EXTENSIONS OF REMARKS

TRIBUTE TO JUDI ROGERS AND YOUNG SHIN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Ms. LEE. Mr. Speaker, I am tremendously proud to rise today to recognize two of my constituents, Judi Rogers and Young Shin, for recently winning the Nation's highest honor for community health leadership from The Robert Wood Johnson Foundation.

Rogers and Shin captured two of the ten national awards for their work in the Oakland and Berkeley communities. They were selected from a pool of over 450 nominees from across the country, and will each receive a grant for $120,000 to continue their important work.

Rogers has been recognized for her work with Through the Looking Glass—a Berkeley organization serving families with disabilities—where she provides childbirth and parenting education for mothers with disabilities. She provides home-based services to more than 35 families a year, most of them low income. She also leads a monthly support group.

Her work touches families well beyond Berkeley. As part of Through the Looking Glass' National Resource Center for Parents with Disabilities, she offers technical assistance and training for parents and professionals both nationally and internationally. The Center is funded by the Department of Education's National Institute of Disability and Rehabilitation Research. She is also the author of ''Mother to Be: A Guide to Pregnancy and Birth for Women with Disabilities.''

Rogers' has drawn on her own experience as an occupational therapist and disabled mother of two to inspire her work. A recent battle with breast cancer also convinced her to initiate a community outreach program to provide breast cancer screening services to women with disabilities.

As Roger's nominator for the award aptly put it, ''She has opened up a whole new world for people with disabilities.''

Young Shin launched the Asian Immigrant Women Advocates (AIWA) in 1983 to empower Asian immigrant women in California's factories to create healthier working conditions. Since 1991, her work has focused on addressing health and safety issues, especially for garment and electronics workers at risk for chronic injuries and exposure to hazardous chemicals. The group's Peer Health Promoter Project has trained over 75 women as peer educators, who have, in turn, trained an additional 300 women on workplace injury prevention.

In 2000, Shin partnered with the University of California-San Francisco to establish the two-year Asian Immigrant Women Workers Clinic. The clinic, which is located near the garment factories in Oakland's Chinatown district, has treated more than 250 women with ergonomic injuries. The clinic has now expanded its services and operates independently with low-wage Asian and Latino workers under the auspices of UCSF.

Shin also developed a project to set up sewing labs where garment workers can collaborate with health care professionals to design and test practical, low-cost workstation improvements.

On top of all these efforts, her group also sponsors literacy classes, leadership training and campaigns on workplace issues.

Mr. Speaker, it's plain to see that Judi Rogers and Young Shin are tremendously deserving of their recent awards and I am thrilled to call attention to their achievements. I urge my colleagues to join me in congratulating them both.

EULOGY TO DONALD LEO DUCHARME

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. MEEHAN. Mr. Speaker, I was saddened to learn of the tragic death of Donald Leo Ducharme on June 11, 2002. Donald was a Dracut, Massachusetts resident, Lowell-native, and dedicated teacher for 27 years at the Greater Lawrence Vocational High School. He is survived by his wife of 36 years, Rita and his six children, Heidi, Dawn, Jessica, Donald, Todd, and Toby. A beautiful eulogy was given on June 14, 2002, at St. Magdalen's Church in Dracut by his son, Donald. I ask for unanimous consent to submit it to the RECORD:

First of all, I want to thank everyone for coming. It is really amazing how many people I have seen over the past couple of days. You may think that it was tough to stand up yesterday for 8 hours, but the longer it went the easier it got. It was such an incredible tribute to see for my father. I would also like to ask you to keep a smile on your face and feel free to laugh, Dad would want it that way, and I may need the help.

Some of you maybe wondering how I was picked to be up here. I'm happy to say that it was actually my father's wish. I know this because we talked about it. About a year ago, I had a short strange dream one night. It started with me in this same exact spot. I walked to the podium and the first thing I did was ask the question, ''How many of you people think my father is one of the biggest pains in the butt you know?'' The wording was a little more harsh, if you know what I mean. Anyway, half the place raised their hands. I followed that question with another, ''Now how many people would think of that same pain in the butt as the first person to call if you needed help with something?'' and all the same hands plus a few extras came up. I awoke just after, thinking that was a very strange dream. I wasn't sure whether or not to tell him about it, but after working with him for so many years, I was able to talk to him about anything. I told him the story a few days later, which was also just after the family's long time friend and neighbor, Mr. Pepin passed away. He said, ''You know, when I was at Mr. Pepin's funeral, I thought about asking you to do it.'' So here I am.

In the time since September 11th, many people have been called heroes. So, I named this next section ''Our Fallen Hero'':

He may not be a veteran of a military war, but did I ever have some with my brothers. He wasn't a policeman, but he was at least a traffic cop in our house. He wasn't a fireman, but no one could build a more beautiful, safer place for a fire. He was always there when you needed him, no questions asked, except to find out what tools he needed to bring. He is our Fallen Hero.

