

## EXTENSIONS OF REMARKS

IN HONOR OF DINA MATOS  
MCGREEVEY, RECIPIENT OF THE  
HISPANIC AMERICAN GOOD  
SCOUT AWARD

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the outstanding accomplishments of Mrs. Dina Matos McGreevey, who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

The First Lady of New Jersey, Mrs. Matos McGreevey has been an exceptional member of her community and a true leader for New Jersey. Currently the executive director of the Columbus Hospital Foundation in Newark, Mrs. Matos McGreevey has worked to create programs such as the Senior Health Improvement Program, which provides free educational programs and screening for New Jersey seniors. As a member of the Portuguese American Congress of New Jersey and former president of the Portuguese American Congress—Continuing Political Committee, she organized voter registration drives and assisted thousands to become American citizens and registered voters.

Dina Matos McGreevey continues to demonstrate her compassion for improving New Jersey's communities. She is currently a trustee of the Ironbound Association, the Salvation Army Ironbound Boys' and Girls' Clubs and Senior Center Advisory Board, and the Women's Auxiliary of Columbus Hospital. Mrs. Matos McGreevey is also a participant in United Way's Celebrity Reading Program and is an honorary chair of the Special Olympics Complex Committee, the Drumthwacket Foundation, the Bernard W. Gimble Multiple Sclerosis Comprehensive Care Center Annual Fundraiser, and D.A.R.E.

Mrs. Matos McGreevey has served as commissioner of the Planning Board of the City of Elizabeth and treasurer of the Portuguese American Scholarship Foundation and the Northern New Jersey Maternal/Child Health Consortium's Planning Committee, and has been a member of the New Jersey Health Care Public Relations and Marketing Association. She is a fellow of the United Way of Essex and West Hudson Project Leadership Class of 1999.

Dina Matos McGreevey and Governor James E. McGreevey are the proud parents of Jacqueline Matos McGreevey.

Today, I ask my colleagues to join me in honoring Mrs. Dina Matos McGreevey for her exemplary service and dedication to the people and state of New Jersey.

THE GOOD SAMARITAN TAX ACT

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. HOUGHTON. Mr. Speaker, today I am pleased to join my colleague from Georgia, JOHN LEWIS, in introducing the "Good Samaritan Tax Act", a bill that has been introduced in three previous Congresses. Former Congressman Tony Hall (OH), now our Ambassador to the United Nations Agencies for Food and Agriculture, who originally initiated this proposal, was a cosponsor of the prior bills and the leading advocate for feeding the less fortunate.

The purpose of the bill is to help meet the demand for food for the needy. The end of the economic boom has increased the need for additional resources to feed the hungry. In fact, as more and more citizens are removed from the welfare rolls, or lose their jobs, many turn to food banks for help.

The bill would increase the incentives for restaurants, farms and other businesses in the food industry to donate food to food banks, homeless shelters and other charitable organizations. The Internal Revenue Code actually discourages contributions because of the uncertainty regarding the tax treatment of donations of food as compared to donations of other inventory. The bill has been designed to correct that deficiency.

We believe this bill would remove the uncertainty and provide the necessary incentive for businesses to increase their food donations. This would be accomplished by adding a provision to Section 170(e) of the Code that would indicate that the fair market value of donated food is determined, (1) without regard to internal policies, lack of market, or similar circumstances, whether the food cannot or will not be sold, and (2) if applicable, by taking into account the price at which similar products are sold by the taxpayer at the time of contribution. These have been points of controversy with the Internal Revenue Service, causing uncertainty as well as disincentives to incur the administrative and other costs necessary for the proper handling and preservation of food being donated. In addition, Section 170(e) would be amended to include businesses in addition to C corporations, as the current law provides.

We hope our colleagues will join us in cosponsoring this legislation.

CONDEMNING ANTI-SEMITISM

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. SMITH of New Jersey. Mr. Speaker, I am pleased to introduce, along with my colleague Representative CARDIN, Representative

WOLF, Representative HOYER, Representative LANTOS, Representative WAMP, Representative SLAUGHTER, Representative ADERHOLT and Representative HASTINGS, this resolution expressing the sense of the Congress that the sharp escalation of anti-Semitism, including violence, throughout the region of the Organization for Security and Cooperation in Europe, OSCE, is of serious concern to the U.S. Congress and the American people. We should make a concerted effort in our respective countries to end this disturbing trend.

Anti-Semitism is a disease that has bedeviled previous generations of Jews throughout the centuries and formed a black spot on human history. As the 20th century witnessed the nadir of extreme violence against the Jewish community and their institutions, we must take extraordinary steps to ensure this plague does not infect the 21st century to contaminate future generations. Yet our work is cut out for us, as this past year Europe witnessed a profound increase in vandalism against Jewish cemeteries, synagogues and cultural property, as well as mob assaults, fire bombings and gunfire. This year already a Jewish rabbi was stabbed twice in his Paris synagogue by an assailant. Thankfully, he was released from the hospital the same day. Certainly our own country is not immune, as acts of vandalism and violence continue to sporadically occur. As these incidents made graphically clear, silence is not an option when we are witnesses to insensitivity and violence.

The Helsinki Commission, which I co-chair and on which Mr. CARDIN serves has taken the lead in voicing concern and working for real change. On May 22, 2002, the Commission held a hearing to raise specific attention to the growing problem of anti-Semitic violence in the OSCE region. From that hearing a number of initiatives emerged. At the OSCE Parliamentary Assembly Annual Session in Berlin last July, I introduced and successfully secured unanimous approval of a resolution denouncing anti-Semitism and calling for all OSCE governments to do more. Mr. Speaker, for the RECORD, I submit the text of the OSCE PA resolution.

In addition, the U.S. delegation cosponsored an unprecedented special session with the German delegation to further discuss the alarming trend with our fellow parliamentarians. In December, the Commission co-hosted here in Washington a parliamentary forum on anti-Semitism with German parliamentarians, also attended by a prominent member of the Senate of Canada, Jerry Grafstein. At the conclusion of this event, myself and the German co-chair, Gert Weisskirchen, signed a letter of intent highlighting specific areas for further work and pledging to enlist the support of other parliamentarians from OSCE participating States. I have submitted a copy of the letter of intent, for the RECORD.

Mr. Speaker, I am pleased to introduce this resolution, and I am eager for the House to go on record in support, making sure both the Congress and our government are doing everything possible to see an end to this

• 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.

scourge. I am especially pleased that the resolution calls for all OSCE participating States to ensure effective law enforcement and prosecution of individuals perpetrating anti-Semitic violence, as well as urging the parliaments of all participating States to take concrete legislative action at the national level. In sum, I look forward to working with my colleagues to continue our steadfast efforts to see an end to anti-Semitic violence.

RESOLUTION ON ANTI-SEMITIC VIOLENCE IN THE OSCE REGION

1. Recalling that the OSCE was among those organizations which publicly achieved international condemnation of anti-Semitism through the crafting of the 1990 Copenhagen Concluding Document;

2. Noting that all participating States, as stated in the Copenhagen Concluding Document, commit to "unequivocally condemn" anti-Semitism and take effective measures to protect individuals from anti-Semitic violence;

3. Remembering the 1996 Lisbon Concluding Document, which highlights the OSCE's "comprehensive approach" to security, calls for "improvement in the implementation of all commitments in the human dimension, in particular with respect to human rights and fundamental freedoms", and urges participating States to address "acute problems", such as anti-Semitism;

4. Reaffirming the 1999 Charter for European Security, committing participating States to "counter such threats to security as violations of human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief and manifestations of intolerance, aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism";

5. Recognizing that the scourge of anti-Semitism is not unique to any one country, and calls for steadfast perseverance by all participating States;

The OSCE Parliamentary Assembly:

6. Unequivocally condemns the alarming escalation of anti-Semitic violence throughout the OSCE region;

7. Voices deep concern over the recent escalation in anti-Semitic violence, as individuals of the Judaic faith and Jewish cultural properties have suffered attacks in many OSCE participating States;

8. Urges those States which undertake to return confiscated properties to rightful owners, or to provide alternative compensation to such owners, to ensure that their property restitution and compensation programmes are implemented in a nondiscriminatory manner and according to the rule of law;

9. Recognizes the commendable efforts of many post-communist States to redress injustices inflicted by previous regimes based on religious heritage, considering that the interests of justice dictate that more work remains to be done in this regard, particularly with regard to individual and community property restitution compensation;

10. Recognizes the danger of anti-Semitic violence to European security, especially in light of the trend of increasing violence and attacks region wide;

11. Declares that violence against Jews and other manifestations of intolerance will never be justified by international developments or political issues, and that it obstructs democracy, pluralism, and peace;

12. Urges all States to make public statements recognizing violence against Jews and Jewish cultural properties as anti-Semitic, as well as to issue strong, public declarations condemning the depredations;

13. Calls upon participating States to ensure aggressive law enforcement by local and

national authorities, including thorough investigation of anti-Semitic criminal acts, apprehension of perpetrators, initiation of appropriate criminal prosecutions and judicial proceedings;

14. Urges participating States to bolster the importance of combating anti-Semitism by holding a follow-up seminar or human dimension meeting that explores effective measures to prevent anti-Semitism, and to ensure that their laws, regulations, practices and policies conform with relevant OSCE commitments on anti-Semitism; and

15. Encourages all delegates to the Parliamentary Assembly to vocally and unconditionally condemn manifestations of anti-Semitic violence in their respective countries and at all regional and international forums.

