interstate natural gas pipelines. This fundamental change in the marketplace meant that for the first time municipal gas systems had to acquire reliable gas supplies and transport on their own in a deregulated marketplace. In response, many formed joint action agencies, as contemplated in the FERC restructuring, to acquire and manage the delivery of gas.

In today's natural gas markets, long-term prepaid supply arrangements are the most reliable means for municipal gas systems to obtain an assured supply of natural gas. To fund prepaid supply contracts, the municipality or the joint action agency issues tax-exempt bonds. These contracts contain stiff penalties if the supplier fails to perform making this the most reliable gas supply that municipal gas agencies can purchase. Until August of 1999, joint action agencies entered into prepayment supply contracts with gas suppliers to obtain a long-term (e.g., 10-year) supply of gas.

In August 1999, the IRS published a request for comment that has effectively prevented municipal gas systems from using their tax-exempt borrowing authority to fund the purchase of long-term, prepaid supplies of natural gas for their citizens. The IRS questioned whether the purchase of a commodity, such as natural gas, under a prepaid contract financed by tax-exempt bonds has a principal purpose of earning an investment return, in which case the bonds would run afoul of the arbitrage rules of the Internal Revenue Code. The IRS has not issued any guidance following the August 1999 request for comment.

Under the Internal Revenue Code, tax-exempt bonds may not be used to raise proceeds that are then used to acquire "investment-type property" having a higher yield than the bonds. Governmental bonds that violate this arbitrage restriction do not qualify for tax-exempt status. Treasury regulations provide that investment-type property includes certain prepayments for property or services "if a principal purpose for prepaying is to receive an investment return." But, "a prepayment does not give rise to investment-type property if . . . the prepayment is made for a substantial business purpose other than investment return and the issuer has no

IN RECOGNITION OF ANTONIO
MEUCII

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. ENGEL. Mr. Speaker, I rise today to bring to the attention of my colleagues the ef-

MUNICIPAL GAS SUPPLY ACT OF
2001

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. COLLINS. Mr. Speaker, I am introducing legislation today to correct a problem created

as private activity bonds. Although municipal gas systems clearly have a "substantial business purpose" for entering into prepayment transactions and "no con-

The IRS has essentially acted against municipal gas systems without going through any of the administrative procedures required for agency action. It has not issued any regulations, ruling or other guidance; it has simply put out a request for comment that has effectively prevented the issuance of any tax-exempt obligations to fund prepaid contracts for natural gas.

The legislation we are introducing today would clarify the law, both with respect to the arbitrage rules and the private loan financing rules, to remove the confusion created by the IRS.

This country is now facing an energy crisis. All across the nation the price of natural gas has been at record levels as purchasers have scrambled to obtain an assured supply. Meanwhile, by requesting comment and then failing to act, the IRS has prevented small communities from using their tax-exempt borrowing authority to obtain a long-term, assured supply of competitively priced natural gas. This problem must be addressed as part of comprehensive energy legislation that Congress will soon consider.

TRIBUTE TO CANDICE A. NEAL OF
EVA, ALABAMA

HON. ROBERT E. (BUD) CRAMER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CRAMER. Mr. Speaker, I submit into the CONGRESSIONAL RECORD the following essay written by a bright young lady from North Alabama, Miss Candice Neal. The essay titled "The Constitution: A Fantastic Journey" was recently selected as the winner of the 2001 American Legion National High School Oratorical Contest. I would like to submit her patriotic words for the RECORD.

"THE CONSTITUTION: A FANTASTIC JOURNEY"

Attention time travelers this is your final boarding call for flight U.S. 1-7-8-7. Congratulations you have selected one of our more popular destinations, The Beginning of American Government. Today, you will experience some of the more dramatic events in our nation's history. Flight 1-7-8-7 is a non-stop flight, back in time, to the creation of the U.S. Constitution. The flight crew has requested that you remain seated with your personal liberties securely fastened. When the captain is certain that you are not in danger she will illuminate the "ratification light" indicating that you may move about the cabin freely. As we prepare for take-off I will remind you that this is a non-smoking flight, and in keeping with today's destination, federal law prohibits the violation of anyone's inalienable rights.

Please look in the seat back pockets in front of you, to review today's agenda. We begin our journey with a basic knowledge and understanding of the Constitution and how it was created. In the second phase of this adventure, we will learn how to respon-

And, finally you will discover what it means to become a part of history, by participating in this government of the people, by the people, and for the people.

We've been cleared for takeoff, so please direct your attention to the windows on the left side of the cabin. You will note instances in recent history, in which rulers and dictators have taken away people's personal freedoms. There's Kosovo, Bosnia and Tianenmen Square.

Make sure your seat belts are securely fastened. We are about to enter a turbulent time in American History—the defense of democracy—There's Desert Storm, now Pearl Harbor and our final stop, the Revolutionary War. This is where our journey begins. . . .

What you might not realize is that the Constitution is actually our third form of government. It was here during the Revolutionary War when our fight for freedom began. The American Colonies were first forced to live under the reign of England. From 1775 until 1783 the American Colonies fought for

We now move forward to 1787, please do not disturb the 55 men who are meeting in this old Philadelphia state house. They are statesmen, patriots, each with their own ideas about how this new government should be organized. Some of them are states' rights advocates. Many of them are federalists. But you will notice that one man stands out in the crowd. His name? James Madison. And he is presenting the Virginia Plan to his fellow delegates. They will soon refer to the plan as a "political masterstroke," and in the next 5 months, it will serve as the foundation of our Constitution. By 1789, all the states had ratified and approved this new form of government. This unusual document was the first written, national constitutional since ancient times. It was also the first to set up what was called the federal system. Under this system, sovereign power comes from the people, for the good of the people.

The Founders attempted to create a form of government that would be stable, but would also allow for change. You see, in a sense, the Founding Fathers were time travelers too; they were looking to the future, planning ahead, and forming a basic framework to endure for all time. It is a document written for "we the people" and that means that "we the people" have a job to do!

Fast forward to April 1999. An issue of the USA Today Newsvue, states that one of the first things that come to mind when Americans are asked what they think about the United States and its government is "freedom". Yet according to current public opinion research fewer than 15% of Americans can name the freedom of the press and one of the rights protected under the First Amendment. And little more than half of Americans know that there are three forms of government. You see, time travelers, with freedom also comes responsibility—the responsibility to understand and defend the Constitution.

James Madison once said, "The people who are the authors of this blessing must also be its guardians." Today more than ever before we witness people and organizations testing the bounds of their Constitutional rights. From tabloids that slander high profile figures, to hate groups who use their misunderstanding of freedom to infringe upon other's

rights into prepayment transactions and "no con- upon to defend and uphold our constitution. As such, we must be able to use our privileges responsibly. In words of Benjamin Franklin, "we have a Republic, only if we can keep it!"

And now, as we make our way back to the 21st Century, I will remind you that this flight is interactive—meaning it is not enough to simply understand our constitution and to use our rights responsibly. Clearly, this travel back in time has taught us that our duties as citizens also carry the obligation to participate in our government.

Long after our Founding Fathers penned the last words of the Constitution, the amendment process ensured their continued involvement. You will see what I mean, by looking out the windows on the right side of the aircraft: here we see that The Bill Rights was added to the Constitution in 1791. In 1865 the 13th amendment abolished slavery and in 1868 the 14th amendment outlined the rights of all citizens. Meeting the changing needs of a growing country, however, had been known to cause slight turbulence in our return flight. Therefore, in the event that we experience any threat to ourselves and our posterity any one of the 27 amendments, will drop from the overhead compartments to ensure our domestic tranquility.

The amendment process is not the only way that we as citizens can participate in our government. What we have witnessed today should force us out of complacency and self-centeredness and put us in touch with a greater reality. Robert Kennedy made it popular, but George Bernard Shaw said it long ago: "Some people see things as they are and ask, 'Why?' I prefer to see things as they might be, and ask 'Why not?'" That is what the framers of our constitution had in mind so long ago. Our participation in that process in the 21st Century is essential to ensure that the Constitution continues to withstand the many and varied assaults from those who criticize it, misinterpret it, or challenge it.

We can begin participating in small ways such as reading a daily newspaper or weekly newsmagazine. Then, we will begin participating in bigger ways such as writing letters to public officials, investigating the qualifications of

Our Founding Fathers, in the words of Justice Hugo Black, ". . . dreamed of a country where the mind and spirit of man would be free; where there would be no limits to inquiry; where men would be free to explore the unknown and to challenge the most deeply rooted beliefs and principles. . . ."

Today, on flight U.S. 1-7-8-7, we have traveled back in time to the formation of The Constitution of the United States. Our itinerary included a basic knowledge and understanding of the constitution; and appeal to engage in our rights responsibly; and finally, a call to participate in our government.

Here in the 21st Century, the flight crew tells me that we have been cleared for landing. We have people on hand waiting to assist you in your efforts to continue the good work of our Founding Fathers. Remember what you have experienced today is much more than a fantastic journey in to the past, it is a reminder of your responsibility for the future.

HONORING SAM CAUDILL
COMMUNITY CONTRIBUTIONS**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to recognize a man that has made numerous contributions to his community as well as the United States as a whole. Mr. Sam Caudill served his country in the Office of Strategic Services (OSS) during World War II, and since has served the community of Aspen, Colorado as a leading architect and historian. For his life of service and adventure, I would now like to take this opportunity to honor him.

Sam started his illustrious career on a mission for the Office of Strategic Services to China in 1945 to teach guerilla warfare to Chinese soldiers so that they would be able to defend themselves if the Japanese attacked. Although Sam did not realize it at the time, this type of work was the beginning of what was to become the most extensive and complex intelligence network in the world—the CIA. At the age of 21 Sam volunteered to be a mule packer for the American guerilla fighters. Already fighting the Japanese, he had no idea that he would be presented with the opportunity to help start a new wave of national defense.

Upon finishing his duty in the army, Sam returned to Cornell University to complete his education. After receiving his degree Sam returned to Colorado to make his mark on the skyline of Aspen. Following the lead of Frank Lloyd Wright, Sam has always strived to create buildings that grow out of the environment. Sam was awarded for his unique design of Aspen High School, which reflects the rolling hill surrounding the school with its rounded shape. He has been commissioned in numerous places throughout the state of Colorado. When people refer to Sam, he is often called "the dean of Aspen architecture."

Sam has also made a significant contribution to preserving wildlife in Colorado. He served on the Colorado Wildlife Commission from 1975 to 1983, and was chairman of the commission in 1978. During this time he has been credited with the law that allows Colorado citizens to apportion part of their tax return to the non-game and endangered species program. He also worked on the state's catch and release trout program. Sam still enjoys the outdoors and tries to hike and fish whenever possible.

An interest in local history has spurred Sam's latest contribution to society. For the last twelve years Sam has been interviewing "old timers" about their lives logging, mining and wrangling here in Colorado. Sam hopes to compile all these stories and photos he has gathered into a book titled, "Colorado—the Wild Years." His love for the old west and his reputation in the Aspen community suggests that Sam may have been born a century too late.