Okay, enough mushy stuff, OR we do the mushy stuff his way and all line up for slaps in the back of the head, any takers? Yes, it was a strange way to show love, and it didn't make much sense for a long time. He wanted things done right and done right meant his way. As much as I tried to prove him wrong, somehow he was always right. It started making sense to me when I was about 16. I was thinking about getting my license and therefore needed a car. Well, when I was 12, 13, 14 years old it didn't make much sense to me why I had to go to work with him all summer and every Saturday during school, but when I asked my Mom how much money I had to buy a car it started making sense. Then a couple of years later I started realizing it had nothing to do with the money, but it had everything to do with the ability and skills it takes to be able to make money, and making money really meant being able to stand on your own two feet and providing for your own family some day.

We all had our lessons growing up. Heidi was in charge of cleaning the pool, and no one kept it cleaner than her. The only problem was Dad thought she dragged the hose on the concrete and put holes in it. So, he booted her in the butt all the way to her bedroom and she was grounded. Sometime later, maybe a couple of months or the next summer, there were a few more leaks in conjunction with butt chewings and punishments. It turns out it wasn't Heidi at all. Luckily, for her, Pepere R. Dad's father-in-law, figured out that because of the way the hose was hung on the fence the sun was actually melting holes in it.

Then there was Dawn Ann; could be here all day, only because there is no one more like Dad. Dad was always very strict with his girls, especially with all the guys that were always hanging around the house. One day my parents weren't around when Dawn got a call to go to a Celtics game. She really did want to ask for permission, uh huh, but it was before everyone carried a cell phone. So in her infinite wisdom she decides she is going into Boston on the train with 3 of the guys to a Celtics game. Mom and Dad came home and asked Heidi where Dawn was. You would have thought there was a steam engine train in the living room with the smoke that came out of his ears. You guessed it, Grounded!

Jessica. As any parent knows, you never want to pick favorites out of your kids, or at least admit it. Well, we all know that Jess is the favorite, Daddy's little girl, can do no wrong. Just a couple of weeks ago I was at my parents' unloading my truck from a long day of work. As I was about to leave, Dad came out of the house and said, ''Jessica just called and there is a bat in the house. Do you

mind giving me a hand?'' Now mind you it was about 8:00 in the evening and Dad hadn't even eaten dinner yet, but it was Jessica, so we went over right away, of course after we grabbed the necessary tools: a fishing net, racquetball racquets and leather gloves. We show up and Jess and her roommate are hiding in her car. Dad is there to save the day so they got out of the car and proceeded to tell us the bat was this big, it had fangs and was hissing at them. Frankie had also shown up in the mean time. The three guys go into the house looking all over. We went upstairs to double check rooms we already searched and as Dad opened a door, he saw it flying and slammed the door shut. The hunt was on, we had it trapped in one room, but we had to make our plan. Frankie suggested going out onto the roof of the farmer's porch from the other bedroom and try to see where the bat was. I crawled out onto the roof and made my way over to the bedroom window. The shades were almost all the way shut, except for a small slot in the middle. Dad has his hand on the door ready to barge through with the racquet when I give him the okay. I see the TINY bat flying around. I'm yelling, ''Not yet, not yet!'' from the roof, and then I'm not sure where it is, so I said, ''I think it landed in the closet.'' Dad makes his charge, but I was wrong, it wasn't in the closet, it was flying right at him. In a flash, I see his eyes light up, a scream come out of his mouth, and the racquet whipping around. I almost rolled off the roof I was laughing so hard as I witnessed this all through the window. Once again, our Hero came through. A little side note to Frankie, No pressure, but if you had plans to ask Dad for Jessica's hand in marriage you're in trouble, because now you have to come through me!

This next one is about Toby, another one I could go on all day about. One day, all 6 kids went to McDonald's with Mom. Right before we left the restaurant Toby snatched up some ketchup packets and put them in his pocket. When we arrived home, Toby decided that it would be funny to put the ketchup under the tires of Mom's car. Next thing you know, Mom drove off and the ketchup splattered all over the driveway.

We all thought this was hysterical, until later that evening when Dad YELLED downstairs, ''Kids, get up here! All of you!''

We all thought we were going to get into trouble for the ketchup incident and didn't think twice abut pushing Toby up the stairs first (since he did it of course). As we all crept up the stairs, cowering behind Toby, we inched down the seemingly never-ending hallway to Mom and Dad standing in the kitchen. With the look of death on their faces, we became more nervous. They sat us down and began speaking in a stern voice. But instead of getting in trouble, they proceeded to tell us that we would be visiting Disney World for Christmas.