LETTER OF INTENT

AN ACTION PROGRAM: CONFRONTING AND COMBATING ANTI-SEMITISM IN THE OSCE REGION

As members of the German Bundestag and U.S. Congress and participants in the OSCE Parliamentary Assembly, we wish to express our deep concern regarding the significant increase in the number of anti-Semitic incidents in many countries of the OSCE. We condemn anti-Semitism in all its forms. Anti-Semitic bigotry must have no place in our democratic societies and needs to be actively opposed by all 55 participating States of the OSCE, including by members of Parliament. The sorry lessons of the past have demonstrated that the virus of anti-Semitism, when not successfully resisted, will lead to terrible tragedy for the Jewish people, and promote prejudice and intolerance towards other minority groups.

We affirm our commitment to work together closely to fight anti-Semitism and encourage colleagues in our respective legislatures, and in the legislative bodies of other OSCE participating States, to develop a series of specific measures to counter anti-Semitic actions and attitudes. In executing our action plan we will make full use of all appropriate OSCE institutions and instruments. Actions that we intend to pursue are the following:

A. Persuade other Parliaments in OSCE participating States to adopt resolutions condemning anti-Semitism as the U.S. Congress and the German Bundestag have already done.

B. Energize governments and other elected officials at all levels in OSCE participating States to condemn forcefully and publicly anti-Semitic acts, when they occur.

C. Encourage all OSCE countries to enact appropriate criminal legislation to punish anti-Semitic acts and ensure that such laws are vigorously enforced.

D. Call upon governments in OSCE participating States, if they have not already done so, to adhere to international instruments which, by addressing the problem of discrimination, may counter anti-Semitic attitudes and actions.

E. Promote educational efforts throughout the OSCE region to counter anti-Semitic stereotypes and attitudes among younger people and help identify the necessary resources to accomplish this goal. Encourage teachers, social workers and members of the clergy to focus on anti-Semitic attitudes and behavior of younger people and support the development of curricula for teacher training.

F. Consider what concrete actions may be possible within the OSCE to discourage the proliferation of anti-Semitic, neo-Nazi and other racist material over the Internet, while preserving the right to freedom of expression.

G. Encourage religious leaders in OSCE participating States to work more closely

together and consider the past experiences of certain religious institutions in dealing with the experience of the Holocaust.

H. Create an OSCE parliamentarian-based "Coalition of the Willing" to address anti-Semitic propaganda that appears to be increasing rapidly in a number of OSCE partner countries. Explore the possibility of using the OSCE's partnership with the southern and eastern Mediterranean countries for promoting this goal. We pledge to meet again in conjunction with the February 2003 Winter Session of the OSCE Parliamentary Assembly in Vienna to evaluate progress and seek the active support and cooperation of our parliamentary colleagues from other countries. On this occasion, we will also determine how we can best utilize the July 2003 Rotterdam Annual Session of the OSCE Parliamentary Assembly to further our common goal of combating anti-Semitism throughout the OSCE region.

Signed in Washington, D.C. on December 10, 2002.

CHRISTOPHER H. SMITH,  
*Member of Congress.*  
GERT WEISSKIRCHEN,  
*Member, German Bundestag.*

INTRODUCTION OF THE PRIVACY PROTECTION CLARIFICATION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mrs. MALONEY. Mr. Speaker, I rise today in support of legislation that I am reintroducing with my colleague, Representative JUDY BIGGERT of Illinois, the Privacy Protection Clarification Act. This legislation resolves the controversy as to whether attorneys at law, who are subject to strict codes of professional conduct, should be subject to the privacy section of the Gramm-Leach-Bliley Act (GLBA). The Biggert-Maloney legislation recognizes that the practice of law and the business of financial services are wholly different and that GLBA should be clarified to recognize this distinction.

With passage of GLBA in 1999, Congress took an important step in ensuring that consumer privacy is protected as financial institutions continue to merge and as the economy grows increasingly digital. As a member of the then Banking Committee, I was proud to play a role in requiring that financial services companies supply their customers with privacy policies and allow customers the right to opt-out of information sharing with third-parties.

Unfortunately, GLBA has caused significant confusion for the legal community. On February 11, 2002, I joined 12 of my bipartisan colleagues on the Financial Services Committee in writing to the Federal Trade Commission (FTC) to ask that it grant attorneys an exemption to the GLBA privacy provisions. As we wrote at the time, "Attorneys are already bound by a duty of confidentiality, enforceable under the laws of all 50 states, that prevents misuse of client information and provides a higher degree of privacy protection than GLBA." After a thorough review the FTC determined that it does not presently have the authority to grant the exemption we requested.

The privacy protections in Title V of GLBA were a response to specific cases where consumers' private, personal financial information was mined without their consent in an effort to

market products. Where Title V is an appropriate response to such cases, it is inappropriate to apply it to most lawyers whose clients already expect that all their disclosures are confidential, covered by state codes of ethics and attorney-client privilege.

For example, the Legal Aid Society of New York City had to translate its privacy notice into many different languages to serve its ethnically diverse clientele. It also had to devote an inordinate amount of time to dealing with confused clients who could not understand why they were getting privacy notices from their lawyers when information they share with their lawyers is presumed to be confidential. I fear this could have a chilling effect on the willingness of individuals to share critical information with their attorneys. The confusion these privacy notices are causing in New York is unnecessary given that there is express language forbidding the sharing of client information in the New York state ethics code for lawyers.

The recently filed amicus brief at the U.S. District Court of the District of Columbia by 19 state and local bar associations further lays out some of the ways that the Act conflicts with the practice of law, the rights of clients and the duties of attorneys. The brief was drafted by the former President of the American Law Institute, Professor Geoffrey Hazard.

To quote from the amicus brief: "Not only does the GLBA provide less broad and less beneficial privacy protection than do existing state ethics rules governing lawyers, there are contradictions and discrepancies in the concepts of confidentiality and in the responsibilities of the 'service providers' under GLBA as applied to practicing lawyers. These disconnections make clear that the application of both privacy regimes to lawyers is unworkable. . . ." The stringent enforceable codes of professional conduct that attorneys are under contain opt-in requirements tailored to the profession. Their clients must affirmatively agree to the attorney revealing any personal information about that client.

I join Representative BIGGERT in introducing this legislation today, because it is my intention to target this limited area where the interpretation of GLBA can be improved by a legislative fix. The FTC's standing interpretation of Title V of the Act is causing confusion that is detrimental to the attorney-client relationship. It is appropriate for Congress to intervene. I have met with numerous constituents from New York City on this issue and am convinced that attorneys should not fall under the existing language.

I look forward to continuing to work to safeguard the privacy of my constituents during this Congress. This legislation is limited and strictly targeted. As for the larger privacy issues—the American public deserves more privacy protections, not fewer. When this body passed the GLBA provisions, we never considered its impact upon the practice of law because we had not intended it to apply to lawyers. Now that we see the confusion, expense and conflict that this act has wrought upon the legal community, we must act to clarify our original intent.