Mr. Speaker, like so many of us, Sam has fallen in love with the natural beauty of Colorado. He has spent his life trying to preserve that magical quality that the untamed mountains of Colorado exude. For this I and the citizens of Colorado are grateful.

REMEMBERING HAROLD BERKE

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. REYNOLDS. Mr. Speaker, I rise today in remembrance and to pay tribute to Harold Berke of Williamsville, New York.

While Harold Berke is no longer with us, we are blessed that his memory and his achievements live on to this day. Born Harold Berkowitz, he enlisted in the Army Air Corps prior to the start of World War II. Harold achieved the rank of Master Sergeant, and during his service to our nation, invented a device that allowed a single man to lift the tail sections of airplanes for repair and inspection.

Following his graduation from the University at Buffalo, which he attended under the GI Bill, Harold Berke went to work for Bell Aerospace, where, beginning in 1954, he led a group that provided a solution to an engine problem on the X2 rocket. Harold Berke's leadership and expertise were integral to other projects, such as the Agena Engine, Rascal Missile, Minute Man Missile, and the engine that ensured America's astronauts were returned safely from the moon.

Harold Berke's contributions were not limited to engineering and aerospace. A loving husband and father, Harold Berke married the late Leah Rose in 1949. They were the proud parents of two sons, Ronald and Daniel. Together with his sons, Harold Berke built award-winning show cars, including a series of Corvettes, and a 1968 Camaro that won 30 awards in 10 shows.

Mr. Speaker, I ask that this Congress join me in remembrance of Harold Berke's contributions to American rocketry and aerospace, and that we salute him in memoriam for his ability and leadership.

STARK/MOAKLEY COBRA COVERAGE
EXTENSION & AFFORDABILITY ACT OF 2001**HON. JOHN JOSEPH MOAKLEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. MOAKLEY. Mr. Speaker, I am very pleased to join with my colleague and good friend PETE STARK (D-CA) today in introducing our legislation the "COBRA Coverage Extension and Affordability Act of 2001." This legislation combines and expands earlier individual legislation that each of us introduced to help extend and improve this provision from the 1986 COBRA bill.

The original COBRA law allows employees who face a covered change in their work status and would otherwise lose their health insurance to continue that same coverage for a period of up to 36 months depending on the situation. Under that law, covered employees would pay up to 102 percent of the cost of their current health insurance plan—the employee and employer costs plus an additional fee to cover administrative expenses. Although the law says the coverage can last up to 36 months in some cases, most coverage is limited to 18 months.

Our bill would change the law in three ways. First, it would allow anyone covered by the

COBRA statute to maintain that coverage for up to five years under the existing rules. He or she would still be responsible for the entire cost of the insurance policy plus the 2 percent administrative fee but would not have to face loss of insurance coverage or reduction in benefits while looking for a job with comparable health insurance. Next, it would expand the program to individuals who are over the age of 55 and qualified for COBRA coverage to extend their coverage until they become eligible for Medicare. If they go beyond five years, the cost of the premium would go to 125 percent of the policy to help cover increased health care costs that may occur. Lastly, and perhaps most importantly, the bill provides a 50 percent refundable tax credit of the premium to help offset the cost of this coverage to the individual. This provision will make such coverage far more affordable to those for whom the cost is an economic burden.

In today's changing and challenging job market layoffs and reductions in staffing are becoming increasingly common and employees are forced to change jobs more often. Additionally, many businesses either do not offer health insurance at all, offer coverage that is not as comprehensive as the employee's previous plan, or do not make coverage available until the employee has been on the job for a specified period of time. Furthermore, many job hunters change jobs frequently or take short-term or temporary employment simply to pay the bills while searching for a job that is more suitable to his or her field of expertise. Eighteen months often is not long enough for many individuals to find employment that offers comparable coverage.

However, the cost under this bill, though generally far less than acquiring private health insurance on the open market, can still be a substantial expense or even a roadblock to the employee. The bill's 50 percent tax credit for premium costs would greatly reduce that financial burden. And, most importantly, the individual would be able to continue the same policy with the same coverage. This becomes particularly important if that person or his or her family has a pre-existing condition that needs specific care or anticipates an upcoming medical need such as surgery or pregnancy. Continuity of care can be extremely important and in some cases even life-saving. While the recently enacted Health Insurance Portability Act allows individuals losing their coverage to obtain health insurance without bias with regard to a pre-existing condition, it does not guarantee the same plan coverage and it does not guarantee coverage at a comparable cost. Our bill does.

This bill is not the only solution to our nation's growing number of uninsured Americans. But it will help protect many of our nation's workers who face losing health insurance coverage due to job loss. It is not always possible to know if or when we will need health care either for ourselves or our families. But when we are faced with a debilitating illness, a serious accident, or even a joyous event like an upcoming birth, our main concern shouldn't be the cost and whether or not our insurance will be adequate. Please join with Rep. STARK and me in supporting this legislation.

PEARL HARBOR

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. QUINN. Mr. Speaker, as all Americans prepare to celebrate the Memorial Day weekend, I think it is appropriate for all of us to take some time and reflect on the sacrifice that those men and women, past and present, who served our country have made. This weekend, the movie Pearl Harbor will open throughout the Nation. Once again, Americans of all ages will be reminded of this tragedy, as well as the bravery and courage our service men and women demonstrated.

President Franklin Roosevelt declared it, "A day that will live in infamy." In the pre-dawn hours of December 7, 1941, the United States Pacific Fleet was destroyed by a sneak attack of the Japanese Imperial Army. Nearly 2400 military and civilian lives were lost as a result of the surprise attack and more than 1000 were wounded. The attack forced the United States into World War II, and was the first time the United States had been directly attacked since the War of 1812. It is a moment that is forever frozen in our Nation's consciousness.

I have introduced a bill, H.R. 157, that would designate December 7th as a Federal holiday. This legislation would serve as not only a tribute to those men and women who served and lost their lives at Pearl Harbor, but also all those who defended and fought for our Nation during World War II.

This week, Congress gave final approval to the much-anticipated World War II Memorial on the Mall, and this would be a fitting companion.

I hope all Members will join me in celebrating the memory and sacrifice of these brave Americans by co-sponsoring H.R. 157.

CELEBRATING REVEREND
CHARLES W. SPRINKLE**HON. CHARLES H. TAYLOR**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. TAYLOR of North Carolina. Mr. Speaker, today I rise to commend and celebrate the life and Golden Anniversary Celebration for Reverend Charles W. Sprinkle who has pastored Gladly Baptist Church in Candler, North Carolina for fifty years.

Reverend Sprinkle was born and reared in Madison County, North Carolina, son and grandson of pastors. He was the sixth child of fourteen, five of whom are also pastors. Following his graduation from Marshall High School, Reverend Sprinkle completed a tour of duty with the Navy.

He was called to preach in October 1950. New Morgan Hill Baptist Church licensed Reverend Sprinkle on June 20, 1951 and ordained him on July 29, 1951. In May 1951, he was asked by Gladly Baptist Church to preach and asked to be their pastor in June of the same year, fully a half a century ago. Reverend Sprinkle remains at Gladly Baptist today.

Pastor Sprinkle says that he received his training with his head buried in the Bible while

on his knees. During his half-century ministry, five young men have been called to preach under his stewardship. Referring to these men as "my boys in the gospel," he is very proud of the great work they are doing for the Lord.

As the Gladly Baptist congregation grew, it became necessary to build a new church building in the early 1970s. Due to Pastor Sprinkle's leadership the new brick church they use today was completely paid for in just one year.

In the past fifty years, Pastor Sprinkle has conducted 102 revivals, performed 98 weddings and 361 funerals. Throughout the joys and sorrows, Pastor Sprinkle notes, "I have seen good times and I have seen hard times, but God's grace was always with us. What a great God we serve!"

Reverend Sprinkle credits much of the success of his ministry to his wife, Lois, a faithful teammate for sixty years.

Mr. Speaker, I know that all of my colleagues in the House of Representatives join me in praising Reverend Charles W. Sprinkle for his fifty years of service to Gladly Baptist Church and the Lord.

DOMESTIC SPIRITS TAX EQUITY
ACT**HON. MAC COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. COLLINS. Mr. Speaker, today I am introducing a bill, along with my colleague, Representative RICHARD NEAL, to end the unequal tax treatment imposed on U.S. produced distilled spirits. At a time when other countries adopt tax laws to favor their own domestic industries, it is ironic that current U.S. tax law favors foreign products at the expense of U.S.-made products. Regrettably, that is the case with respect to distilled spirits. As members of the Committee on Ways & Means, both Mr. NEAL and I have worked for sometime to correct this inequitable situation.

Current law allows wholesalers of imported spirits to defer the federal excise tax ("FET") on such products until they are removed from a custom bonded warehouse for sale to a retailer. In contrast, the FET on U.S. produced spirits is paid "up front" by the distiller, and passed along to the wholesaler when he purchases product. Custom bonded warehouses cannot be used for domestic product, only that imported from another country. This means that the FET on U.S. produced spirits must be carried by the wholesaler as part of his inventory for as long as it takes to sell that product out of his warehouse.

Couple this disparity in time of payment with the fact that distilled spirits are the most highly taxed of all products, and you begin to understand the seriousness of the problem. At \$13.50 per proof gallon, the FET represents virtually 40 percent of the average wholesaler's inventory cost. To make matters worse, it takes an average of 60 days to sell this inventory to a retailer. The bottom line is that U.S. tax policy favors the sale of imported spirits and creates a significant financial burden for wholesalers of domestic spirits—most of which are small, family-owned businesses operating within a single state.

For the past ten years, the wholesale tier of the licensed beverage industry has advocated

a tax law policy change known as "All-in-Bond." Mr. NEAL and I sponsored the Distilled Spirits Tax Simplification Act, or "All-in-Bond bill", at the beginning of the 106th Congress. Simply put, it would have extended the custom bonded warehouse concept to all spirits, not just imported product. The result would have been to defer payment of the tax on domestic product—just as we do for imported spirits—until it is removed from the warehouse for sale to a retailer.

Given the obvious inequity of current law, the bill attracted the co-sponsorship of 75 of our colleagues from both sides of the aisle. As a consequence, Mr. NEAL and I were successful in attaching the bill to a major tax reduction measure coming out of the Committee on Ways & Means in 1999, which was subsequently approved by this body.

Subsequently, Treasury/BATF raised unwarranted concerns about changing the point of collection. Additionally, distilled spirits suppliers objected because of concerns about a revenue offset provision which was added to the "All-in-Bond" proposal during committee consideration.

In an effort to build a greater consensus, we agreed to drop the provision in conference and go back to the drawing board to develop a better solution to the problem.

The "Domestic Spirits Tax Equity Act" is that better solution.