I bet they never saw such relieved faces as we all laughed and jumped around. We then all started to laugh about thinking we were going to be in such trouble over the ketchup and ended up telling Mom and Dad what had happened earlier that day. To our relief, they laughed too and Toby wasn't in trouble. It turns out Disney wasn't the only thing on the agenda. Dad also built a fireplace for his sister Jackie while we were down there on vacation.

Todd. When it came to just about everything my Dad did, safety was always one of the most important things. One day at work, we were coming to the top of a big chimney. We had staging set up on the roof, and a hoist ladder to bring the material up to the roof. Todd was always the best tree climber in the family, so he was elected to walk the material from the ladder to the staging and up the incline of the roof. Like I said, Dad was always safety conscious, so he tied a rope around Todd and then tied it to the staging, in case he slipped. Todd backed up a step and had a very nervous look on his face. My father was concerned and said, ''Todd, are you still afraid to fall,'' and he replied, ''No''. So he asked why he looked so scared, and Todd replied, ''I don't like being tied so close to you that I don't have a chance to get away before you slap me if I do something wrong.'' It was always tough love from Dad.

Some of those stories make him sound like a bad guy, but really, he only meant the best for his kids. Officially, he only had 6 kids, but sometimes it seemed more like 26. He treated so many of our friends and relatives as if they were his own. For example, even with 6 kids on his hands, he didn't hesitate for a second to bring his nephew Jeremy into our house when his brother fell off a roof and was paralyzed. Jeremy became another brother to all of us. There are many others he treated with the same love, to name a few, TJ, Rick and Reg, Frankie and Shawn, Lisa, Nicky, Lyle, Bobby, Patrick, All of the guys that ever worked from him, Mike, the Kenny's, Scooter, Billy, and many others, you know who you are.

Not only was he a great father to many, but he was also a true friend and brother. Over the past couple of days, it felt kind of strange hearing some of these people say sorry to me for my loss, and the rest of my brothers and sisters. It felt strange because I thought I should be saying the same to them knowing what they lost, the best friend or brother you could ever ask for. Aunt Ruby, Aunt Jackie, Uncle Gerry, Uncle Norm, Ralph, Peter, Billy, Rudy, Klaus, Ronny and so many others, I just can't name them all.

As a Pepere, to his 7 ⅔ grandchildren, Victoria, Ali, Gary B, Mitch, AJ, Kelly, Josh, and one soon to be. What a treat to go to Pepere's house, the surprise bag (a toy or treat for each kid, every time they came to the house), rides on the bobcat, playing in the sand pile, ice cream sundaes right after breakfast, the ball pit, swings on the tree, and even a swing in the house just in case it rained. If your Mom or Dad said No, just ask Pepere.

As a husband, Mom, I don't know how you did it. Not only did she take care of 6 kids, but he was the biggest kid of all. He loved to play: fishing, Nascar, racquetball, driving the vette (at 160 mph early Sunday morning). There was so many things he loved to do and he did them right to the end, but most sacred of all in his heart was you Mom. He couldn't have done any of the things he did without knowing you would be waiting there for him when he got home. Especially seeing the only thing the man could cook was popcorn!

Thank You.

AMERICA'S TECHNOLOGY INDUSTRY

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. OTTER. Mr. Speaker, I rise today to place into the RECORD a newspaper article carrying a welcome story about America's technology industry. Over the last year the financial markets, as well as the American people, have been rocked by stories of huge corporations that used accounting chicanery and outright lies to defraud investors. I am proud to say that Micron, based in Boise, Idaho, has a worldwide reputation for conservative accounting and fair-dealing with employees, investors, and the community. I am hopeful that innovative, upstanding companies like Micron will lead this Nation into economic recovery and renewed faith in the marketplace.

[From the EE Times, Asia, Sept. 16, 2002]

MICRON'S COST MANAGEMENT ENVY

Micron execs have been talking about conservative financial management long before the industry came to know about the shocking revelations of Worldcom's accounting irregularities.

Some EEs in Silicon Valley often wonder how Micron Technology Inc. escapes cyclical storms that have become the hallmark of semiconductor businesses. Industry observers generally point to its single-minded focus on memories and its frugal culture that helps keep production costs low.

But there is something more remarkable about the Boise, Idaho-based company that became evident only lately: conservative accounting. Micron execs have been talking about conservative financial management long before the industry came to know about the shocking revelations of WorldCom's accounting irregularities.

Memory business has been intensely competitive, and on top of that, sometimes countries or rather a group of companies tend to make memories a strategic business. ''We prepare for that by not borrowing too much money, which helps us prepare to face all kinds of situations,'' says a Micron executive.

In 1990, Micron was ranked as the 11th DRAM maker, while last year, it was the second largest memory vendor. Despite the rupture of the Hynix deal and the fear of decline in DRAM market this year, Micron is progressively investing in new technologies.