IN HONOR OF NELLIE POU, RECIPIENT OF THE HISPANIC AMERICAN GOOD SCOUT AWARD

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Assemblywoman Nellie Pou of New Jersey who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

Currently deputy speaker of the New Jersey Legislature, Ms. Pou has led an impressive career and has quickly emerged as a leader in the New Jersey Assembly. She is the first woman and first Hispanic to represent the 35th Assembly District of New Jersey, and was named assistant minority leader after only three years in office. An active member of the legislature, Ms. Pou has authored a number of successful bills that reflect her commitment to health advocacy, child safety, and disabled and senior citizens. She has focused her efforts to improve education by reducing class-size and has secured funding to ensure the continuation of critical school programs across the state.

Assemblywoman Pou played a leading role in ensuring the 2000 Census was accurately reported and that New Jersey would not be underrepresented in the amount of federal aid it received. She was also a strong advocate for redrawing the legislative districts to fairly represent census results.

Ms. Pou holds an impressive record of service in government and working for the state of New Jersey. Before serving in the Assembly, Ms. Pou worked for more than 22 years in county and municipal government, and served as director of the Paterson Department of Human Services for 12 years.

Since being elected to the Assembly in 1997, she has served on two critical committees, the Assembly Budget Committee and the Assembly Appropriations Committee, which together oversee the development of the annual state budget. Ms. Pou has also served on the Assembly Housing Committee and the Task Force on School Facilities Construction Oversight. She is a member of the Women's Democratic Caucus, the Assembly Advisory Council on Women, and the New Jersey Task Force on Child Abuse and Neglect.

Currently serving her third term in office, Assemblywoman Pou is vice chair of the Assembly Appropriations Committee and a member of the Assembly Health and Human Services Committee, in addition to her appointment as deputy speaker.

Assemblywoman Pou is the mother of two children, Edwin and Taina.

Today, I ask my colleagues to join me in honoring Nellie Pou for her outstanding leadership and service to her district and the state of New Jersey.

INTRODUCING UNITED STATES-KOREA NORMALIZATION RESOLUTION OF 2003

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. PAUL. Mr. Speaker, I rise to introduce the United States-Korea Normalization Resolution of 2003.

Sixty years ago American troops fought in a United Nations "police action" on the Korean Peninsula. More than 50,000 Americans lost their lives. Sixty years later, some 37,000 U.S. troops remain in South Korea, facing a North Korean army of nearly a million persons. After 60 years, we can no longer afford this commitment.

The U.S. defense guarantee of South Korea costs more than \$3 billion per year in direct costs and approximately \$12 billion per year in total costs. Total U.S. aid to South Korea has exceeded \$14 billion since the war.

But South Korea of today is not the Korea of 1950. Today's South Korea is a modern, industrialized, economic powerhouse; it has a gross domestic product more than 40 times that of communist North Korea. It has a military more than 700,000 persons strong. Nor is it at all clear that the continued U.S. military presence is necessary—or desired.

Not long ago, incoming South Korean President Roh Moo-huyn, recognizing that the current tension is primarily between the United States and North Korea, actually offered to serve as a mediator between the two countries. It is an astonishing move considering that it is the United States that provides South Korea a security guarantee against the North. Additionally, it is becoming more obvious every day that with the man on the South Korean street, the United States military presence in their country is not desired and in fact viewed as a threat.

We cannot afford to continue guaranteeing South Korea's borders when we cannot defend our own borders and when our military is stretched to the breaking point. We cannot continue subsidizing South Korea's military when it is clear that South Korea has the wherewithal to pay its own way. We cannot afford to keep our troops in South Korea when it is increasingly clear that they are actually having a destabilizing effect and may be hindering a North-South rapprochement.

That is why I am introducing the United States-Korea Normalization Resolution, which expresses the sense of Congress that, 60 years after the Korean War, the U.S. security guarantee to South Korea should end, as should the stationing of American troops in South Korea.

I hope my colleagues will join me by supporting and co-sponsoring this legislation.

A BILL TO CLARIFY THE TAX TREATMENT OF CERTAIN ENVIRONMENTAL ESCROW ACCOUNTS

### HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from California,

Mr. BECERRA, together with my colleague, Mr. BOEHLERT from New York in reintroducing a bill intended to clarify the tax treatment of certain environmental escrow accounts. This bill was first introduced in the 107th Congress.

The provisions in the bill would encourage prompt and efficient settlements with the Environmental Protection Agency ("EPA") for the clean-up of hazardous waste sites. Currently, there is some uncertainty in the tax treatment of certain "settlement funds" that are, in effect, controlled by the EPA, in their role of resolving claims under Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"). This uncertainty may prevent taxpayers from entering into prompt settlements with the EPA for the cleanup of Superfund hazardous waste sites and reduce the ultimate amount to funds available for cleanup of such sites.

The EPA has recognized this problem and has recently written to the Department of the Treasury expressing support for clarification that these "funds will, for Federal income tax purposes, be treated as beneficially owned by the United States government and therefore not subject to Federal income tax if certain conditions are met." I include in the record, a copy of the EPA letter dated February 7, 2003

Our bill follows the recommendations of the EPA on this important issue. Under our bill, if certain conditions are met, the EPA (U.S. government) will be considered the beneficial owner of funds set aside in an environmental settlement fund account. These conditions include the fund being: (1) established pursuant to a consent decree; (2) created for the receipt of settlement payments for the sole purpose of resolving claims under CERCLA; (3) controlled (in terms of expenditures of contributions and earnings thereon) by the government or an agency or instrumentality thereof; and (4) upon termination, disbursed to the government or an agency or instrumentality thereof (e.g., the EPA). If such conditions are met, the EPA will be considered the beneficial owner of the escrow account for tax purposes and the account will not be considered a grantor trust for purposes of Sections 468B, and 671–677 of the Internal Revenue Code. These escrow accounts, which are established under court consent decrees, are a necessary tool to enable the EPA to carry out its responsibilities and resolve or satisfy claims under CERCLA. Under these types of consent decrees, the EPA should be considered the owner of such funds for Federal tax purposes.

Due to the current uncertainty as to the proper Federal income tax treatment of such government-controlled funds, taxpayers may be hesitant to promptly resolve their claims under CERCLA by contributing to the settlement funds. One of the underlying purposes of CERCLA is to ensure prompt and efficient cleanup of Superfund hazardous waste sites. This goal is being frustrated by the existing uncertainty in the tax laws. The bill resolves these uncertainties and expedites the cleanup of Superfund hazardous waste sites by treating these escrow accounts as being beneficially owned by the U.S. government and not subject to tax.

We urge our colleagues to join us in cosponsoring this legislation.

ENVIRONMENTAL PROTECTION AGENCY,  
Washington, DC, February 7, 2003.  
Ms. PAMELA F. OLSON,  
Assistant Secretary—Tax Policy, Department of  
the Treasury, Washington, DC

DEAR MS. OLSON: I am writing to express support by the Environmental Protection Agency ("EPA") for clarification of the tax treatment of certain environmental cleanup "settlement funds" under IRC section 468B. The clarification would provide that such funds will, for Federal income tax purposes, be treated as beneficially owned by the U.S. government and therefore not subject to Federal income tax if certain conditions are met. As General Counsel to the agency, I am not offering an opinion on the legal issue or any other fiscal or tax policy aspects to this proposal. We defer to the Treasury Department on these issues. However, after consultation with our office of Enforcement and Compliance Assurance, I offer this letter to provide our views based on the environmental issues involved, that I hope will assist you in your review of this issue.

The cleanup of Superfund hazardous waste sites is sometimes funded by environmental "settlement funds" or escrow accounts. These escrow accounts are established in consent decrees between the EPA and the settling parties under the jurisdiction of a federal district court. They are a tool to enable the EPA to carry out its responsibilities and resolve its claims against private parties under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA").

While the escrow accounts are funded by the settling parties (defendants), some of these consent decrees require that the EPA approve expenditures of such funds (including the payment of costs and reimbursements), and provide that any remaining funds after termination will be paid to the EPA.

We have been briefed by some taxpayers' representatives that, under current law, there is uncertainty as to the proper Federal income tax treatment of such government-controlled funds. One of the underlying purposes of CERCLA is to ensure prompt and efficient cleanup of Superfund hazardous waste sites. Uncertainty in the tax treatment of certain "settlement funds" may prevent taxpayers from entering into prompt settlements with the EPA for the cleanup of Superfund hazardous waste sites.