The purpose of this legislation is to compensate wholesalers for the unequal burden imposed on U.S.-produced distilled spirits under current law. We do so by allowing qualified wholesalers of domestic spirits a prepaid tax adjustment, or "PTA" which is a credit against their annual federal income tax.

The PTA is determined through a simple formula. It is equal to 40 percent of the amount paid for domestically produced spirits, times the IRS' applicable federal rate over a 60-day period. The PTA was crafted with simplicity in mind. The elements of the formula are easily verifiable and understandable by the wholesaler and the IRS, and the formula results in an accurate overall measure of the unequal float costs. In addition, unlike the "All-in-Bond" proposal, this bill does not change the current FET collection system.

Mr. Speaker, I urge my colleagues to join me in this effort to eliminate the unequal tax treatment imposed on U.S. produced distilled spirits. The PTA is a simple and targeted solution, which addresses the problem. I look forward to the passage of this important legislation so that we can ensure our domestic suppliers are not penalized by the tax code.

HONORING THE CAREER OF JERRY
BAXTER**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. McINNIS. Mr. Speaker, I would like to take a moment to honor a man that has spent much of his life improving the quality of life for others. Mr. Jerry Baxter has spent the last 27 years of his life entertaining the guests at the Bar D Chuckwagon in Durango, Colorado. This year, in the Bar D's 33rd season, Jerry has announced that he will be leaving for a job as a wrangler in Jackson, Wyoming. As he

does, I would like to take this opportunity to honor him.

Jerry has contributed to the Durango community his entire life. His friends and family would most likely describe Jerry as a bit of a character. When Jerry was only seventeen he managed to make it on to the Paul Harvey show with his comedic tale of an experience he had as a volunteer firefighter. Jerry gained this honor by starting a fire on his way to fight a fire. On his way to the grass fire in Hermosa, Colorado, Jerry forgot to release the emergency brake, causing the brake pads to catch fire and fall off. This in turn ignited a fire at the Aspen Rose Campground, which exceeded the size of the Hermosa fire, requiring more men to extinguish it.

Jerry will be fondly remembered by the numerous guests who have been privileged to enjoy his show. Jerry's baritone voice is well loved at the chuckwagon and will be greatly missed. The Bar D originally hired Jerry to work in their kitchen, but he quickly became a well-loved voice on the stage. Jerry speaks highly of the community that has shown him such great support over the years. When Jerry's father passed on, and he was brought to tears during his rendition of "How Great Thou Art," the community reached out to this man that they love. While grateful for his friendship, the Durango community will be sorry to see Jerry leave.

Mr. Speaker, the State of Colorado is fortunate to have citizens like Jerry Baxter within one of its communities—someone who is willing to go that extra mile for others. Colleagues, on behalf of the Western Slope of Colorado, we wish Jerry, his wife LaVerna and his children Justin, Shasta, Kyle and Kolt all the best. The Durango community is fortunate to call Jerry a friend.

HONORING AMERICA'S MOST
DECORATED COMBAT VETERAN,
LT. COL. MATT URBAN

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. REYNOLDS. Mr. Speaker, as our entire nation pauses to honor its fallen heroes, our Memorial Day Observance has long held a special significance in my Congressional district. That's because, in 1865, the village of Waterloo, New York, became the first community in America to set aside a day of remembrance for those who made the ultimate sacrifice in service to their country, and has since been officially recognized as the birthplace of our modern Memorial Day holiday.

Even with this proud history, this year's Memorial Day will have an even greater significance in our area of the country. That's because on Thursday, May 31, 2001, we will pay special tribute to the most decorated combat veteran in American history, Lt. Col. Matt Urban.

When President Jimmy Carter presented Lt. Col. Urban with the Congressional Medal of Honor, 35 years after his heroic feats in World War II, the President described him as "The Greatest Soldier in American history." Born in August of 1919 in Buffalo, New York, Matt Urban received 29 awards and decorations, including seven purple hearts, and the Silver

and Bronze Stars. Matt Urban's bravery and valor earned him virtually every combat medal, as well as the nickname "the Gray Ghost," from the German army.

While there are many stories of Matt Urban's feats, his heroism upon the D-Day Invasion is typical of the battlefield leadership he exhibited during his time with the 60th Infantry Regiment, 9th Infantry Division. Then-Lieutenant Urban, despite a broken leg suffered during his landing on Omaha Beach, led an attack on German positions from the top of a tank, which not only saved his men trapped on the beach, but also drove the enemy off their positions and off the beach.

Lt. Col. Matt Urban, an American hero, passed away on March 20, 1995, as a result of complications from a collapsed lung brought on by one of his seven war wounds. He was laid to rest in Arlington National Cemetery, a hero's honor, well-deserved.

Mr. Speaker, on Thursday, May 31, 2001, the man once dubbed "The Hero We Nearly Forgot" will be remembered by his hometown of Buffalo, New York, when the Lt. Col. Matt Urban Monument Fund presents a day of activities to honor and remember his bravery, valor and service; and I ask that this Congress, while pausing in memory of all those who have fallen in defense of freedom and liberty, join me in a special salute to our nation's most decorated combat veteran, Lt. Col. Matt Urban.

CONFLICT IN THE MIDDLE EAST

HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mrs. DAVIS of California. Mr. Speaker, as we all reflect on the grave situation in the Middle East, I commend to all my colleagues the following OpEd piece published in the May 18, 2001 San Diego Union Tribune.

NEGOTIATIONS CAN STOP BLOODSHED

(By Yuval Rotem)

Since the days of Sir Isaac Newton schoolchildren have been taught that for every action there is a reaction, and that there is an axiomatic distinction between cause and effect. This truth applies both to the world of physics and to today's conflict in the Middle East.

For over eight months, the citizens of Israel have been confronted with a virulent campaign of violence and terror. Israel, like any other nation, has a right and obligation to react in order to protect the lives of its citizens. The legitimacy of self-defense is a foundation of international law and of the United Nations Charter.

That both Israelis and Palestinians have suffered due to the current uprising, there can be no doubt. Yet while it may be easy to assign equal blame to the two sides, there is in truth no equivalence between the actions of Palestinian terrorists and the reaction of the Israelis whom they target.

If Chairman Yasser Arafat and other Palestinian leaders were to call for a cessation of shootings and bombings, an end to the violence would be well within reach. No such calls have been issued, and the Palestinians continue to shoot, and Israel is compelled to react. That anyone is killed is unjustifiable, but sometimes it is forgotten who exactly started the shooting, and who continues to deem indiscriminate killing as a legitimate bargaining chip.

Israel cannot sit idly on the sidelines while its people pay the ultimate price for the Palestinian leadership's opting for confrontation over reconciliation. Palestinian leaders and militias consider violence to be an effective tool in promoting a unilateral solution to a conflict which Israel believes can only be addressed via bilateral negotiation.

Palestinian gunmen purposely select targets with the intention of maximizing carnage and shock value. Suicide bombers and explosive devices containing nails and shrapnel are employed in densely populated civilian areas. Israeli children and adults are maimed and murdered while shopping at the mall or riding on the bus.

Israel, forced to defend itself, undertakes operations designed to hamper further terror, striking only against those actively involved in violence. For the most part, Israeli reprisals against those initiating terror strikes are extremely accurate. However, sometimes unintended consequences have regrettably occurred.

There have even been instances when children have been injured. In the vast majority of cases, this takes place when Palestinian children are intentionally used as human shields serving as buffers for gunmen firing upon Israeli targets. Remember that the Israeli army is no longer deployed in Palestinian populated areas. In order for stone-throwing children to be within close proximity to Israeli forces, they have to be consciously transported to such locations by their elders.

Despite this brutal tactic, Israeli forces do their utmost to prevent casualties. Tragically, a totally innocent child, five-month-old Iman Haju, fell victim last week. She was unintentionally killed in Israeli return fire, which was directed at positions used by a Palestinian mortar crew to bombard an Israeli community just minutes earlier.

The fact is that terrorists have been consistently launching mortars from civilian sites such as school yards and apartment buildings. By contrast, Palestinian militants have routinely and specifically targeted Israeli children. Shalhevet Pass, a 10-month-old Israeli girl, was spotted, fixed and then shot in the head by a Palestinian sniper in March. In the past week, two 13-year-old Israeli boys were brutally stoned to death, and their bodies mutilated by terrorists while hiking in a riverbed close to their homes.

These are not cases of unintentional civilian casualties. These and other Israeli children were slain because their Palestinian executioners found them to be useful targets. Such heinous actions do not arise in a vacuum.

Since the Palestinian rejection of the proposals offered by former Prime Minister Barak and President Clinton, the Palestinian Authority has carefully orchestrated a campaign of hatred and incitement through its official newspapers, television and radio stations, its schools and religious institutions.

Palestinian Authority spokesmen have praised violence and suicide bombings. The Palestinian Authority has freed known terrorists from prison, and official Palestinian police and security forces have joined in attacks upon Israeli civilians with impunity. Palestinians have employed illegal mortars and anti-tank weapons against Israeli communities, and heavy arms such as Katyusha artillery rockets and shoulder-fired anti-aircraft missiles are now being smuggled into Palestinian territory.

The Palestinian leadership is doing nothing to prevent further escalation of violence, and the people of Israel are wondering just exactly what the Palestinians are trying to achieve.

An end to the occupation? Some 98 percent of Palestinians already live under Palestinian control. Statehood and independence?

It was offered and rejected. An end to check points? More territory? It was offered and rejected. Not only were all attempts to genuinely settle the conflict rejected out of hand, but the Palestinians responded to them—in- stead of with counter-proposals for peace— with intifada, jihad and terror.

The current confrontation is one which Israel neither sought nor initiated, and still, there is no desire for punishment and re- venge. There is no wish to suppress or re- press anyone. What point does it serve?

Negotiation and education for peace are the only means forward, and hopefully a meaningful resumption of dialogue can begin again soon. In the meantime, the Palestinian leadership must be made to understand that terrorism and bloodshed cannot exist side by side with diplomacy.

The path of violence was supposed to have been forever abandoned on Sept. 13, 1993, when Chairman Arafat shook the hand of Israel's late Prime Minister Yitzhak Rabin, and pledged in word and in writing to for- swear achieving his goals by the sword. Though that day over seven years ago seems so remote, it must continue to guide all sides even now.

Terror will not bring the Palestinian peo- ple what they desire. They will not be able to gain through violence what they could not gain through negotiation. Only a return to talks and moderation can bring a mutually acceptable settlement for both sides.

Rotem is consul general of Israel to the southwestern United States.

HONORING REVEREND DR. J.
ALFRED SMITH, JR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Ms. LEE. Mr. Speaker, I rise today to honor and salute Reverend Dr. J. Alfred Smith, Jr. for his many years of service to Allen Temple Baptist Church and the City of Oakland.

As the Co-Pastor of Allen Temple Baptist Church, Reverend Smith Jr. helped lead the Allen Temple Family to new heights with its spiritual, social and economic justice agenda. He has exemplified, in a magnificent way, steady, enlightened and inspirational leader- ship.