The memory chipmaker has recently demonstrated the first DDR–II system for PC applications—with memory channel running at 533/MHz data rate for a channel bandwidth of 4,300/MBps. The demonstration included a variety of developments including a 256/Mb DDR–II device, a hardware-analysis board and signal-analysis software.

The system would allow not only to verify DDR–II channel performance, but also to characterize how well the channel works for various operating conditions, data patterns as well as timing and voltage margins.

While Micron's decisions are driven around cost scenarios, this tradition will be soon be put to the test in the much talked-about 200/mm-to300/mm conversion. So far, the chipmaker seems to be a trendsetter as it relates the 300/mm transition to production cost. As CEO Steve Appleton puts it, the company doesn't care what anyone else is doing, unless it helps to drive the cost of 300/mm and change the model.

After the irrational exuberance of 2000 was followed by pessimism last year, the industry is waking up to new realities born out of accounting loopholes. Here, Micron's prescience and financial savvy can provide some significant lessons.

INTRODUCTION OF THE WATER RESOURCES DEVELOPMENT ACT OF 2002

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. YOUNG of Alaska. Mr. Speaker, I am very pleased to introduce, along with the Ranking Member of the Transportation and Infrastructure Committee, *James Oberstar*, the

Water Resources and Environment Subcommittee Chairman, *John J. Duncan, Jr.*, and the Ranking Member of the Water Resources and Environment Subcommittee, PETER DEFAZIO, the Water Resources Development Act of 2002.

Every two years, Congress makes it a high priority to meet our Nation's water resources needs by enacting a Water Resources Development Act. Through this legislation, Congress authorizes the Corps of Engineers to carry out its primary missions of providing navigation improvements at harbors and waterways, flood damage reduction in our communities and coastal areas, and environmental restoration along the Nation's rivers, and lakes. These projects have a profound impact on the economy of this Nation by reducing transportation costs, saving lives, homes, and businesses from the ravages of flooding, and improving our quality of life. The standard of living for every American has been positively affected by the work the Corps does with its local partners.

Under authorities enacted in Water Resources Development Acts, the Corps of Engineers constructs harbors and navigation channels. Over 13 million American jobs are depended on trade, making our ports and waterways vital to our economic, as well as national, security. Our harbors currently handle over 2 billion tons of cargo a year, and that volume is projected to double by 2020. We need to be ready to handle the larger ships that will carry that cargo or face potential loss of trade. Our inland navigation system is critical to our transportation system. Inland waterways cover 12,000 miles and carry 1/6th of the Nation's inter-city freight, at a cost per ton-mile that is 1/2 that of rail and 1/10th that of trucks. We need to keep transportation of goods on our inland waterways efficient to keep our farmers competitive in the world market.

The Water Resources Development Act of 2002 helps our Nation stay competitive by authorizing or modifying over 50 projects, studies, and policies relating to navigation improvements, as well as related projects and policy changes to improve the management of dredged material.

Water Resources Development Acts also authorize the Corps to protect towns and cities from the ravages of floods. Over the past 10 years, flood damage reduction projects built by the Corps with local partners have prevented more than $208 billion in damages.

Water Resources Development Act of 2002 continues to provide this protection by authorizing or modifying over 75 projects and studies relating to flood damage reduction, and nearly 20 related projects for shoreline protection.

Since 1990, environmental restoration also has been a primary mission of the Corps. These projects range from small aquatic ecosystem restoration projects to multi-billion dollar projects like the Comprehensive Everglades Restoration Plan.

The Water Resources Development Act of 2002 continues this mission by authorizing or modifying over 40 environmental restoration projects and studies.

In this legislation, we also recognize that there are other water resources challenges that face this Nation where the Corps' expertise could help—particularly since needs for water supply, water quality, and navigation often are interrelated. The Water Resource Development Act of 2002 provides additional opportunities for the Corps to lend its technical expertise where a community or a region has decided to address water resources matters on a watershed or river basin basis.

There are some who believe we do not need a Corps of Engineers Civil Works program. Some say it openly, and propose to eliminate funding the Corps. Others are more subtle and instead are trying to convince Congress to add so many procedural hurdles that a single person could have the ability to stop a water resources project, no matter how important the project is to the safety of our citizens or the strength or our economy. I have a different view of the Corps and a different vision for its future.

First, I believe that this Nation needs an Army Corps of Engineers. Most members of the House of Representative agree. We have received request from nearly 200 members for over 400 separate water resources projects, studies, and modifications to projects. These requests are generated at the local level, and are tailored to meet local needs. No matter what some may say here in Washington, back home people want and need a vital and continuing civil works program.

Second, I support the Corps process for formulating water resources projects. Under the Corps planning process, all projects must be in the Federal interest and must be economically justified and environmentally sound, but the details of a project are developed through a close interaction between the Corps and the local communities that share in the cost of the project. This is a bottom-up process that allows projects to be designed to best meet local needs.