We would support appropriation conditions to ensure that escrow accounts are properly structured and safeguarded, such as conditions requiring that the funds are: (1) established pursuant to a consent decree; (2) created for the receipt of settlement payments for the sole purpose of resolving claims under CERCLA; (3) controlled (in terms of expenditures of contributions and earnings thereon) by the federal government; (4) upon termination, disbursed to the government (e.g., the EPA); and (5) structured so that the government may be treated as beneficial owner for these purpose only, and not for other purposes such that the government has responsibility or liability for activities of the accounts or at their managers.

Thank you for considering our views of the environmental consequences of this issue.

Sincerely,

ROBERT E. FABRICAN,  
General Counsel.

A SPEECH BY THE HONORABLE  
SEAN O'KEEFE, ADMINISTRATOR  
OF NASA

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. SKELTON. Mr. Speaker, let me take this means to bring the words of NASA's Administrator Sean O'Keefe to the attention of the Members of the House. Speaking at the National Cathedral in a memorial service February 6, 2003, for the crew of STS-107, Mr. O'Keefe provided us with words of comfort that should be shared with all.

SEAN O'KEEFE: To be an astronaut is to accept a lofty calling. The seven daring souls who we grieve for today represented the best of the human spirit. They did their chosen calling proud and they had a special grace. Today we pay tribute to the Columbia astronauts for what they did for us in carrying on the great tradition of the select few we call astronauts.

For over 40 years these remarkable men and women who we've all come to know proudly wearing their orange space suits and blue flight jackets have played one of history's most unique diplomatic roles, acting in peace for all mankind, they serve as our good will ambassadors to the universe.

Every time we send humans into space, our astronauts look up to the starry firmament seeking to extend our horizons throughout the vast expanse of God's creation. Our explorers go forward into the unknown with hope and faith. As Commander Rick Husband said, "There is no way that you can look at the stars, at the Earth, at the moon, and not come to realize there is a God out there who has a plan and who has laid out the universe."

In this magnificent cathedral, a portion of the lunar surface brought back to Earth by moonwalkers Neil Armstrong and Buzz Aldrin is encased in a precious stain glass window. As we worship today in celebration of seven wonderful lives, this glorious window reminds us that the exploration of space will go on propelled by the human urge to strive, to seek, to find, and not yield, and by our common faith in our Creator.

Our astronauts also have another role. By pursuing research to improve people's lives and expand our understanding of the natural world, these brave individuals help pioneer the future in ways undreamed by our ancestors. This was the noble work that joyfully motivated our seven courageous Columbia crew when they ascended to the heavens three weeks ago.

Now some day due to our astronauts dedicated space research, we may find better means of fighting cancer, of life-saving drugs, helping our parents and grandparents stay healthy throughout their lives. We will always thank the crew of Columbia STS-107 mission for their passionate commitment to this cause.

Now, of course our astronauts count on all the talented men and women of the NASA family represented here today. To help advance these ambitious research objectives, they're amazing people. Public servants who make up the NASA family. Everyday our scientists, engineers, safety and support folks come to work at all of our centers, thankful for the opportunity to engage in such exciting meaningful work on behalf of the American people. It is through their efforts that we are making tangible progress in our quest to improve aviation safety and efficiency, promote medical discoveries, probe more

deeply into the universe, explore the planets and better understand the dynamics of Earth's climate system.

And while this is a difficult period for the men and women of the NASA family, we will persevere. The support we've received from the astronauts' families, from the President, from the Vice President, and from the nation has been of tremendous strength. We will not let you down.

Throughout this period of mourning, the brave families of the Columbia crew have been rocks of courage and dignity, providing much comfort to the nation and its inspiration to us all.

Dave Brown's parents, Paul and Dorothy, along with their—his brother, Dave, are here with us today leading, I'm told, a very impressive contingent of the Brown family; as are John and Ian Clark, Laurel Clark's family; and Master Sergeant Jimmy Danielle, Mike Anderson's brother-in-law. To you and to all the families of the Columbia astronauts, we thank you for your incredible fortitude.

To honor the legacy of the Columbia astronauts, we have made a solid commitment to their families to find the cause of the accident, correct whatever problems we may find, and safely move forward with our work. Motivated by our mission goals of understanding and protecting the home planet, exploring the universe and searching for life, and inspiring the next generation of explorers, we will make good on this commitment.

The last element of our mission, to inspire the next generation of explorers is very important to NASA. It is a passion of ours. And because of the memory of the gallant 107 crew has done so much to inspire our youth, our shining hope for the future, to carry forth a torch of exploration and discovery, we are forever grateful to the Columbia astronauts.

As you might imagine, NASA has received a tremendous outpouring of condolences of the loss of the Columbia crew from people throughout the world. It struck us often of folks who pointed out the unique role that holds in many ways the astronauts have on our young and young at heart. One gracious letter came to us from Rosemary Callahan, the fifth grade teacher in Arlington, Virginia's St. Charles School. She wrote her letter after her students had thoughtfully taken time to write their own letters of condolence, and we thank them for their heartfelt gesture. In representing her students, we're honored to have Rosemary here with us today.

I'd like to read to you from her letter, which was written on Monday. "Today on the chalkboard I wrote the definition of a hero. 'A person admired for bravery, great deeds or noble qualities.' In the wake of the tragedy of Columbia and its astronauts, seven people have come to light as modern-day heroes. But they were heroes, people of great character and depth, long before Saturday. When profiled in the media, they were recognized for their spirit, for intellect, with a desire to learn and give to others, well-rounded people who could function together as a team. People who grabbed at life for the great and simple things. Indeed, they were the best."

Rosemary concluded these words by writing, "Our children continue to need heroes. Real heroes. May your beloved astronauts continue to inspire all as you move forward. Your hearts are heavy now, but in time God grant you a light heart again."

In this time of enormous sadness, these words from the Book of Revelation are most comforting: "And God will wipe away every tear from their eyes." The writer speaks of those who are at rest with God. These words also have significance for us who are still

here on our earthly pilgrimage. "God will wipe away the tears from our eyes."

Our hope is not ultimately a hope grounded in the progress of human achievement, as remarkable as that may be, rather it is a hope grounded in the Creator who calls Rick, Willie, Michael, Kalpana, David, Laurel, Ian and each of us by name. May he have the faith to lift our eyes towards the heavens as they did and find their God's peace.

May God bless the crew of STS-107 and may he lighten the hearts of their families and all who mourn for these valiant heroes.

#### RECOGNIZING BRUNO BARTOLUCCI FOR HIS OUTSTANDING SERVICE TO THE WINE INDUSTRY AND THE PEOPLE OF NAPA COUNTY

##### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Bruno Bartolucci, owner of Bartolucci Vineyards in Napa Valley California, for his outstanding contributions to America's wine industry and his community.

Born in San Francisco, the son of an immigrant garbage man, Bruno Bartolucci learned early on that hard work was not something to shy away from. Mr. Bartolucci's father relocated the family to a farm in Napa Valley in the 1930's and, though he was young, Mr. Bartolucci was responsible for tending to the chickens, gathering eggs, picking fruit and doing extensive maintenance. When the Bartoluccis began growing grapes, his workload became so extensive that during harvest season he only attended high school every other day.

Mr. Speaker, nearly 70 years have passed since Bruno Bartolucci first worked his father's vineyard. Since that time, Mr. Bartolucci's tremendous work ethic and personal commitment to excellence have made Bartolucci Vineyard famous for the quality of its grapes and renowned for its Cabernet Sauvignon.

Recently, America's wine business has experienced tremendous expansion. While it is gratifying to see such a robust industry, an unintended side effect of this growth has been the detachment of vineyard owners from their fields. This, however, is not the case at Bartolucci Vineyards.

Individuals visiting Mr. Bartolucci must walk into the fields to speak with him. It is there, amidst the perfectly aligned grape rows and surrounded by workers, that he can be found working in his classic green jumpsuit which sports the wears of his trade. At age 80, he still prunes grapes, supervises picking, fixes machines and maintains the beautiful garden.

Mr. Bartolucci's dedication to work is only overshadowed by the size of his heart. When he is not at work, Mr. Bartolucci can be found doing a wide variety of community service. Whether donating to charitable organizations or cooking dinner for the Sons of Italy, Mr. Bartolucci never ceases finding ways to serve our community's needs.

Mr. Speaker, Mr. Bartolucci is the standard to which all Americans should be compared. His commitment to farming and the community is rooted deeper than Napa Valley's famous vines. For these reasons and countless others, it is most appropriate that we honor Mr. Bruno Bartolucci today.