Reverend Smith Jr. has a Bachelor of Arts degree in Social Services and African Amer- ican Studies from Antioch University. He has also earned his Master in Divinity from the Graduate Theological University and a Doctor of Ministry from San Francisco Theological Seminary.

While pursuing his graduate degrees, he was an instructor at San Francisco State Uni- versity, U.C. Berkeley, the Pacific School of Religion, and the Allen Temple Leadership In- stitute. Reverend Smith, Jr. has educated stu- dents about Black Religion, Black Philosophy, African American Children and Their Families, the Mission of the Church and Church Admin- istration of Social Justice.

Aside from his role as an educator, he has played a pivotal role in contributing to the bet- terment of the City of Oakland. He has served as an Urban Employment Analyst in the Office of Economic Development and Employment; he has worked with the Oakland Crime Pre- vention Unit; he has served on the advisory board for fair housing; and he has been an advocate for the homeless.

Reverend Smith Jr.'s activism is not bound- ed by the City of Oakland. He has led a study tour and has participated in peace discussions in Israel and Palestine. He has traveled to London to be a keynote speaker for the Pro- gressive Baptist Churches of the United King- dom. He has traveled to Western Africa and China on a cultural exchange mission.

Reverend Smith Jr. has received numerous awards and has received worldwide recogni- tion for his advocacy for social, political and economic justice. He has often been quoted by the media for his wisdom on particular issues.

On a personal level, I have relied on Rev- erend Smith, Jr.'s insights on the major issues confronting the human family for several dec- ades. His clarity, his wisdom and his vision have meant so much to me and my prede- cessor, Congressman Ronald V. Dellums. It is with a deep sense of gratitude and a profound sense of love and affection for Reverend Smith, Jr., his wife, Mrs. Elaine Smith, and his entire family that I wish him well, good luck and God's blessings as he embarks upon the next chapter of his life.

I proudly join Reverend Smith's family, friends and colleagues in thanking and salut- ing him for his years of service and commit- ment to improving the human condition.

Thank you Reverend Dr. J. Alfred Smith, Jr.!

HONORING ROGER P. PETERS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. McINNIS. Mr. Speaker, I stand before you today to pay respects to a long time pro- fessor at Fort Lewis College in Durango, Colo- rado. Roger Peters passed away on May 13, 2001 from a battle with cancer. Family, friends, students and faculty will truly miss one of Ft. Lewis College's best professors.

Roger was born on October 29, 1943, in Washington, DC. He graduated from the Uni- versity of Chicago in 1965 with a bachelors degree in political science. After graduation, he volunteered for the Peace Corps and served as a science teacher in Liberia. "He loved his life. He was a really happy person," said Arden Peters, his daughter. "He taught everyone he knew so much. He was a re- markable friend and the best father."

For more than a quarter of a century Roger was a psychology professor at Ft. Lewis Col- lege. Roger was an enthusiastic teacher who would light his students up with excitement "Students would be infected with his enthu- siasm," said Alane Brown, and associate pro- fessor of psychology. According to Byron Dare, a friend and fellow professor, Roger was the epitome of a professional and was a multi- dimensional person with numerous interests.

Roger Peters will be missed by everyone that knew him. He made an impact on his family, friends, and his students. Mr. Speaker, I would like Congress to join me honoring Roger for all he has done for students at Fort Lewis College and his family.

INTRODUCTION OF THE ACT TO
LEAVE NO CHILD BEHIND

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, I am pleased to submit to my col- leagues in the House the Act to Leave No Child Behind. Today I am joined by the gentle- woman from Connecticut, Ms. DELAURO, and the Gentleman from California, Mr. STARK, in announcing its introduction.

An Act to Leave No Child Behind has ambi- tious but achievable goals: to eliminate child poverty, end child hunger, prepare children to enter school ready to learn, and provide chil- dren with health insurance and other vital services necessary for the successful develop- ment of America's children. Our bill is a road map for the safe and healthy development of America's children.

America must make a choice when it comes to the future of our neediest children. We must choose whether we will invest in the healthy development of our children or in the richest one percent of taxpayers in this country. We cannot do both. This bill represents a vision and a commitment toward a future where all children have a chance to succeed.

An Act to Leave No Child Behind, combines several pieces of legislation that could be acted upon separately at the appropriate time. Taken together, however, this bill moves us forward on the path where all children have quality health care, educational opportunity, quality child care and safe communities. This legislation provides every child and their par- ents with health insurance, lifts every child from poverty through tax credits, work sup- ports, and a new minimum wage, and ends child hunger through the expansion of food programs. This bill makes sure every child is ready for school by fully funding quality early learning programs, and offers significant re- forms for our system of public education that increases accountability, reduces classroom size, and guarantees that all children will be taught by qualified teachers in modern and safe classrooms. This legislation also address- es the issue of affordable housing and safe communities through sensible environmental protections, gun safety laws, and programs to reduce children's exposure to neglect, abuse, and violence.

I am so proud to have working with me on this legislation, my friend Senator CHRIS- TOPHER DODD (D-CT) and the Children's De- fense Fund. Despite President Bush's use of the term, it was in fact the Children's Defense Fund that trademarked the phrase "Leave No Child Behind" in 1994. And it has been justi- fied in using it ever since as it has waged a relentless battle to knock America's political establishment to its senses on behalf of our neediest children. This bill is the real deal—it is the real Act to Leave No Child Behind. It addresses the most important issue facing our country—the children who have been and con- tinue to be left behind. We understand that our bill is asking for a significant commitment in federal resources to help children. But we think that is the right direction for us to take. We also strongly believe that we have the re- sources for this effort. And, perhaps most im- portant, we understand that the continued ne- glect of the real needs of children has come

at a great price and will continue to cost our society—and these children—dearly.

Mr. Speaker, I urge Members of the House to join me and co-sponsor the Act to Leave No Child Behind.

HONORING FORMER
CONGRESSMAN PAUL G. ROGERS

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. SHAW. Mr. Speaker, I rise today to recognize former Congressman Paul G. Rogers who will be honored on June 12th by the dedication of the Paul G. Rogers Plaza at the National Institutes of Health. This occasion is a tribute to Paul's accomplishments in the fields of health and the environment.

Paul G. Rogers was elected to Congress in 1954 where he represented South Floridians living in Palm Beach and Broward Counties for twenty-four years. Paul was a well-respected Member of Congress who was known as a man of integrity. He is recognized and has been widely honored for his sponsorship of numerous pieces of legislation in the areas of health and the environment including the National Cancer Acts of 1971 and 1977 and the Clean Air and Water Act. This legislation has saved the lives of countless Americans and improved the quality of life for all Americans.

As Chairman of the House Committee on Health and the Environment, Paul used his broad knowledge and deep understanding of health and environmental issues to build a consensus of opinion in favor of Congressional action in these areas. In fact, he is often referred to as "Mr. Health." Paul was always more interested in results than in partisan politics and therefore was able to move widely supported bipartisan legislation. His accomplishments are a legacy that demonstrates what can be done in Congress if we work together for the public good. Today I have the privilege of representing parts of Paul's district and am trying to follow the trail that he blazed in these important areas.

The Paul G. Rogers Plaza at the National Institutes of Health honors this outstanding American, and my friend, Paul Rogers. I hope that the work done at this Plaza will be worthy of the name it has been given.

SOJOURNER TRUTH

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. SAWYER. Mr. Speaker, on May 29, we will celebrate the legacy of the famed abolitionist and feminist, Sojourner Truth. She was born Isabella Baumfree, as a slave. She escaped slavery and adopted the name Sojourner Truth when she began preaching across the nation.

It was in Akron, Ohio, at the Second Annual Women of Ohio Convention on May 29, 1851, that she delivered her powerful "Ain't I a

Woman?" speech. It is appropriate to honor her work and her legacy on the 150th anniversary of that remarkable speech. It is especially appropriate to do so in the city where she delivered it.

A friend of mine, the late Faye H. Dambrot, a leading advocate of rights for women, equality, and justice, wrote a testimonial to Sojourner Truth and her famous speech, which I am honored to submit for the RECORD.

Born the slave Isabella Baumfree in 1797 in Ulster County, New York, this articulate woman with her commanding voice and imposing stature began her career by preaching and lecturing against slavery after the New York emancipation laws of 1827 were passed. Deeply religious and mystical, she chose the name Sojourner Truth to reflect her commitment to travel widely and spread the truth to her audiences. During her extensive journeys through the North and Midwest, she spoke of having been beaten, raped, and forcibly separated from her children and other loved ones under slavery.

In addition to her ministry and ardent abolitionism, Sojourner soon embraced the cause of women's rights, knowing well the double yoke of racism and sexism which bound black women. She worked to raise money for the North during the Civil War, helped emancipated blacks find jobs and housing in Washington, D.C., and even struggled against segregation by her insistence on riding public street cars.

She supported herself through the sale of her autobiography, *My Narrative*, and counted Abraham Lincoln, Lucretia Mott, Susan B. Anthony and Frederick Douglass among her friends. Sojourner Truth continued her life of struggle and agitation until ill health forced her retirement. She died near Battle Creek, Michigan on November 26, 1883.

Sojourner was not a welcome speaker at Akron's Women of Ohio Convention, many women present feared the cause of abolitionism would be detrimentally linked to the suffrage struggle and urged the chairwoman, Frances Gage, to prevent her addressing the crowd. The assembled local clergymen were swaying those present with their declarations about the natural superiority of man, Eve's "original sin," the manhood of Christ, and the deference and privilege.

She intoned, "Well children, where there is so much racket there must be something out of kilter . . . But what's all this here talking about?"

"That man over there say that women needs to be helped into carriages, and lifted over ditches, and to have the best place everywhere. Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place!"

She drew herself up to her full height, and with a voice like rolling thunder continued. "And ain't I a women? Look at me! Look at my arm! . . . I have ploughed, and planted and gathered into barns, and no man could head me! And ain't I a woman? I could work as much and eat as much as a man—when I could get it—and bear the lash as well! And ain't I a woman? I have borne 13 children, and seen them most all sold off to slavery, and when I cried out with my mother's grief, none but Jesus hear me! And ain't I a woman . . . ?"

"That little man in black there, he say women can't have as much rights as men, be-

cause Christ wasn't a woman! Where did your Christ come from? From God and a woman! Man had nothing to do with Him.

"If the first woman God ever made was strong enough to turn the world upside down all alone, these women together ought to be able to turn it back, and get it right side up again! . . ."

Frances Gage tells her recollection of the crowd's reaction. She says, "Amid roars of applause, she returned to her corner, leaving more than one of us with streaming eyes, and hearts beating with gratitude. She had taken us up in her strong arms and carried us safely over the slough of difficulty, turning the whole tide in our favor. I have never in my life seen anything like the magical influence that subdued the mobbish spirit of the day, and turned the sneers and jeers of an excited crowd into notes of respect and admiration. Hundreds rushed up to shake hands with her, and bid her Godspeed on her mission of testifying again concerning the wickedness of this here people."