Deciding where investments in water resources are warranted is a complex task often involving sophisticated economic analyses. While there has been some criticism of how the Corps has attempted to do these analyses in certain projects, the fact is no other Federal agency requires its projects to go through a similar benefit cost review.

There have been some individual cases where the economic analysis of a project has been flawed. This is a personnel and management problem, not a problem with the Corps' statutory authorities. The Chief of Engineers is taking steps to address this issue through improved training and establishing centers of expertise. We in Congress also have many oversight tools that give us the ability to investigate the merits of a project, and we have demonstrated that we are not hesitant to use these tools to scrutinize controversial projects.

After reviewing all of the requests from members, it is clear to us that the House of Representatives supports changes to the Corps civil works program to speed the delivery of projects, not changes that will lengthen the Corps' process and add costs. For example, we have received over 40 requests from members asking that their local project sponsors be allowed to move ahead of the Corps and receive credit for work they begin on projects, while the Corps' lengthy study and review process in underway. Other members of Congress requested statutory language directing the Corps to expedite its planning process and deliver needed projects more quickly. No member of Congress has asked the Committee to add more procedural hurdles, more delay, and more costs to their projects.

The Corps civil works program is nearly unique. The Corps is a Federal agency that partners with local agencies to solve local problems. The needs are identified at the local level and the solutions are developed through a bottom-up process—they are not thrust upon a community as top-down mandates. I am proud to say that the Water Resources Development Act of 2002 continues in this tradition.

THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. JOHNSON of Illinois. Mr. Speaker, last Wednesday our nation commemorated the terrorist attacks of September 11, 2001. While these attacks were committed on the World Trade Center and the Pentagon, they were in fact directed at our nation as a whole. Our freedom, our way of life, the very foundations of our great democracy, were ruthlessly targeted by an unprecedented force of evil. Now, one year later, our nation is stronger and more unified than ever to rid the world of terrorism in all of its forms, as well as its root causes including poverty, injustice, and despair. It is my sincere hope that America never forgets the terrible atrocities committed within our borders. These acts were a direct attack upon freedom-loving people everywhere and we have a duty to ensure that freedom and democracy prevail in this struggle against tyranny and oppression.

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 2002

Mr. DAVIS of Illinois. Mr. Speaker, I rise to support Congresswoman WATERS' motion asking the conferees for H.R. 3295 to complete their work and file a conference report by October 1st. In view of the confusion we have witnessed this month in Florida's primary elections, it is more important than ever that we complete work on this measure before the end of this session. I also want to re-affirm my support for the motion to instruct offered by Mr. LANGEVIN that was passed by the House on July 9th. That motion asked the conferees to agree to the Senate provisions relating to the accessibility of voting systems for individuals with disabilities.

It is essential that at least one voting machine in each polling place be accessible to people with disabilities. This can be done in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters. The provisions referred to in the motion passed on July 9 were endorsed by a coalition of more than 20 national organizations representing people with disabilities.

I support the motion asking the conferees to complete their work by October 1st, and I also urge the conferees to adopt the language as outlined in the motion approved by this body on July 9th.

JOINT RESOLUTION AUTHORIZING THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a Joint Resolution. It authorizes the use of U.S. Armed Forces to defend our national security interests against the threat posed by Iraq. However, this Resolution does set some definitive conditions for the President prior to engaging the U.S. Armed Forces. It requires the President to exhaust diplomatic efforts to obtain Iraq's compliance with the U.N. Security Council Resolutions. It also requires the President to present the Congress with a comprehensive plan of how stability will be maintained in the region in a post-strike environment.

The young men and women of our Armed Forces are already fighting a war on terrorism. Before we expand their role, and send them even deeper into harm's way, I want assurances that we have explored and exhausted every avenue for a peaceful and diplomatic solution. I also want assurances that we have a plan for maintaining stability in the region once we declare victory.

Let me be perfectly clear. I am well aware that for more than a decade, Iraq has violated virtually every U.N. Security Council Resolution. With each violation, the threat to international peace and security becomes more ominous. I believe that Iraq not only poses a threat to our national security interests, but also threatens the stability and security of the entire region and indeed, the world. It is becoming more and more evident that we must be proactive in defending our nation. We know that the United States is a terrorism target, and we know that Iraq constitutes a real and imminent threat against our national security interests.

However, only Congress has the authority to declare war. The Congress must be convinced that every conceivable option has been explored. The Congress must be convinced that the post-strike plan for maintaining stability in that region is achievable. The Congress must agree that a preemptive strike is our only course of action.

I urge my colleagues to vote for this Resolution.

CRISIS IN THE CHILD WELFARE SYSTEM

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, we can all agree that the quality of care received by children under the supervision and protective custody of the state is an important aspect of the foster care system. Unfortunately, there is widespread disagreement between states and the federal government on how quality of care standards should be defined, assessed, and enforced.