#### INTRODUCTION OF BELARUS DEMOCRACY ACT OF 2003

##### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing the Belarus Democracy Act of 2003, which is intended to help promote democratic development, human rights and the rule of law in the Republic of Belarus, as well as encourage the consolidation and strengthening of Belarus' sovereignty and independence. I am joined by Congressmen HOYER, HOEFFEL and Congresswoman SLAUGHTER, as original cosponsors.

When measured against other European countries, the state of human rights in Belarus is abysmal—it has the worst record of any European state.

Through an illegitimate 1996 referendum, Alexander Lukashenka usurped power, while suppressing the duly-elected legislature and the judiciary. His regime has repeatedly violated basic freedoms of speech, expression, assembly, association and religion. The democratic opposition, nongovernmental organizations and independent media have all faced harassment. Just within the last few months, we have seen a number of events reflecting the negative trend line: the passage of a repressive law on religion which bans religious activity by groups not registered with the government and forbids most religious meetings on private property; the bulldozing of a newly-built church; the incarceration of leading independent journalists; and the continued harassment, as well as physical attacks on the political opposition, independent media and nongovernmental organizations—in short, anyone who, through their promotion of democracy, would stand in the way of the Belarusian dictator. Moreover, we have seen no progress on the investigation of the disappearances of political opponents—perhaps not surprisingly, as credible evidence points at the involvement of the Lukashenka regime in their murders. Furthermore, growing evidence also indicates Belarus has been supplying military training and weapons to Iraq, in violation of UN sanctions.

Despite efforts by the U.S. Government, non-governmental organizations, the Organization for Security and Cooperation in Europe (OSCE) and other European organizations, the regime of Alexander Lukashenka continues its hold onto power with impunity and to the detriment of the Belarusian people.

One of the primary purposes of this bill is to demonstrate U.S. support for those struggling to promote democracy and respect for human rights in Belarus despite the formidable pressures they face from the anti-democratic regime. The bill authorizes increases in assistance for democracy building activities such as support for non-governmental organizations, independent media including radio and television broadcasting to Belarus, and international exchanges. The bill also encourages free and fair parliamentary elections, conducted in a manner consistent with international standards—in sharp contrast to recent parliamentary and presidential elections in Belarus which flaunted democratic standards. As a result of these elections, Belarus has the distinction of lacking legitimate presidential

and parliamentary leadership, which contributes to that country's self-imposed isolation.

In addition, this bill would impose sanctions against the Lukashenka regime, and deny high-ranking officials of the regime entry into the United States. Strategic exports to the Belarusian Government would be prohibited, as well as U.S. Government financing, except for humanitarian goods and agricultural or medical products. The U.S. Executive Directors of the international financial institutions would be encouraged to vote against financial assistance to the Government of Belarus except for loans and assistance that serve humanitarian needs.

The bill would require reports from the President concerning the sale or delivery of weapons or weapons-related technologies from Belarus to rogue states.

Mr. Speaker, finally, it is my hope that this bill would help put an end to the pattern of clear, gross and uncorrected violations of OSCE commitments by the Lukashenka regime and will serve as a catalyst to facilitate Belarus' integration into democratic Europe in which democratic principles and human rights are respected and the rule of law is paramount. The Belarusian people deserve our support as they work to overcome the legacy of the past and develop a genuinely independent, democratic country based on the rule of law and democratic institutions.

TRIBUTE TO THE WEBSTER HIGH SCHOOL FOOTBALL TEAM

**HON. JAMES T. WALSH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. WALSH. Mr. Speaker, I rise today to congratulate the Webster Schroeder High School Men's Varsity Football Team for winning the Class AA New York State Football Championship and for their outstanding efforts throughout this past season.

With great patience, courage, and dedication the Webster Warriors came together this season to capture the New York State Title, 28–7 against the Shenendehowa High School Football Team. The Webster Warriors, ranked eighth in Eastern Region Football, have continued their 19 game winning streak, the third longest in the state, with a perfect 13–0 season.

Through teamwork and determination the Warriors have established themselves as fierce competitors in AA Football. The team has stayed focused on its goals and has not let anyone stand in its way towards reigning at the top of the division.

On behalf of the people of the 25th District of New York, it is my honor to congratulate the Webster Schroeder High School Football Team and their coaching staff on their Class AA State Football Championship. With these remarks, I would like to recognize the following players and staff. Andrew Fichera, Mike Smith, Justin Costanza, Mike Kaplun, Ray Jones, Joe Aquilina, Dave Serinis, RJ Kelly, Eddie Paffendorf, John Piccone, Jack Mooney, Mike Mahoney, Janney Appell, Dave Dodge, Lee Williams, Mike Stencil, Carl Garritano, Phil Galletto, Jeremy Powers, Mitch Pawluk, Mike Ruggieri, Steve Caezza, Mike Hughes, Marco Falletta, Joe Nacca, Jim Mikolajko,

Chris Joyce, Greg Pitts, Khyle Petrie, Andrew Hughes, Bryan Lehrer, Ryan Johnson, Aaron Frank, Craig Avalone, Jimmy Johnson, Brandon Mack, Rob Herman, Melood Abugasea, Mike Yokopovich, Chris Massaro, Mark Dyroff, Steve Jonas, Dave Burgess, Joe Powell, Chris McClurg, Brian Caston, Justin Schifano, Russ Corona, Steve Hollis, Jeff Bucciarelli, Evan McConnell, Chad Costanza, Brian Mack, Billy Bulmahn, Mark Chavoustie, Head Coach Anthony Bianchi, and Assistants Jim Bellucco, Dave Howlett, Chris Urban, Jim Cleveland, Jim Fichera, and Vito Torregiano.

IN HONOR OF HECTOR M. CORCHADO, RECIPIENT OF THE HISPANIC AMERICAN GOOD SCOUT AWARD

**HON. ROBERT MENEDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MENEDEZ. Mr. Speaker, I rise today to honor Councilman Hector Corchado who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

A longtime resident of Newark, Councilman Corchado has proven himself to be an effective and dedicated member of his community. Elected to the City Council in 2002, Mr. Corchado began his career in the Newark Police Department over 14 years ago, where he served as a detective and sergeant in the Community Affairs Division. A natural leader in the Police Department, he went on to become deputy mayor of Newark before serving on the City Council.

Committed to improving the lives of Newark citizens, Mr. Corchado has been extensively involved with community organizations throughout Newark: he has organized neighborhood clean-up projects, coordinated Block Associations to work with other community groups, and assisted small businesses and churches with smart-growth development. While with the Newark Police, he developed a system now used to track and identify gang activity. He also helped draft legislation to ensure fair participation of local contractors and businesses in Newark.

Councilman Corchado has participated in the Leadership Newark Program and served as a member to the Essex County Commission on Unity.

Today, I ask my colleagues to join me in honoring Hector Corchado for his dedicated service to his community and for his unwavering commitment to improving the lives of his fellow citizens.

THE ARTISTS' CONTRIBUTION TO AMERICAN HERITAGE ACT

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from Maryland, Mr. CARDIN, together with a bipartisan group of our colleagues, in introducing the "Artists' Contribution to American Heritage Act of

2003." The bill would alleviate an unfairness in the tax law as it applies to charitable donations of property by the taxpayer/creator and significantly enhance the ability of museums and public libraries to acquire important original works by artists, writers and composers, and ensure the preservation of these works for future generations. The proposed legislation is the same as we introduced in the 106th and 107th Congresses, except for advancing the effective date by a year.

Since 1969, the law has provided that the creator of the artistic property is only allowed a charitable deduction equal to the cost of materials that went into the property. For example, an established artist who donates a painting to the local museum is allowed a deduction for the cost of the canvas, brushes and paint, etc. used to produce the painting. Of course, these amounts are de minimus. There is no real tax incentive to contribute such works of art for the public to enjoy. In fact, the tax law works in the other direction. It makes more financial sense to the creator to sell his or her work. If a collector or art buff buys a painting that appreciates over time, because the artist becomes well established or was a known and collected artist when the painting was purchased, the collector is allowed a deduction for fair market value when the painting is contributed to the local museum. This is the fairness issue.