Mr. Speaker, in standing up for her beliefs, Sojourner Truth became a role model for all Americans, not just women or people of color. Sojourner Truth was the living embodiment of the basic American tenet that each and every individual has intrinsic worth.

As historian David McCullough reminds us, history didn't have to happen the way it did. History is created by the actions of far-sighted men and women like Sojourner Truth.

ASIAN PACIFIC AMERICAN
HERITAGE MONTH

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Ms. SOLIS. Mr. Speaker, May is the month our nation honors Asian Pacific American Heritage. As the Representative of a very ethnically diverse community, I would like to take this opportunity to recognize those in my Congressional district who come from Asian descent.

About 11 million Americans come from Asian or Pacific Island descent. Many Asian immigrants came to this country as laborers in the agriculture and transportation industries. First enduring harsh working conditions in the earlier part of the nineteenth century, many Asian Pacific Americans have now become successful entrepreneurs, teachers, entertainers, and technological professionals. In fact, our U.S. Congress has been home to 32 elected Members of Asian ancestry since 1903.

I would like to acknowledge the achievements of a specific young woman in my district who has made a great contribution to the United States Air Force, the City of Baldwin Park, and the Filipino community. Lieutenant Venus C. Rivera is the first person from Baldwin Park with Filipino American parents to graduate from the United States Air Force Academy. This Dean's List honor student will be trained as a jet pilot upon her graduation this month. I know she will continue to serve as an inspiration to all young Asian Americans in the United States.

Asian Pacific Americans bring a richness to our culture, adding diversity in language, cuisine, religion, and art. I am proud that our country takes this month to honor the heritage of this particular group. However, the diversity of all races and cultures must be something that we remember and respect every day. This will help promote racial tolerance so future generations can build a world that benefits from the ethnic contributions of all cultures.

TRIBUTE TO WORLD WAR II
VETERAN MIKE LUCERO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. McINNIS. Mr. Speaker, I am extremely proud to rise today to honor a very special man—World War II Veteran Mike Lucero, a resident of Montrose, Colorado. During his time with the Armed Forces, Mike was stationed in the South Pacific. And what he didn't know is that he and his fellow soldiers were about to change the course of history. Because of what Mike did during World War II, I would like to thank him for his bravery and courage on behalf of Congress.

On December 1, 1942, at the age of 19, Mike left the small town of Cuba, New Mexico for the open water of the South Pacific. "My country needed me. I had to go," said Mike. At dawn on June 15, 1944, Coxswain Third Class Lucero maneuvered his landing craft along side the USS Livingston, where members of the 2nd Marine Division boarded his LCVP.

They were headed toward Saipan, which is the northernmost of the southern four Islands in the Marianas 3,200 miles northwest of Pearl Harbor and 1,500 miles from Manila. Over 29,000 Japanese troops waited and guarded the narrow beaches of Saipan. Mike's job was to land Marines on the shore. "The bullets zipping into the water looked like raindrops hitting a puddle. They were striking on both sides of my boat," said the 79-year-old as he recalled the battle. "They gave us the order to land over a loud speaker and we headed for shore. There were bodies floating in the water."

Mike delivered 8,000 Marines on Saipan's beach in less than an hour. It was the beginning of one of the bloodiest fights in the Pacific. On the shore looking at all the Americans coming toward him was the man who pulled the trigger on the surprise attack on Pearl Harbor, Vice Admiral Chuichi Nagumo. After the battle, almost 29,000 Japanese had been killed. The Marines, the 27th Army Infantry and the Navy were victorious. Mr. Speaker, it is with great appreciation that I ask Congress to recognize and honor Mike Lucero for all that he did for this country in World War II. Mike was just a boy when he was thrust into battle, but his bravery and the bravery of those who fought and died for this country will forever be etched in our minds. Mr. Speaker, I proudly salute Mike for all he has done.

HONORING RICHARD A. LUOMA

HON. JOSEPH M. HOFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. HOFFEL. Mr. Speaker, I rise today to congratulate Richard A. Luoma upon his retirement from the Hatboro-Horsham School District in Montgomery County, Pennsylvania after 29 years of dedicated service.

Dick graduated from Fitchburg State College where he received a Bachelor of Science degree and went on to an advanced degree from Boston University. He first taught math and science at Groton Middle School in Concord, Massachusetts and later he was promoted to Assistant Principal. Following his move to Montgomery County in 1972, Dick became the principal at Keith Valley Middle School and Loller Middle School. He was promoted to the position of Assistant to the Superintendent in charge of Curriculum and Instruction and finally Assistant Superintendent in Hatboro-Horsham.

He has been a dedicated citizen of his community as well. Dick has been a member of the Horsham Rotary for 28 years and has also served as president and secretary of that organization. He has been active in politics for the Republican Party in Towamencin Township. An avid golfer, Dick was president of the Men's Golf Association at Oak Terrace Country Club and continues to serve on the Board of Directors at the Talamore Golf and Country Club.

I am honored to recognize Richard A. Luoma and his long and productive career dedicated to our children. He has never wavered in his belief that our youth are our future.

PERSONAL EXPLANATION

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CLEMENT. Mr. Speaker, on rollcall vote No. 146, I was unavoidably detained on official business. Had I been present, I would have voted "yea".

PERSONAL EXPLANATION

HON. DAVID VITTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. VITTER. Mr. Speaker, due to an airline delay on Monday, May 21, 2001, I was unable to be present for rollcall vote No. 126, the vote on H. Con. Res. 56, expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day. If I were present, I would have voted "yea".

THE FEDERALIZATION OF CRIMES
UNIFORM STANDARDS (FOCUS)
ACT

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. MANZULLO. Mr. Speaker, almost one year ago, to the day, I introduced the Federalization of Crimes Uniform Standards (FOCUS) Act. I rise today, to re-introduce that legislation.

The bill lays out what the appropriate Federal activity—response—is to an offense against the Federal Government. Under the bill, Section 6, an offense, or federal crime, is an activity with respect to which a clear need for uniform Federal law enforcement exists. This includes an activity that involves conduct of an interstate or international nature, or of such magnitude or complexity that a State acting alone cannot carry out effective law enforcement with respect to that conduct; or, that involves conduct of overriding national interest, such as interference with the exercise of constitutional rights. The criminal conduct must be an offense directly against the Federal Government, including an offense directly against an officer, employee, agency or instrumentality of the Federal Government.

The idea behind this is to set a standard definition to what constitutes a federal crime. The current method seems to be that a federal crime is whatever Congress deems it to be, without any true consideration of the constitutional issues involved. Therefore, under the current methods, political will is the only thing that keeps us from federalizing crime. Political weakness in the face of media sound bite criticisms, forces Congress to act again and again to federalize crime—even when there is nothing but rhetoric to suggest that "something must be done!" to fight crime.

Sometimes less is better. It's high time that Congress takes a serious look at the federalization of crimes in the United States. The State and Federal Courts together comprise an intertwined system for the administration of justice in the United States. The two courts systems have played different but equally significant roles in the Federal system. However, the State courts have served as the primary tribunals for trials of criminal law cases.

The Federal Courts have a more limited jurisdiction than the State Courts with respect to criminal matters because of the fundamental constitutional principle that the Federal government is a government of delegated power in which the residual power remains with the States. In criminal matters, the jurisdiction of the Federal Courts should compliment, not supplant, that of the State Courts.

The 1999 Year-End Report on the Federal Judiciary shows how its caseload has grown:

One hundred years ago, there were 108 authorized federal judgeships in the federal judiciary, consisting of 71 district judgeships, 28 appellate judgeships, and 9 Supreme Court Justices. Today, there are over 850—including 655 district judgeships, 179 appellate judgeships and 9 Supreme Court Justices. In 1900, 13,605 cases were filed in federal district courts, and 1,093 in courts of appeals. In 1999, over 320,194 cases were filed in federal district courts, over 54, 6000 in courts of appeals, and over 1,300,000 filings were made in bankruptcy courts alone.

It is apparent that some growth of the federal court system should occur over time due to increases in population. But what also has grown substantially is the scope of federal jurisdiction. Federalization of the states criminal codes is something that politicians, especially here at the federal level, cannot seem to help but engage in from time to time. It has been over time, in response to criminal concerns nationwide, that Congress has again and again federalized crimes in the name of fighting crime and protecting the nation's populace. But, is the federalization of crime really an antidote for our nation's crime problems? Is it really proper to federalize crime so politicians can "prove" their effectiveness? These are important questions that must be asked. We all must look in the mirror and ask ourselves whether there is a sound justification for having two parallel justice systems.

Americans should not be subject to different, competing law enforcement systems, different penalties depending on which system brings them to trial, and an ever-lengthening possibility that they might be tried for the same offense more than once.

In 1999, the Senate Government Affairs Committee held hearings on the issue of "controlling the federalization of crimes that are better left to state laws and courts to handle." The hearings were held in part as a response to questions raised by Supreme Court Chief Justice William Rehnquist regarding the federalization of criminal law. The hearings also focused on the American Bar Association's Task Force on the same issue. The Task Force, which was chaired by former Attorney General Edwin Meese, concluded that in order to maintain balance in our Constitutional system of justice, there must be a "principled recognition by Congress for the long-range damage to real crime control and to the nation's structure caused by inappropriate federalization."

Some might suggest that this is a Republican's attempt to weaken the laws of the land. My reply is simply that federalization of crime does not make anyone safer. Simply adding more laws to the federal code will not necessarily help the citizenry. On the contrary, it could end up hurting those we want to help.

Consider that increased federalization has caused a significant case backlog in our federal courts. Those people with cases pending in the federal system for things other than criminal purposes are impacted. Their rights to due process for fair hearings on their issues are delayed. The rights of those who are criminal victims are often delayed, too, due to the length of time it takes at the federal level to hear a criminal case. The backlogs are real. The delays are frustrating. Justice is not being served.

Some might say, simply, let's add more money so we can get these cases to trial. Again, my response to that is: why should we have two entirely parallel systems of justice in our country? Money is not the answer. Better utilization of our constitutional system of federalism and separation of powers is a good place to begin.

Let the states work their will. The Federal Government doesn't always have the best answers. We effectively have 50 different constitutional republics that can and do serve as policy laboratories. The electorate in these

states are the very same people that elect us all to Congress. They can take control of what is happening in their states and compare outcomes with 49 other state jurisdictions (not to mention the District of Columbia and the territories). With a federal system, will we ultimately move to a single federal criminal code? It would appear that way. It may not happen this year, this decade or even this century. However, over the course of time, the trend indeed is moving that way.

This bill is a common sense approach to checking the Congress' penchant for federalizing crimes. It sets guidelines for Congress, which will certainly debate crime again in the legislative branch. The standards state that no federal criminal legislation shall be enacted unless and until certain criteria are met: the legislation must center on the core functions discussed earlier; the States must be inadequately addressing the perceived need; the Federal Judiciary is able to meet the needs without restructuring and without affecting efficiency; and, the bill includes a federal law enforcement impact statement. We pass bills all the time to address certain needs. Let's put the rhetoric to a test.