In the following article, the Sacramento Bee reports that California's Department of Social Services and the U.S. Administration for Children and Families are immersed in a heated battle over foster care licensing standards. At issue, is a 2-year-old federal mandate that directs states to equalize foster home licensing standards between relative and non-relative foster care providers.

The Department of Health and Human Services (HHS) contends that the long-standing regulation that allowed states to exempt relative caregivers from meeting some of the licensing standards that applied to professional non-relative foster parents created a separate and unequal standard that could not be upheld. HHS maintains that it repeatedly told states like California in writing that it could not bill the federal government for relative foster homes that failed to meet federal regulations. Consequently, the U.S. Administration for Children and Families withheld $18 million in grants from California for failure to bring relative foster homes up to non-relative foster home standards.

In response, California asserts that the federal government's insistence on rigid compliance with non-relative foster care standards eliminates room for flexibility in overlooking minimal licensing violations. Additionally, California argues it threatens their ability to place children in the homes of loving and caring relatives that are unable to fully meet licensing requirements because of issues of poverty. According to the California Deputy Director of Social Services "it [relative foster home;] could be a very loving, giving family, but the question is can the child go there if, for example, the siblings will sleep [together] in a double bed."

The battle unfolding in California may be just the tip of the iceberg. In many states across the nation, kinship care standards vary and are more relaxed than non-relative foster care standards. If we truly believe the safety and well-being of children should come first, then we must begin to carefully assess and examine child welfare issues such as kinship care practice and foster care licensing standards. While it is the government with the power of the purse that may ultimately win the war, we must be careful to ensure that the best interests of foster children are not forgotten in the heat of battle.

The article follows:

[From the Sacramento Bee, Sept. 3, 2002]

LAWSUIT TO TARGET RULES FOR FOSTER CARE BY RELATIVES

(By Mareva Brown)

More than $100 million designated for relatives who care for California's foster children is in danger of being withheld over the next year while California's Department of Social Services and a federal regulatory agency wage a fierce battle over standards.

At issue is a 2-year-old federal requirement that relatives caring for foster children be screened and approved using the same criteria as is used to license non-relative foster homes. Federal officials say California has refused to enforce the new standard, and they have begun withholding the first of $112 million in foster care payments that could be held back if tens of thousands of relatives' homes aren't quickly approved using the new standards.

California officials maintain they have followed the intent of the law, eliminating relatives who have criminal pasts or who can't be trusted to keep children safe. But they say following it to the letter would require them to remove children from nurturing relatives who are capable of providing good care but whose homes do not meet federal foster care guidelines, often because of poverty. Of particular concern, state officials say, are federal mandates specifying no more than two children to a bedroom, no shared beds and no mixing of genders in bedrooms—space requirements many impoverished families can't afford to meet.

"It could be a very loving, giving family, but the question is can the child go there if, for example, the siblings will sleep in a double bed," said DSS Deputy Director Sylvia Pizzini. "It's the intersection with poverty that has the roughest edges here."

As state officials tried to hammer out a compromise late last week, a public interest law firm in San Francisco prepared to file a civil lawsuit that would compel the state to comply with the federal standard. The Youth Law Center's executive director, Carole Schauffer, said that while the state bickers over language, it risks robbing foster families of desperately needed funds.

"Even tough this is not a role we logically should take, we're trying to see if there is any peace here," said Schauffer, a staunch advocate for foster children. "Because without peace, it's very harmful to California kids."

The federal government pays for about 40 percent of the cost to care for the nation's half-million foster children. In California, home to nearly 100,000 foster children, the federal share amounts to nearly $300 million per quarter. About half the state's foster children are placed with relatives.

Last spring, the U.S. Administration for Children and Families began deferring $18.7 million per quarter as a penalty for the state's failure to document that all relatives' homes had been cleared. The deferral, which cannot be appealed, comes after two years of debate between federal and state officials over how to interpret and apply the new statute.

While the state has absorbed the first deferral, officials say they eventually will have to reduce foster payments to the counties. The counties, in turn, will have to choose between removing children from the homes of relatives or reducing payment to those relatives.

And for many relatives living close to the edge, providing foster care without the payment simply would be too expensive.

Albert Cabrera and his wife, caring for their 9-month-old granddaughter in a three-bedroom home off Power Inn Road, offer a typical example. The baby was placed there two months ago by social workers who ensured the couple had no criminal record and that the temperature in their hot water heater was safe, and who left the couple with a letter saying they would be reimbursed $425 per month for the child's care.

The Cabreras are among many foster grandparents who are retired or don't earn enough to easily absorb the costs of raising grandchildren. Last week, as the couple waited for their reimbursement check, Cabrera's wife delayed buying medicine for her high blood pressure so she could buy formula for the baby. Cabrera worries about how he'll pay for the additional gas money they'll need each month to take the baby to visits with her parents and to doctor's appointments.