Before 1969, the artists/taxpayers received the same treatment—the deduction was based on fair market value. The law was changed, primarily because of the perception that some taxpayers were taking advantage of the law through less than accurate valuations of their charitable gifts. After the law was changed in 1969, gifts of donor generated art work (paintings, manuscripts, compositions, artistic and historically significant correspondence and papers) to qualifying charitable organizations and governmental entities dropped significantly. Creators were more likely to sell their works than to contribute them. The situation has not improved over the years.

There have been significant changes in the valuation process since 1969. All taxpayers making charitable contributions of art work (other than donor generated art work) are required to: (a) provide and/or retain relevant information as to the value of the gift, (b) provide appraisals by qualified appraisers or, in some cases, (c) subject them to review by the IRS's Art Advisory Panel, depending on the dollar amount of the contribution. These changes would apply to creator-donated property under our proposal.

In addition to the valuation safeguards already in the law, our proposal would add additional protections to prevent abuse. These include the following: (a) limiting the value of the deduction to the amount of income the creator received from similar property and/or similar activities, (b) providing that the deduction can only be claimed in the year of contribution, i.e. the carry over rules do not apply, (c) limiting the deduction to property created at least 18 months before the contribution, (d) limiting the deduction to gifts related to the purpose of the institution which receives it, and (e) excluding contributions of property (letters, memos, etc.) created by taxpayers in their role as employees or officers of an organization.

The benefit to the nation when artists are encouraged to contribute their work during their lifetime cannot be overemphasized. It allows the public, historians, scholars and others

to learn from the artist his/her aesthetic aims for the work; how it was intended to be displayed, performed or interpreted; and what influences affected the artist.

Our proposal represents an important step in providing some tax incentive, with needed safeguards, for the creators and moves toward putting them on the same footing as collectors who contribute similar property. It could make the difference in a decision by the creator/donor to contribute some of their created work to a museum or public library. That way important works are preserved and we all benefit. We urge our colleagues to join us in cosponsoring this legislation.

#### INTRODUCTION OF THE MORTGAGE AND RENTAL ASSISTANCE REAUTHORIZATION ACT

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. MALONEY. Mr. Speaker, I rise in support of legislation that I am reintroducing with my colleague, JOSE SERRANO of New York. Following the terrorist attack on September 11, 2001, individuals who required temporary housing assistance relied upon the Mortgage and Rental Assistance program (MRA), included in the Stafford Act, for aid. Under the MRA program, which can be used for both natural and non-natural disasters, they may have been eligible for grants to repair homes to a habitable condition, or to obtain mortgage or rental payment assistance to prevent foreclosures or evictions.

The Disaster Mitigation Act of 2000 amended the Stafford Act to end the program in May 2002. Without this program, thousands of people affected by future major disasters, including hurricanes, earthquakes, and terrorist acts, may be unable to obtain any assistance to address their housing needs.

This legislation reauthorizes this program so that it will be available in the future. Although there were clear problems with FEMA's implementation of the MRA program in New York after 9/11, progress has been made to ensure that FEMA assists all the individuals who have experienced these types of housing problems because of the terrorist attack. With the program finally running the way it should, we must take the necessary steps now to guarantee that anyone affected by future disasters will have the aid that they need.

#### DO-NOT-CALL IMPLEMENTATION ACT

SPEECH OF

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday February 12, 2003*

Mr. PAUL. Madam Speaker, as someone who has, my share of unsolicited telemarketing calls, I sympathize fully with the concerns of the sponsors of the Do-Not-Call Implementation Act (HR 395). However, I would remind those who support federal intervention to "put a stop" to telemarketing on the basis of its annoyance, that the Constitution prohibits the

federal government from interfering in the areas of advertising and communications.

In addition to exceeding Congress' constitutional authority, legislation to regulate telemarketing would allow the government to intrude further into our personal lives. Our country's founders recognized the genius of severely limiting the role of government and reserving to the people extensive liberties, including the freedom to handle problems like this on the local level and through private institutions. The fact that the privately-run Direct Marketing Association is operating its own "do-not-call" list is evidence that consumers need not rely upon the national government to address the problems associated with telemarketers. Furthermore, many state public utility commissions have imposed regulations on telemarketers. Further regulation at the federal level will only result in a greater loss of liberty. Therefore, I urge my colleagues to take the constitutional course and oppose the Do-Not-Call Implementation Act.

#### RECOGNITION OF SUSAN B. ANTHONY'S BIRTHDAY

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. EMERSON. Mr. Speaker, when we hear the term "women's rights" we must think of the early suffragette Susan B. Anthony who fought to establish equality for women. But few people equate this woman with the plight of the unborn.

I'd like to take the opportunity, on this 183rd year following her birth, to commemorate the woman who fought to bring equality to women, African Americans, and unborn children.

Long before pro-choice advocates took the term "women's rights" for their own cause, Susan B. Anthony and the early suffragists were advocating "women's rights." Among the women's rights demanded by the suffragists was the right of a mother to give birth to her child. In fact, Anthony has been quoted as stating that abortion destroys a woman's life, wronging her greatly. For Anthony, women's rights and the rights of unborn children are partners in the same cause.

Let us recognize in the voice of Susan B. Anthony the truth that abortion is a great wrong. Mothers who choose to have an abortion both extinguish the light of their unborn child and inflict almost certain emotional damage upon themselves. There is no reason for this needless pain and suffering to go on.

#### RECOGNIZING THE CENTENNIAL CELEBRATION OF THE BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS, NAPA, CALIFORNIA CHAPTER

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor the Benevolent and Protective Order of the Elks, Napa Chapter, for providing 100 years of out-

standing community service throughout the Napa Valley in my home state of California.

Over the past century, every corner of our community has benefited from the contributions made from the distinguished membership of the Napa Elks Lodge #832. From its stage productions that entertained an entire community throughout the early 1900's to the charitable contributions it has provided families needing shelter, food and education, the Napa Elks Lodge has been a cornerstone of our community.

When the youth of our area need help in funding school programs or financial assistance to attend college, the Napa's Elks Lodge is always there with a helping hand. The same holds true for assisting community organizations that help our most vulnerable neighbors. Last year alone, dedicated Elks members raised over \$8,000 for the Napa Emergency Women's Services, Children or Parents Emergency Services, Youth Programs and Job Rehabilitation. Every year it awards over \$20,000 in college scholarships to graduating high school seniors.

Mr. Speaker, during this past century the Napa Elks Lodge has been more than a tremendous service organization. Its members have provided daily examples of personal and social responsibility as well as advocating the Elks principles of justice, fidelity, charity and the spirit of American patriotism. Kelly Lamm, who will become the next Exalted Ruler, exemplifies the progression of this outstanding organization. A past board member of the local women's bar association and long-time volunteer with the Big Brothers/Big Sisters Program, Ms. Lamm's commitment to service is a model of the true Elks character. She will soon be accepting the reigns from Exalted Leader Bret Meltzer who has provided outstanding leadership in guiding the Lodge to its recent successes.

Mr. Speaker, the Elks represent a dedicated and meaningful fabric of our community. As they are the standard by which other service organizations should compare themselves, it is most appropriate that we honor them on their centennial celebration.

#### ENVIRONMENTAL HEALTH RESEARCH ACT OF 2003

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. SLAUGHTER. Mr. Speaker, I rise today to announce the introduction of the Environmental Health Research Act of 2003.

Arctic polar bears show high concentrations of certain synthetic compounds in their tissues. Whales in the world's oceans carry PCBs and other contaminants at concentrations that cause developmental defects in humans.

U.S. streams and groundwater show widespread contamination with chemicals, dioxins, and antibiotics. Alligators in Florida's lakes suffer from reproductive problems that appear to be associated with chronic chemical contamination. New studies have made a persuasive case that contaminants were in part or wholly responsible for the loss of the lake trout and herring in the Great Lakes many decades ago.

Rates of infertility, the incidence of testicular cancer in young men, Parkinson's disease, autism, endometriosis, childhood diabetes, and asthma have risen dramatically since 1970.

Is there a connection between all of these events? There is reason to believe there might be, but the truth is we simply don't know enough to conclude one way or the other.

There is mounting evidence from the scientific community that exposure to certain environmental toxins, even at low doses, may cause adverse effects on development, growth, reproduction, metabolism, and other hormone-dependent processes in humans. Research interest is growing dramatically as our fear also grows that the pesticides, medicinal drugs, plant hormones, and industrial compounds that we confront every day may be causing many of our health ailments.