The bill also sets up a Commission to Review the Federal Criminal Code. This commission will review, ascertain, evaluate, report, and recommend action to the Congress on the following matters: the Federal criminal code (Title 18) and any other federal crimes as to compliance with the standards in this Act; recommend changes, either through amendment or repeal, to the President and Congress where appropriate to the offenses set forth in said criminal code (Title 18) or otherwise; and such other related matters as the Commission deems appropriate.

Also, for each piece of legislation passed out of congressional committees of jurisdiction that modify or add to federal criminal code, the commission must submit a report to Congress. This report will be called a Federal Crimes Impact Statement that shall be included in the reports filed prior to consideration by the House and Senate.

The membership of the commission is important to consider. The bill calls for 5 appointed members—1 each from both sides of the aisle in the House and Senate, and one appointed by the Chief Justice of the United States, who shall chair the Commission. This will bring a new, and much needed, dimension to the debate. Under the bill, the commission would be charged with obtaining official data directly from any department or agency of the United States necessary for it to carry out this section—unless doing so would threaten the national security, the health or safety of any individual, or the integrity of an ongoing investigation.

Finally, the bill would subject certain legislation to a point of order—if it has not met the conditions set out in the legislation. This would provide additional time for Congress to debate the merits of legislation being considered.

In effect, this bill is about considerate and appropriate debate for federalizing crime. It will help educate Congress to make more informed decisions that impact the daily lives of all of our constituents. It will help take some of the politics out of the important issues that we face with regard to protecting people from crime.

Mr. Speaker, we need to act. The Judiciary has made subtle and not so subtle pleas for Congress to refrain from and restrain its penchant to federalize the criminal code. For example, last year in a decision concerning the Violence Against Women Act, the Chief Justice writes,

[t]he Constitution requires a distinction between what is truly national and what is truly local, and there is no better example of the police power, which the Founders undeniably left reposed in the States and denied the central government, than the suppression of violent crime and vindication of its victims. Congress therefore may not regulate noneconomic, violent criminal conduct based solely on the conducts' aggregate effect on interstate commerce. [*U.S. v. Morrison et al. decided May 15, 2000 (Syllabus)*]

Clearly, there is a message in those words about the federalization of crime. It is time that Congress heeds it.

I look forward to working with my colleagues to move this important legislation.

TRIBUTE TO PFC BAMBI D.
CHASTAIN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. McINNIS. Mr. Speaker, I stand before you today to ask Congress to join me in honoring the memory of one of our young soldiers. On May 15, 2001, PFC Bambi D. Chastain passed away at the age of 21. Bambi was an exemplary soldier and a wonderful daughter, sister and friend. She worked hard at her job and took great pride in being a soldier. Although her family and friends will miss her, her memory will live on in those who loved her. Bambi died while on duty in the field training. To her, duty came first.

Bambi was born August 22, 1980 in San Diego, California. She attended Central High School, where she graduated in 1999. In August of that same year she joined the United States Army. She attended the Advanced Individual Training at Fort Sam Houston, Texas. After she finished AIT, Bambi was assigned to Charlie Company, 15th Forward Support Battalion, First Cavalry Division, Fort Hood, Texas. In March of 2000 she began training for a rotation at the National Training Center as part of the Quick Reaction Force. During her time with AIT she was awarded the MOS 91B10 Combat Medic and was posthumously awarded the Good Conduct Medal and the Army Commendation Medal.

Bambi moved to Grand Junction to live with Dave and Verna Murphy, which would become her new family. Recently she visited a group of foster kids in California, to offer hope and to let them know if you join the Army you get a whole new family to love and care for you.

Mr. Speaker, PFC Bambi Chastain displayed great professionalism and selfless service while serving her country. She put herself second chair to her duty. She is a role model for everyone that knew her. For that Mr. Speaker, she deserves and has earned the thanks and praise of Congress.

A TRIBUTE TO JOHN THOMAS
THORNTON, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. BISHOP. Mr. Speaker, last July I had an opportunity to participate in a day of celebration and remembrance of the great contribution to agriculture and the economy in general made by the late John Thomas Thornton, Jr., of the community of Parrott, Georgia. If you are not familiar with the name, you are not alone. Even in the area of southwest Georgia where he lived and farmed most of his life, many people are not fully aware of his contribution, which impacts our lives even today.

J.T. Thornton invented the peanut shaker, a harvesting device that came into common use in the 1940's. His invention revolutionized the peanut industry. By making the harvesting process faster and more efficient, the peanut shaker contributed greatly to the economic growth of our area of Georgia and, in fact, to the country at large.

Mr. Thornton spent some 40 years developing and perfecting his invention. It was a magnificent achievement. The history of this achievement was beautifully presented in an essay written by a student from Parrott, Bonnie West, who won high honors when she entered the paper in the National History Day competition. Her accomplishment helped revive community interest in Mr. Thornton's invention, which he called the "Victory Peanut Harvester."

The people of Parrott, including members of the Thornton family, are establishing a museum on the invention of the peanut shaker, and sponsored the day of celebration that included a parade and a number of other events. It was an exciting and enjoyable day, and it helped bring wider recognition of what this native southwest Georgian achieved.

Although farmers did not have any more spare time back then than they do today, J.T. Thornton somehow found the time to apply his practical knowledge of farming, and his extraordinary grasp of engineering and mechanics, to overcome all of the difficulties he must have encountered until he produced something that raised the quality of life for countless Americans. This is a story we are proud of in southwest Georgia, and that can inspire other Americans, especially our young people. Mr. Speaker, it is, therefore, a story I want to share with our colleagues in Congress.

IN MEMORY OF DENIS NICKEL

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the achievements of Denis Gene Nickel, a man who led a life that we can all admire and emulate. Denis devoted his life to improving the world we live in, and he realized incredible success in his efforts to save our nation's natural resources for future generations. He has left us with a legacy that demonstrates the power of partnerships and stewardship of our natural resources.

Denis gave thirty-four years of dedicated service to the Natural Resource Conservation Service. As an Area Conservationist in Santa Rosa, Denis worked extensively in the North Coast counties that I represent. His leadership in forming a coalition of local, private, state and federal agencies to manage the Mendocino County Tomki Watershed was invaluable in garnering support for such an incredibly important project in the 1st District of California.

In addition, Denis provided tremendous assistance and guidance to those involved in the viticulture industry in Napa and Sonoma counties. He was a pioneer in promoting local stewardship in the development of hillside erosion control methods—these methods are the bedrock of the methods currently used by viticulturists around the nation. The personal integrity that Denis showed in his daily work facilitated building a durable consensus of stakeholders in our nation's natural resources.

Denis was the consummate family man who enjoyed spending his time with a large extended family. He was married to his high school sweetheart, Sandi, for thirty-five years, and he was immensely proud of his three children, Wendy, Warren, and Amy.

His smile and good-natured sense of humor that his family and friends knew so well helped him to establish trusted relationships while working towards the admirable goal of sustaining America's vital resources. Denis worked not only for the benefit of the people of my district, but he has also been recognized across the country for his tremendous contributions, including his term as State Conservationist for the Natural Resources Conservation Service in Rhode Island.

Mr. Speaker, thank you for the opportunity to honor the many invaluable contributions Denis Nickel made to my district and the entire nation. We would be fortunate to have more people of Denis's integrity working towards sustaining our natural resources for future generations.

**LEGISLATION TO IMPROVE TRADE
RELATIONS IN THE AUTOMOTIVE
SECTOR BETWEEN KOREA AND
THE U.S.**

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. KILDEE. Mr. Speaker, as co-chair of the House Auto Caucus with Congressman FRED UPTON, I am introducing on our behalf a concurrent resolution to express this Congress' support for improved trade relations in the automotive sector between Korea and the United States. A companion concurrent resolution is being introduced by the Senate Auto Caucus co-chairs, Senator CARL LEVIN and Senator GEORGE VOINOVICH.

For too long, Korea has kept its market closed to United States automobiles and auto parts. This must change.

Up until 1990, Korea maintained a completely closed market, and it was not until 1999, in the midst of economic crisis, that it opened its market to all manufacturers. However, it has made every effort to continue to restrict foreign motor vehicles. This is best exemplified by the facts. In the year 2000, a total

of 1,057,620 motor vehicles were sold in the Republic of Korea, but only 4414 were imported and only 1268 were made in the United States. As a result, American motor vehicles represented a pathetic 0.12 percent of all motor vehicle sales in Korea.

Anticompetitive activities in Korea must stop. Threats of income tax audits on Koreans who purchase foreign automobiles must cease. Underhanded trade barriers must be lowered. Passage of this concurrent resolution will send a clear message to Korea that things must change.

I encourage all of my colleagues to support this effort to ensure fair trade and an open market for American motor vehicles in Korea. I look forward to working with colleagues to ensure its passage.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. LARSON of Connecticut. Mr. Speaker, for Roll Call Vote No. 145, on final passage of H.R. 1, I was present in the Chamber and engaged in the debate on this bill as indicated by my previous vote on the Motion to Recommit (Roll Call Vote No. 144) and subsequent vote on the Motion to Instruct Conferees on H.R. 1836. Although I intended to vote "aye" on final passage of this bill, my vote was not registered. I ask unanimous consent that this statement appear immediately after Roll Call Vote No. 145 in the permanent CONGRESSIONAL RECORD.

A TRIBUTE TO MR. JEFFERSON
STEPHENS, JR.

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. SCHIFF. Mr. Speaker, I rise today to honor Mr. Jefferson Stephens, Jr., who is retiring after more than twenty years as Headmaster of the Chandler School in Pasadena, California. On June 16th, the school will celebrate Mr. Stephens' career and the impact he has had on the lives of so many.

The Chandler School was founded with a vision to provide young students with innovative, inspired academic programs taught by caring, dedicated faculty and staff. Under Mr. Stephens' guidance, the Chandler School treats each child as an individual and strives to create an environment in which children develop self-esteem and self-discipline, as well as respect for their fellow students. As headmaster, Mr. Stephens has expected high standards of behavior, courtesy, and academic performance from each child who has come to his school, and has fostered a scholastic atmosphere that encourages curiosity and creativity.

In addition to serving the academic community, Mr. Stephens has served as an associate pastor for the St. George's Episcopal Church. He has also participated in a wide range of civic duties, by assisting as a member of the Tournament of Roses Association and serving on the board of directors for a community housing project.

Our community gives heartfelt thanks to Mr. Stephens for his lifelong commitment to education and his ongoing dedication to public service. He is an asset to our community, and I want to thank Mr. Stephens for his years of hard work and selfless dedication and congratulate him on a well-deserved retirement.