"In the beginning, we thought we would put away the money they were going to send us for the baby," Cabrera said. "But we need it."

Sacramento County actually is among the few counties in California that have inspected relatives' homes using the new standards. Ninety percent of the 1,490 relatives' homes used for foster care in Sacramento County have been approved. The

rest are awaiting upgrades and are expected to be certified soon.

But Sacramento County is the exception. Most counties in January began using the standards to approve new foster placements with relatives but have not inspected the homes of relatives where children placed before January.

Until state officials can provide the federal government with proof that all relatives' homes in California have been certified, the penalties will continue—and will affect all counties alike.

The biggest backlog is in Los Angeles.

In March, prompted by the new statute, Los Angeles County conducted a sample survey of the foster homes of children placed with relatives. The county is home to more than half the state's foster children, and nearly 6,500 of them live with relatives.

Of the 200 homes surveyed, only two met federal standards. Among the deficiencies were 16 families who did not have adequate smoke detectors in their homes and 50 cases in which children shared a bed or slept in a non-bedroom area.

''Most cases can be remedied with adequate financial resources,'' the report concluded.

Pizzini said state officials have been working diligently on the issue for more than a year and criticized the federal government for its heavy penalty, saying there were lesser sanctions available.

But federal regulators and Schauffer, of the Youth Law Center said the state has not made any significant effort to meet federal guidelines, even though some remedies are fairly simple.

The Department of Social Services has yet to create and disperse a statewide standardized checklist for evaluating relatives' homes, as officials agreed to do in April, according to a federal letter.

The state has not provided any proof that homes have been approved using the new guidelines. And, despite a deadline of June to reassess the homes of all relatives providing foster care, thousands of homes have been checked.

''It was deliberately not done,'' said Schauffer, who says she plans to file the lawsuit this week. ''It was either a financial or a philosophical position they were taking: Either we don't think relatives should be licensed, (that) they should be able to take care of their kids in any way they want. Or, if you look at it in a different way, neither the counties or the states way to pay the cost of having relatives assessed.''

It is expensive.

In Sacramento County, officials created a kinship evaluation unit five months ago and staffed it with six social workers who were removed from units in which they were overseeing the care of children.

Child Protective Services Director Leland Tom said he is proud that the county has evaluated every relative's home but that the cost has been high.

''It's having a major impact on our workload,'' Tom said. ''And the sticking point for counties has been, here is this additional workload that is being pushed on us, but we're not being given additional funding to do it.''

Pizzini said the state also has concerns about the potential harm to children, given that the new process takes longer to complete, in some cases forcing children into the foster homes of strangers before relatives can be cleared. She said allowances need to be made.

''Grandmother and Uncle don't come into our office three months ahead of time and say, 'In the future, you're going to remove one of my nieces (from her home),' '' she said. ''That doesn't happen. On the other hand, we recruit strangers to come into care, and we have the luxury of some time.''

IN RECOGNITION OF CATHOLIC HOME BUREAU

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 2002

Mrs. MALONEY of New York. Mr. Speaker, I would like to pay tribute to Catholic Home Bureau on the occasion of their Seventeenth Annual Child of Peace Dinner. For their unwavering commitment and many charitable endeavors, James and Colleen Donaghy will be honored with the Child of Peace Award.

A true leader and a hands-on executive, James Donaghy serves as Chairman of the Structure Tone Organization, one of the preeminent full-service Construction Management an General Contracting firms in the world today. Mr. Donaghy has actively participated in the company's strategic planning and worldwide business development efforts, helping to guide the firm through a challenging period into the multi-billion dollar global entity it is today.

Mr. Donaghy's incomparable professional commitment is mirrored by his dedication to the arts and civic organizations in the community, as indicated by his membership in various boards, committees and councils including the Board of Directors of The Boy Scouts of America, St. Thomas Aquinas College, Covenant House and the National Multiple Sclerosis Society. Mr. Donaghy's civic mindedness extends to his organization, which provides substantial contributions and support to charities throughout the New York City metropolitan area.

Colleen Donaghy has also extended her professional expertise as a social worker to the community by assisting the elderly at Riverdale Senior Services Center. Proud new parents of their first child, James Kieran Donaghy, Jr., Mr. and Mrs. Donaghy have demonstrated a lifelong commitment to improving the lives of underprivileged New Yorkers.

I would also like to commend Catholic Home Bureau for their significant efforts to enhance the quality of life for families and children in the New York Metropolitan area since 1899. Catholic Home Bureau currently operates a foster care program and a family day care program through New York City's Administration for Children's Services, a shelter program through New York City's Department of Homeless Services, and a privately funded Maternity Services and Private Adoption Program.