In its Report on Human Exposure to Environmental Chemicals released two weeks ago, the Centers for Disease Control and Prevention (CDC) found disturbing exposure levels in individuals. The report calls for further research into this area to find out whether or not the levels CDC measured in its study lead to health problems.

Today, I am proud to introduce the Environmental Health Research Act. This bill would authorize the National Institute of Environmental Health Sciences to provide grants to either public or non-profit private groups to develop and operate six centers that would conduct research into women's environmental health, and to establish a comprehensive research program on the impact and occurrence of hormone disrupting chemicals as they affect human, ecological, and wildlife health.

This bill is enormously important, and long overdue. To date, federal research on hormone disruption and environmental toxins has been scattershot and underfunded. The research program authorized through this legislation will enable NIEHS to gather solid data about the dangers posed by some chemicals and the mechanisms through which they act. With this information in hand, we can make sensible, informed decisions and policies about our own and our children's health and well-being.

I urge my colleagues to join me in supporting the Hormone Disruption Research Act. We owe it to future generations to pursue this scientific research, which has implications for every one of us.

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THE 85TH ANNIVERSARY OF  
LITHUANIAN INDEPENDENCE

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LEVIN. Mr. Speaker, I rise today to commemorate the 85th anniversary of Lithuanian independence and the 13th anniversary of freedom from Soviet occupation. In Southfield, Michigan, the Lithuanian-American Community of Michigan will be gathering on Sunday, February 16, 2003 at Divine Providence Lithuanian Catholic Church to celebrate this historic event.

In February 1918, Lithuania declared its independence from Czarist Russia. During this period, Lithuanians were free to follow their

cultural traditions and express their national identity. The Molotov-Ribbentrop pact of 1939 caused Lithuania to spend the next five decades under Soviet domination, forced to deny their heritage, their language and their traditions.

Despite the military might and repressive acts of the Soviets, the Lithuanians never lost touch with their roots and never lost their will. Lithuania's re-established independence in 1990 served as a testament to the courage, endurance and strength of the Lithuanian people. I was fortunate enough to be in Lithuania as its people celebrated the regaining of its independence.

In the 13 short years since the re-establishment of its independence, Lithuania has made extraordinary advances in restoring democracy, ensuring human rights, securing the rule of law, developing a free market economy, and cultivating friendly relations with neighboring countries. Such achievements should be an inspiration to people everywhere.

Mr. Speaker, I unite with Lithuanian-Americans and Lithuanians around the world in celebrating their independence day.

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INTRODUCTION OF THE PRIVACY  
PROTECTION CLARIFICATION ACT

**HON. JUDY BIGGERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. BIGGERT. Mr. Speaker, I rise today to join my colleague, Mrs. MALONEY of New York, in introducing The Privacy Protection Clarification Act.

Gramm-Leach-Bliley was landmark legislation that for the first time permitted companies to engage in banking, insurance and securities transactions simultaneously. While considering these new freedoms for entities to operate across business lines, Congress also wanted to ensure that consumer privacy would not be placed at risk.

Title V sought to address this issue by giving regulators latitude to enforce privacy provisions among financial institutions. Unfortunately, in interpreting the language of the law, some confusion has arisen over what, specifically, those "financial institutions" might be.

Well, in seeking to clarify the confusion, the Federal Trade Commission concluded that "financial institutions" include any business that "significantly engages in financial activities." What's the definition of "significantly"? Well, it could be as little as once a year. And what's a financial activity? There are four: debt collecting, financial advisory activities, tax planning preparation and advising, and leasing real or personal property.

Okay, that's fair enough. But in writing its regulations in this way, the Federal Trade Commission appears to have unintentionally swept under its umbrella the one group of professionals that already is governed by the strictest possible confidentiality or privacy regulations.

What group is this? It's attorneys.

Attorneys already are bound by a duty of confidentiality, enforceable under the laws of all 50 states, that prevents misuse of client information and provides a higher degree of privacy than Gramm-Leach-Bliley. For example, lawyers in my home state, Illinois, are prohib-

ited from releasing confidential information. Our code reads, "except in certain specified circumstances, a lawyer shall not, during or after termination of the professional relationship with the client, use or reveal a confidence or secret of the client known to the lawyer unless the client consents after disclosure."

And Illinois is no exception. All 50 states have equally restrictive language. In all 50 states, lawyers who violate these laws face disbarment and/or other penalties that are much more onerous than those for a violation of Title V under Gramm-Leach-Bliley.

Do attorneys "significantly engage in financial activities" as defined by the FTC? Yes, some attorneys do give tax-planning advice. Others may handle debt collection cases.

Still others may take up cases related to the other two named "financial activities" providing financial advice or leasing real or personal property.

Yet in order to comply with the privacy provisions under Gramm-Leach-Bliley, these attorneys now run the risk of violating the client-confidentiality restrictions placed on their profession.

Why is that? Well, under the FTC interpretation, every attorney who engages in any of the four defined "financial activities" for a non-corporate client must mail to that client a privacy notice—every year, for as long as he or she is in practice. And what does that privacy notice convey? Well, it informs clients that they may direct their attorney not to share their personal information with other entities—the so-called "opt-out" provision of Gramm-Leach-Bliley. Yet the attorney-client confidentiality relationship is, by nature, an "opt-in" protection.

In short, for attorneys, the very act of disclosing a privacy policy can create a confidentiality violation.

This was not the intent of Congress. It was not our intent to regulate attorney-client relations. Our intent was to regulate the growing use and sale of consumers' personal information for marketing, profiling and other commercial purposes by banks, thrifts, securities firms, insurance companies, credit unions, and other bona fide financial institutions.

At the end of the day, our bill will make the intention of the Gramm-Leach-Bliley Act crystal clear. The scope of the law was not intended to include law firms and sole practicing lawyers.

I urge my colleagues to support this legislation.

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RECOGNIZING THE COURAGE AND  
SACRIFICE OF UNITED STATES  
ARMED FORCES HELD AS PRISONERS  
OF WAR DURING THE  
VIETNAM CONFLICT AND CALLING  
FOR A FULL ACCOUNTING  
OF THOSE WHO REMAIN UNACCOUNTED  
FOR

SPEECH OF

**HON. JOSEPH R. PITTS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. PITTS. Madam Speaker, those of us who have served our country in war understand in our hearts what every American understands in his head. We understand what it says—carved in stone—on the Korean War

Memorial down at the other end of the National Mall. We understand that FREEDOM IS NOT FREE.

For more than two centuries, Americans have sacrificed in war for their families, for their communities, and for their nation. Many thousands have died. But of those who did not die, few have gone through what our friend and colleague SAM JOHNSON went through in Vietnam. For many long years he suffered torture, imprisonment, and solitary confinement. They worked on him relentlessly to break his spirit. But the spirit of SAM JOHNSON could not be broken. He stood up to his captors with dignity and with grace. He refused to betray his country. And he refused to give up on his God.

I believe SAM would tell you, if you asked, that it was the Lord in heaven who saw him through those dark days in the Hanoi Hilton. But his reliance on our Creator does not make him less of a hero or less of a man. It makes him one of the greatest living heroes in the United States of America. And it makes him an example to us all.

The Sam Johnsons of this world are few and far between. But somehow, this country seems to find one when one is needed.

Another hero worthy of being recognized is Captain Edward Davis from the U.S. Navy, retired. Captain Davis, a constituent of mine, also served our country during the Vietnam War and was a Prisoner of War from 1965 to 1972.

Captain Davis served in VA-152. His decorations include three Silver Star medals, the Legion of Merit with Combat Citation, four Bronze Stars with valor device, five Air Medals, two Purple Hearts and three Navy Commendation medals. He retired from the Navy in 1987.

His service to America should be remembered. I am honored to have him reside in my congressional district.

I pray that next time around, whether it's in Iraq or somewhere else, the enemies of freedom will once again find themselves looking in the face of someone like SAM JOHNSON or Ed Davis, someone who is living proof that what this country stands for is right, and just, and good.

IN HONOR OF DANIEL HUMBERTO JARA, RECIPIENT OF THE HISPANIC AMERICAN GOOD SCOUT AWARD

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Daniel Humberto Jara, who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

The president and founder of the Statewide Hispanic Chamber of Commerce of New Jersey, Mr. Jara oversees a network of business partnerships that represent over forty thousand businesses throughout New Jersey and Philadelphia. He has attained national acclaim for his leadership and role in the Hispanic business community, and Hispanic Business Magazine listed him as one of the 100 most influential Hispanics in the nation. The State-

wide Hispanic Chamber of Commerce of New Jersey was rated first out of the top 50 chambers by Business New Jersey in 1998 and 1999.