THE WATER ENHANCEMENT
SECURITY ACT

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. CONDIT. Mr. Speaker, I join with Mr. CALVERT today in introducing the "Water Enhancement Security Act". This bill is the culmination of almost one decade of work by the Congress and the state Legislature, federal and state agencies and the California business community, agricultural and urban water districts and environmental groups.

For years, the water system in California seems to have been "broken"—our main water system, the Sacramento-San Joaquin River Delta and San Francisco Bay has been in a state of crisis due to conflicts between environmental protection, water use and water quality. In a state where we seem to either feast on water or famine without water, the drought of 1987–92 demonstrated just how vulnerable California is to water shortages, and the flood of 1997 demonstrated how vulnerable we are to the effects of flooding. Frequent conflicts between water quality, fish protection and water supply magnify the problem and demonstrate just how little "give" there is in our current system. With the state's population expected to grow from 34 million today to 59 million in 2040, the need to conserve, to better manage our existing supplies and to attain greater storage capacity is critical.

Despite the years of recognition by most Californians as to the need to attain these goals, no major achievement in our water policy had taken place since the 1960s, when, under Governor Pat Brown's leadership, the State Water Project was conceived. That was, however, until CalFed was formed in 1994.

In response to the water conflicts and the feast or famine predicament that we were under, the state and federal Administrations began talks, known as "CalFed". Over a period of years, 18 state and federal agencies have conducted hundreds of meetings, public hearings and negotiations with stakeholders regarding ways to better manage the Sacramento-San Joaquin River Delta for those who depend upon it, as well as ways to restore the Bay-Delta's ecosystem. It seemed that there was everything to lose and everything to be gained.—as the hub of California's water supply, the

Last year, I worked closely with California Governor Gray Davis and then Secretary of the Interior, Bruce Babbitt on a package that would move the CalFed program forward. Then, in June, 2000, Governor Davis and Secretary of Interior Babbitt announced a historic blueprint—the CalFed Framework for Action, followed by the Record of Decision in July, 2000. The legislation being introduced today is the crucial next step for the program. It authorizes the CalFed program to move forward, and expands this blueprint to other regions of the state.

Balance is the cornerstone of this bill. This bill ensures a long-lasting balanced program with the visionary and innovative approach of linking progress on water supply and water quality with progress to the environment, and with linking environmental progress to improvements in water supply and water quality. This theme of balance is echoed throughout the bill—there is balance in the structure for governance, balance in ecosystem/non-ecosystem programming, balance among the various regions of the state and balance in funding.

The bill is comprehensive and action-oriented. This bill provides real, tangible improvements for the environment, water quality and water supply throughout California. It commits to desperately needed additional surface and groundwater storage by authorizing water supply, water quality and flood control infrastructure improvements for a system that hasn't seen any major improvements in over 30 years. It contains short-term water supply improvements for water users that rely upon Delta exports and that have been disproportionately impacted by federal regulatory requirements. It expands environmental restoration projects in wetlands, the Sacramento-San Joaquin River Bay Delta estuary, and rivers and streams. It expands and funds state-of-the-art water recycling and conservation programs throughout California. Each of these program elements is essential to improving the reliability and quality of California's water supply.

We are at a crossroad in California, as well as in most other regions of the country. For decades, we have benefited from the foresight of our predecessors—in their vision of what infrastructure would be necessary to meet our energy needs, our water needs, our transportation needs, our educational needs. I believe that it's time for us to exercise that same leadership, that same vision. I believe that it is time to prepare our generation and the generations that will follow us for the future. In meeting these needs, I believe that we can benefit from the things that we have learned over the last several decades about how to better protect the environment and about how to better conserve, while at the same time, providing for greater economic progress. This bill charts a course for attaining that vision.

I want to thank Mr. CALVERT for his leadership and efforts. I know that he and his staff have worked tirelessly to craft a fair and balanced program. I am committed, and I know that Mr. CALVERT is committed as well, to continue to work with Senator FEINSTEIN on her bill, and with the state and federal agencies and Administrations, and with all stakeholders on refinements to the bill to ensure that its potential benefits are met.

INTERVIEW WITH UKRAINIAN
PRESIDENT LEONID KUCHMA

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. ENGEL. Mr. Speaker, I rise to call to the attention of my colleagues a recent interview with Ukrainian President Leonid Kuchma which appeared in The International Jerusalem Post on May 11, 2001. This important interview discusses a wide range of matters

from Ukraine's cooperation with NATO to its relations with Israel to its current state of economic development. The interview also provides President Kuchma an opportunity to respond to some of the criticism recently leveled against him.

I ask that the article be printed at this point in the CONGRESSIONAL RECORD.

[From the International Jerusalem Post,
May 11, 2001]

THE VIEW FROM KIEV

UKRAINIAN PRESIDENT LEONID KUCHMA TALKS ABOUT HIS COUNTRY'S RELATIONSHIP WITH ISRAEL, THE SOMETIMES TROUBLED PAST OF ITS JEWISH COMMUNITY, AND ITS POLITICAL AND ECONOMIC FUTURE

(By Thomas A. Rose)

Mr. President, thank you for agreeing to share your thoughts with our readers. Your administration has come under increasing criticism from opponents who accuse your government of everything from failing to implement meaningful economic reform to suppressing press freedoms and even to charges that you were personally involved in the death of a prominent journalist. As a result, many in the West, particularly the United States, have started to question your country's political stability. How would you respond to these charges and concerns?

Politically, Ukraine is both stable and predictable. Industrial production is up, financial markets are improved, our agricultural sector is showing great promise, and we are beginning to see real progress in our effort to redress social contradictions.

Governmental bodies and the local authorities are functioning normally.

The world must know of the tremendous progress we have made and of the tremendous progress we will make. Our state is only 10 years old. In that short time, we have developed a functioning democracy, a free press, an independent financial system, and have become the first nation in history to voluntarily renounce and destroy its nuclear weapons' capability. These are not small accomplishments.

Regarding the attacks against me personally, I would call it more of an aggravation than a crisis. It is the demonstration and consequence of the situational uniting and stirring up of different forces and particular persons—political outsiders if you will—who are out for revenge and the redistribution of power through unconstitutional means.

Unfortunately, all the attention their outlandish charges are gaining in the West has emboldened them to think that they can threaten even the most considerable achievements of our Ukrainian nation, which are independence and sovereignty. Their ambition is to gain power for themselves. Yet, as you would say, the proof is in the pudding.

Domestically, which with all due respect, is the political realm to which I am responsible, these people cannot find support.

As to the so called "demonstrations" which have been well reported in the West, a few thousand paid participants in these protests do not have the key role and do not determine the general frames of mind of the Ukrainian people. In fact, things in this regard seem to have peaked on March 9. This has no doubt frightened the agitators, which is the very reason why they are trying to internationalize their cause.

However, I would be insincere if I do not say that artificial, purposeful, and excess politicization does not weaken our country and its ability to tackle the huge social and economic problems we face.

My office shall never submit to the influence of such provocations and shall not strengthen these pseudo-oppositionists.

Mr. President, the question of NATO membership for your country continues to be a point of friction between NATO, the Russian Federation, and Ukraine. It seems as though your administration has decided to back off from this initiative, at least for now. Does this mean that your country is more interested in improved relations with the Russian Federation, perhaps at the expense of the West?

I strongly object to the way you have raised this question.

Ukraine has always been consistent in its interest in cooperating with NATO. The beginning of the relations' development between Ukraine and the Atlantic alliance was made right after our country achieved its independence. Let me remind you that I signed the charter on special partnerships between Ukraine and NATO in 1997.

Cooperation between Ukraine and NATO has been progressing and covers a wide range of military and defense industries. One of the key elements of the cooperation remains our participation in the joint Ukrainian-Polish battalion and Ukrainian helicopter platoons are acting now within the contingent of peacemaking forces in Kosovo.

Speaking of the possibility of membership of Ukraine in the NATO alliance, my more direct answer to your question is that while we are increasing our cooperation with elements of NATO and the alliance, we are not ready to consider membership yet. Unilateral political announcements about our interest or readiness for implementation would be premature and harmful to the alliance and my country.

We are not reorienting our political outlook as you tried to suggest.

Ukraine looks forward to integrating itself in the European direction as a strategic option, while at the same time maintaining good relations with all our neighboring countries, including those in the East.

You have enjoyed notably good relations with all five of the Israeli prime ministers with whom you have worked. Knowing the troubled history of Ukrainian-Jewish relations, do you view this association as an attempt at national reconciliation or rather as a national strategic interest? In your view, is it necessary for Ukraine to actively pursue reconciliation with Israel and/or the Jewish people?

I am very proud of the excellent relations between our two great countries and my good relations with all of your elected leaders. I had a particularly close relationship with Ytzhak Rabin and I considered it a great honor to attend his funeral.

Earlier this year already I was delighted to receive the president of the State of Israel, Moshe Katsav, who has become my sincere friend. I am confident that President Katsav's visit will result in new understandings between our peoples.

Regarding your new prime minister, I am convinced that the heritage of this great son of the State of Israel will do all he can to help to lead the Middle East region to the peace and stability. Ariel Sharon is known in Ukraine as a experienced statesman and military leader, and as a wise person. He is very highly regarded. I hope that the policy of his government will continue on its path of working to achieve the goal sought by the Jewish people for countless generations—a prosperous, secure, and stable Jewish state at peace with its neighbors.

In my letter of congratulation to then prime minister-elect Sharon I reaffirmed the readiness of Ukraine to follow our two countries' recent tradition of excellent bilateral relations and close cooperation.

Currently, the scope of our cooperation with Israel is quite extensive. I look forward to working with Prime Minister Sharon to even further expand our already expansive commercial relations.

Let's not forget the fact that nearly 400,000 of the roughly one million recent immigrants to Israel from the republics of the former Soviet Union are from Ukraine. This alone is reason for a special relationship between our countries. That so many of our former countrymen have decided to make Israel their new home makes our concern about the political situation in your region more acute. Terrorism and violence that create distrust and hostility are especially dangerous and inadmissible. It is a dead end. I said as much in my recent message to Chairman Arafat, imploring him to do all in his power to curb violent demonstrations and to resume his fight against extremist organizations.

At the request of President Katsav, I have instructed our Foreign Affairs Ministry to take all possible measures to help win the release of the Israeli servicemen kidnapped by Hizbullah.

Our country also recognizes the right of the Palestinian people to an independent state of their own. Yet we believe that his nation can only come into being as a result of negotiations.

Your previous answer would likely come as a surprise to many of our readers. The extent of your country's relationship with Israel, its support for Israel, its commitment to the peace process, these things are largely unknown. Why do you suppose that is? Do you think it may have something to do with the troubled history of our people?

Well, you are probably in a better position to answer that than I am.

Another point to make regards our recent decision, as president of the United Nations Security Council. Our delegation did not support the resolution, subsequently vetoed by the United States, which would have mandated an international "peacekeeping" force for deployment in Palestinian areas. We did not believe such a step was wise or helpful.