The Child of Peace Dinner benefits the Maternity Services Program which is one of the largest providers of private maternity services in the New York Archdiocesan network. The Maternity Services Program aids women and families in need who are facing a crisis pregnancy with counseling, medical care, infant and maternity clothing, cribs, housing referrals, and emergency assistance. I want to recognize the dedication of Bernard and Peggy Smyth, who are this year's Dinner Chairpersons. In addition to being adoptive parents for Catholic Home Bureau, they both have demonstrated their commitment to helping the organization achieve its mission.

In recognition of James and Colleen Donaghy's selfless efforts and Catholic Home Bureau's outstanding contributions to the community, I ask that my colleagues join me in saluting Catholic Home Bureau on the occasion of their 17th Annual Child of Peace Dinner.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 24, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 25

9:30 a.m.
Environment and Public Works
Finance
To hold joint hearings to examine alternatives for financing the U.S. surface transportation system.
SD–215

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To continue hearings to examine the status of implementation of Federal Stem Cell Research Policy.
SD–124

Armed Services
To resume hearings to examine U.S. policy on Iraq.
SH–216

10 a.m.
Indian Affairs
Business meeting to consider pending calendar business; to be followed by a hearing to consider the nominations of Quanah Crossland Stamps, of Virginia, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services, and Philip N. Hogen, of South Dakota, to be Chairman of the National Indian Gaming Commission.
SR–485

Health, Education, Labor, and Pensions
Business meeting to consider S.2499, to amend the Federal Food, Drug, and Cosmetic Act to establish labeling requirements regarding allergenic substances in food; S.830, to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; S.1806, to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy; S.969, to establish a Tick-Borne Disorders Advisory Committee; S.2821, to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention; the nominations of Maria Mercedes Guillemard, of Puerto Rico, to be a Member of the National Museum Services Board; David Wenzel, of Pennsylvania, to be a Member of the National Council on Disability; Marco A. Rodriguez, of California, to be a Member of the National Council on Disability; Milton Aponte, of Florida, to be a Member of the National Council on Disability; Michelle Guillermin, of Maryland, to be Chief Financial Officer, Corporation for National and Community Service; Glenn Bernard Anderson, of Arkansas, to be a Member of the National Council on Disability; and Barbara Gillcrist, of New Mexico, to be a Member of the National Council on Disability, and other pending calendar business.
SD–430

Judiciary
To hold hearings to examine asbestos litigation.
SD–226

2 p.m.
Foreign Relations
To resume hearings to examine Iraq.
SD–419

2:30 p.m.
Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
To hold hearings to examine affordable housing production and working families.
SD–538

Commerce, Science, and Transportation
Consumer Affairs, Foreign Commerce, and Tourism Subcommittee
To hold hearings to examine the state of tourism one year after September 11, 2001.
SR–253

SEPTEMBER 26

9:30 a.m.
Environment and Public Works
Business meeting to consider pending calendar business.
SD–406

10 a.m.
Indian Affairs
To hold oversight hearings on intra-tribal leadership disputes and tribal governance.
SR–485

Health, Education, Labor, and Pensions
To hold hearings to examine the benefits and challenges of web-based education.
SD–430

Judiciary
To hold hearings to examine pending judicial nominations.
SD–106

Aging
To hold hearings to examine long-term care in the health industry.
SD–628

10:15 a.m.
Foreign Relations
To continue hearings to examine Iraq.
SD–419

2:30 p.m.
Foreign Relations
To continue hearings to examine Iraq.
SD–419

SEPTEMBER 27

9 a.m.
Armed Services
To hold hearings to examine the nominations of General James L. Jones, Jr., USMC, for reappointment to the grade of general and to be Commander, United States European Command and Supreme Allied Commander, Europe, Admiral James O. Ellis, Jr., USN, for reappointment to the grade of admiral and to be Commander, United States Strategic Command, Lieutenant General Michael W. Hagee, USMC, for appointment to the grade of general and to be Commandant of the Marine Corps, Charles S. Abell, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness, Thomas Forrest Hall, of Oklahoma, to be Assistant Secretary of Defense for Reserve Affairs, and Charles E. Erdmann, of Colorado, to be a Judge of the United States Court of Appeals for the Armed Forces.
SH–216

10 a.m.
Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings to examine the annual report of the Postmaster General, focusing on the Postal Service Transformation Plan, the progress of cleaning anthrax-contaminated postal facilities, and further steps the Postal Service will take to reduce debt and increase financial transparency.
SD–342

SEPTEMBER 30

10 a.m.
Environment and Public Works
Transportation, Infrastructure, and Nuclear Safety Subcommittee
To hold hearings to examine the conditions and performance of the federal-aid highway system.
SD–406

OCTOBER 8

10 a.m.
Judiciary
Constitution Subcommittee
To hold hearings to examine the detention of U.S. citizens.
SD–226

POSTPONEMENTS

SEPTEMBER 25

2:30 p.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings to examine the current situation in Angola.
SD–419