To the contrary. Recent events have only reinforced the fact that peace can only be achieved by the parties themselves. Solutions cannot be imposed upon them. But Ukraine also recognizes and supports the need to give great weight to the positions expressed by the international community.

After independence, the priority for Ukraine was to consolidate its authority and international recognition and obtain the attributes of statehood. Generally we succeeded. Most important in our view was developing good working relations with the United States and the European Union. This took more effort than that required to establish relations with our eastern neighbors since we have lived and worked with them for centuries. This wasn't the case with Western countries.

This year marks the 60th anniversary of Nazi invasion of Ukraine, then part of the Soviet Union, and the destruction of nearly one million Ukrainian Jews. More than 100,000 of those Jews were murdered not five miles from here at a place called Babi Yar. As this awful date approaches what commemorative events are planned in Ukraine?

Yes, Kiev is the sight of one of the most tragic crimes in the whole history of man. Compounding the enormity of the crime was an attempt on the part of the Soviet authorities who ruled Ukraine until our independence to conceal what really happened here. Early last year, I authorized the establishment of the "Days of Memory of the Victims of Babi Yar for the year 2001."

For the 60th anniversary of the tragedy we will be dedicating an edition of The Holo-

caust Encyclopedia, a book of memories and an album. Under the same perspective the opening performances for the plays of the leading theaters of the country, and the series of TV and radio programs are in their final preparations. We will be publishing speeches of famous writers, cultural and art workers, scientists, and war veterans.

I would like to repeat one more time: We consider it a sacred obligation to respect the memory of the Jewish victims who perished.

Economic development is key to Ukraine's admission to the European Union. However, as you have mentioned, your country is not yet able to attract the amount of foreign investment you say you need. What industries or specific projects are you trying to promote as significant sources of Western capital and/or management? Perhaps, more importantly from the investors' point of view, what kinds of protections can you offer them? What guarantees can you provide regarding legal procedures? What about nationalizations? How can an investor be sure the economic landscape can't or won't change radically?

While not as fast as we would like our economy is still growing. Our high GDP and industrial production growth rates in the last year and in the first months of this year should reassure everyone. They have been very impressive, particularly when contrasted with the Western slowdown.

Increasing foreign investment is critical to our development plans. Our estimates are for investment inflows of at least \$30 billion.

To help facilitate this necessary migration of capital, Ukraine is implementing the largest-ever privatization processes in the spheres of power, engineering, communications, and agriculture. This gives our international partners, including those from Israel, wonderful and exciting opportunities. I will dare say that Ukraine is one of the most exciting and opportunity-rich markets on earth.

We have developed special economic zones of priority development with reduced regulatory and tax regimens. The total area of these zones makes up more than 10 percent of our country's territory. Here, investors are granted special tax advantages, including discounts for value added tax, income duties, and other levies. These zones already host more than 400 projects financed by foreign investors. But this is just the beginning.

Opportunities extend to woodworking, pulp and paper, engineering, metalworking, fuels and chemicals, oil and gas, transportation, metallurgy; construction, shipbuilding; the list is quite literally endless. But having said all this, there is one area that calls for special attention and that is agriculture. Owing to the intensive market reforms, almost all our collective and Soviet farms have been restructured into private market businesses.

Our national tax burden has been dramatically reduced to the point where it is now roughly one-fifth of the tax burden found in an OECD country. If these are not competitive advantages, then I don't know what are.

As for your question about nationalization, let me say that foreign investors in Ukraine are as well protected here as anywhere in Eastern Europe. We have binding bilateral agreements to this effect with more than 50 countries, including Israel. Our national legislature includes guarantees on the inviolability of rights and parity conditions of national and foreign investors. In particular, even if some changes are introduced into the present legislation in the course of 10 years, guarantees that were in effect before will be used upon request of the foreign investor. Foreign capital in Ukraine is not subject to nationalization. Furthermore, foreign investors actually have the right to obtain compensation from the state in the event state actions result in financial losses.

For media companies like ours that may consider entering your market, what assurances can you provide regarding press freedom in Ukraine?

The economic advantage I described before are as applicable to foreign media investors as they are to foreign construction engineers.

Today we have more than 10,000 periodicals of all shapes, sizes, and opinions published in Ukraine. Our constitution elevates ideological diversity, forbids censorship, and guarantees free speech and association rights to every citizen.

But you must remember, we are a new country and a new democracy. This actually means we need more help than other, more developed democracies.

When we are talking about press freedom, it is critical to remember that independent publications belong to people and/or companies, some of whom express themselves through clannish, corporate, or private interests and ambitions, which doesn't necessarily benefit anyone other than themselves.

The President's Decree states that a newspaper can only be closed by the person who owns it, founded it, or if our judicial system deems it has broken the law. In other words, in our country, just like yours, we do have laws and we demand that all citizens, private and corporate, adhere to them. Any person or company who obeys the law and pays his taxes has nothing to worry about.

2001 CONGRESSIONAL CLASSROOM

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. MILLER of Florida. Mr. Speaker, I would like to take a minute to recognize the students of the 2001 Congressional Classroom from my district in Florida. One student from the junior class of each of the participating high schools in my district was selected competitively to participate in the program here in Washington, DC.

Throughout the week, the students had the opportunity to meet with several of my fellow colleagues in the House of Representatives, as well as Florida Senators BOB GRAHAM and BILL NELSON, and Justice Antonin Scalia of the United States Supreme Court. The students also had the opportunity to meet with Dan Goldin, Director of NASA; Elaine Chao, Secretary of Labor; and Dr. Francis Collins, Director of the Human Genome Institute at the National Institutes of Health. The Congressional Classroom program also included an important trip through history with a visit to the National Holocaust Museum.

The Congressional Classroom program is a superb opportunity for young people to learn more about the United States Government, and provides them with a first hand account of the persons and institutions that comprise our government. It is always an honor and a pleasure to share this experience with young people, as it is a learning experience for the students as well as myself. Keeping in touch with the issues that affect the future generations of this nation is crucial to maintaining the spirit and effectiveness of our government.

I would like to thank the teachers, parents, staff, and all of my distinguished colleagues

who so generously donated their time and effort to make this program a success. I wish the best of luck to all the students who participated, and that they can continue to have a powerful and positive influence on their communities and the world.

Finally, I would like to congratulate the participants of the 2001 Congressional Classroom:

Will Butler, Saint Stephens School; Brad Chase, Pine View High School;

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Ms. BERKLEY. Mr. Speaker, due to inclement weather, my flight was late which is why I missed rollcall votes No. 126 and No. 127. Had I been present, I would have voted "yea" on No. 126 and "yea" on No. 127.

U.S. DISPLACEMENT FROM THE U.N. HUMAN RIGHTS COMMISSION

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. DREIER. Mr. Speaker, I am pleased to take this opportunity to introduce into the RECORD, the following statement to the Canadian Senate by the Honorable Jerry S. Grafstein, Q.C. regarding the United States' displacement from the U.N. Human Rights Commission. Senator Grafstein cochaired the 42nd meeting of the U.S.-Canada Interparliamentary Group held last weekend.

Senator Grafstein's remarks address the important role the United States has played over the last century in the evolution of international rule of law and leadership in projecting a human rights agenda around the world. I hope that my colleagues will take to heart the encouraging comments of Senator Grafstein.

Hon. Jerahmiel S. Grafstein: Honourable Senators, next week Parliament is co-hosting the forty-second annual meeting of the Canada-U.S. Interparliamentary Group in Western Canada. As Canadian co-chair, I have pondered the role of the United States with respect to Canada. Yet who can fail to consider the United States' paramount role in the evolution of international rule of law and American leadership in projecting a human rights agenda around the globe in the last century? Therefore, it came as no small shock when we discovered two weeks ago that the European bloc, led by France, and the Asian bloc, led by China, were successful in displacing the United States as a sitting member of the UN Commission on Human Rights for the first time since its creation in 1947.

Honourable senators may recall that it was due to the efforts of Eleanor Roosevelt that this commission was first established. Now, instead of the United States, we have France, Sweden and Austria representing the North American and European bloc. Other nations, those exemplars of human rights na-

tions, include Algeria, China, Saudi Arabia, Uganda, Armenia, Pakistan, Syria and Vietnam.

It is regrettable that the staunchest promoter of human rights around the globe has been displaced, not because of its failure to promote a human rights agenda but, rather, primarily because it has forced the international community to confront human rights in a way that no other region, block or nation has been prepared to project so singularly and so consistently. Only the United States publishes annually a region-by-region analysis of nations that fall below international human rights norms.

Honourable senators, may I recommend that you read a very short book entitled *On The Law of Nations* by former U.S. Senator Daniel Moynihan. It gives an extraordinary account of the role that international law has played in the foreign policy of the United States. It is a primer for all those who are interested in the rule of law in international relations.

Returning to the exclusion of the United States from the United Nations Human Rights Commission, I can best sum up by quoting these words from another antique senator that express for me the current situation: *O tempora! O mores!*

TRIBUTE TO JAMES F. HETTINGER FOR HIS SERVICE TO THE CITIZENS OF GREATER BATTLE CREEK

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 2001

Mr. SMITH of Michigan. Mr. Speaker, I rise today to honor Mr. James Hettinger for over 20 years of dedicated service to the citizens of greater Battle Creek, MI.

Today, Thursday, May 24, 2001, the citizens of Battle Creek, MI will gather to pay tribute to a man who's efforts over the past twenty-three years led to the formation and expansion of one of the nation's premier industrial parks, and the economic rebirth of a community.

As Chief Executive Officer of Battle Creek Unlimited, the marketing and economic development arm of the City of Battle Creek, Jim has served as an excellent ambassador for the community, touting the positive attributes of locating facilities in the Cereal City to businesses around the world. To date, his efforts have led to the decision by approximately two dozen international companies to locate in the Fort Custer Industrial Park, resulting in over 3,000 jobs.

Jim has forged cooperative agreements with surrounding communities in an effort to spur economic growth beyond the boundaries of the city. He has been a driving force behind countless critical projects in the area including: the establishment of an inland U.S. Customs Port of Entry and Foreign Trade Zone 43; the retention of hundreds of jobs at the Battle Creek Federal Center; the relocation of the Western Michigan University College of Aviation to Battle Creek, and most recently, the forging of an innovative e-learning agreement with the Canadian province of New Brunswick.

Jim is among the most highly regarded economic development professionals in the country. And with good reason. He holds a Ph.D in Public Administration and Comparative Government and serves as an Adjunct Professor at Western Michigan University. He has published fifteen articles dealing with local government and economic development as well as a

book on economic development and Japanese manufacturing investment. His work has been cited in numerous national publications including The Wall Street Journal, Business Week, The New York Times and USA Today. He is a past recipient of the MI Economic Developer of the Year award and the Kiwanis International Person of the Year award, as well as

being named to the Oxford Elite Registry of Extraordinary Professionals.

I am honored to recognize Jim Hettinger for his tremendous dedication both to his profession and to his community, and join with the citizens of Battle Creek in congratulating him on this special day.