In 1992, Mr. Jara was appointed to chair the National Hispanic Legislative Forum and in 1993 he chaired the National Convention of the United States Hispanic Chamber of Commerce. He was elected to serve as vice chairman of the Board of the United States Hispanic Chamber of Commerce.

Prior to founding the Statewide Hispanic Chamber of Commerce of New Jersey, Mr. Jara was president of the Greater Paterson Hispanic Chamber of Commerce for two consecutive terms, served on Governor Whitman's Advisory Council on Minority Business Development, and the Governors Study Commission on Discrimination in State Employment and Contracting.

Mr. Jara has received the Hispanic Achievement Award from Hispanic Magazine and the Lifetime Achievement Award by the New Jersey Policy Research Organization. He has also been an active advocate for the disabled community and has been recognized by the Association of Hispanic Handicapped of New Jersey for his exemplary contributions.

Mr. Jara obtained his bachelor's degree in Economics and master's degree in Finance and Business Administration from Rutgers University, where he was president of the Rutgers Newark Program Board and the head of a number of Hispanic student organizations. He is an honorary member of the Rutgers Leadership Recognition Society.

Today, I ask my colleagues to join me in honoring Daniel Humberto Jara for his leadership in the Hispanic business community and his contributions to the state of New Jersey.

INTRODUCTION OF THE HIGHER EDUCATION ACCREDITING AGENCY RESPONSIBILITY ACT OF 2003

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. PETRI. Mr. Speaker, today, I am introducing legislation, the Higher Education Accrediting Agency Responsibility Act of 2003, that will remove the requirement that institutions of higher education be accredited in order to be eligible for federal funds. The system of accreditation of colleges and universities that has developed in the United States does not serve its avowed purpose of ensuring that institutions of higher education have good academic programs and standards, and it fails to provide hardly any benefit at all to our higher education system. Additionally, more effective and less costly mechanisms are already in place to protect students. For example, no institution can receive federal funds until the Department of Education certifies its financial and administrative capacity, and institutions also must meet various state licensing and oversight requirements related to quality.

Accreditation these days has little to do with academic rigor or educational outcomes; rather, it serves only to show that a school has the right set of inputs, and virtually every college and university in the nation is able to comply with these standards. Because federal

law makes eligibility to receive federal student loan funds conditional upon retaining accredited status from an accrediting association recognized by the Department of Education, schools have a rather large incentive to maintain their accreditation status. This places an enormous amount of influence in the hands of the accrediting agencies, which oftentimes force schools to reallocate resources or even adopt policies at odds with a school's individual mission in order to comply with accreditation requirements and recommendations.

As we continue to pursue policies of accountability for our education institutions and strive to do our part in making higher education affordable for more Americans, we must examine ways that the accreditation process can be changed to play a more useful role—one that provides meaningful information about a school to students and parents. I believe the Higher Education Accrediting Agency Responsibility Act of 2003 is the necessary first step to achieve this goal.

A TRIBUTE TO ST. LOUIS CHILDREN'S HOSPITAL

**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to St. Louis Children's Hospital. I am extremely honored to commend them for their dedication and commitment to the well-being of precious children in need of medical attention. They were recently ranked 6th in the nation among the top 10 Best Children's Hospitals in America by Child Magazine. The hospital's devotion to ensuring that children are receiving high quality and appropriate medical, nursing and mental health care, earned them the privilege of a five-star customer service award for patient satisfaction. They placed fourth for their excellent neonatology/neonatal intensive care unit (NICU).

St. Louis Children's Hospital is highly devoted to improving the health of children and providing the highest quality care. This hospital has the country's largest full-service pediatric cerebral palsy program and the world's largest pediatric lung transplant program in the world. The doctors at St. Louis Children's Hospital performed 70 pediatric transplants in 2001, more than any other hospital surveyed.

St. Louis Children's Hospital diligently researches to generate scientific information that provides insight to the cause, treatment and prevention of childhood disease. In addition, such studies provide essential knowledge for improving the general health of all children. The hospital has conducted more than 500 peer-reviewed clinical trials, including the largest and longest childhood asthma study.

Mr. Speaker, St. Louis Children's Hospital has provided specialized care for children for over 120 years. Their health care professionals are both skilled and compassionate with all patients and their families. They are well-deserved of our honor and I urge my colleagues to join me in commending them for the commitment and remarkable care they provide to the children of the greater St. Louis region.

DO-NOT-CALL IMPLEMENTATION  
ACT

SPEECH OF

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Ms. ESHOO. Madam Speaker, with the consideration of H.R. 395, the Do-Not-Call Implementation Act, we're finally directing our attention to an issue that has affected our constituents for some time . . . telemarketing.

Telemarketing is big business. There are more than 16 billion telemarketing calls made each year which generate nearly \$300 billion in sales and employ 6 million people. But consumers have grown weary of interruptions coming from an unwanted sales call at dinner-time, while they're sleeping, or just barely waking up. They've repeatedly asked for a way to avoid these calls.

Twenty-seven states have responded by establishing do-not-call lists and more than 12 million households have already signed up.

At last we have a federal response . . . a national do-not-call list. I commend the Federal Trade Commission for making this useful tool available to the consumers of our nation.

Implementation of the list has an estimated cost of \$16 million. This money is well-spent but it's extremely important that the FTC's proposal is implemented in the most efficient manner.

Effective implementation requires harmonization with state laws, as well as a cooperative effort with the Federal Communications Commission which is in the process of reviewing its ten-year-old telemarketing rules.

One area that may need refinement is the FTC's exemption for pre-existing business relationships. The current FTC rules place an 18-month limitation on prior relationships but some industries, such as software and information product manufacturers, may have upgrades that occur outside this time frame.

A longer time frame may be necessary so that the Do-Not-Call list doesn't have an arbitrary impact on consumers and small businesses. Only a consistent framework, not a patchwork of varying rules, will accomplish our goal of increasing consumer confidence and protection.

I'm proud to be a cosponsor of H.R. 395 and look forward to quick enactment of the FTC's Do-Not-Call list. I urge all my colleagues to vote for it to hasten its implementation for the American consumer.

TRIBUTE TO THE AQUINAS HIGH  
SCHOOL FOOTBALL TEAM**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. WALSH. Mr. Speaker, I rise today to congratulate the Aquinas High School Mens Varsity Football Team for winning the Class A New York State Football Championship on December 2, 2002. This has been the second consecutive season that Aquinas has clinched the Class A Title.

Through hard work and dedication the Aquinas team has come together this season and

continued their reign at the top of their division. From September to the State Championship, they were ranked number one in their league, ending their season 12-1. The Lil' Irish have set the bar high for both their league and across the state. Aquinas, led by Coach David Neiman, has been established as a unified, passionate, and courageous team. Capturing three State Titles in the last five years, they have stayed focused on their goals, and despite fierce competition, have not let anyone stand in the way of yet another winning season.

On behalf of the people of the 25th District of New York, it is my honor to congratulate the Aquinas High School Football Team and their coaching staff on their Class A State Football Championship. With these remarks, I would like to recognize the following players and staff: John Brennan, Arel Gorgon, Ian Goodbarlet, Ed Baron, Calvin Hall, Jon Houck, Linell Greene, Mark Zepiss, Ryan Brennan, Ryan Rozzi, Chris Kelly, Lou Ricci, Dave D'Aurello, Chris MacDonald, Dan Zegarelli, Jon Sirianni, Nick Rovisa, Josh Kacprzak, Ricky DiFranco, Dom Borrelli, Vaughn Brooks, Mark Smith, Bill Amering, Sal Rosso, Jason O'Mara, Chris Vincelli, Joe Testa, Billy Wagner, Andy Laughlin, Chris Citano, Mike Yankowski, Mark Stolke, Matt Stolte, Mike Guey, Tom Neilson, Dan Poors, Andy Brooks, Matt Querola, Joss Rodriguez, Rick Cheffee, Nate Adams, Chris Rivera, Reed Rothschild, Pat Duffy, Matt Flecher, David Cassell, Dan Magil, Matt Thompson, John Contestabile, Donny Moss, Andy Welch, Head Coach David Nieman, Athletic Director Dick Carons, President Mike Daisy, Principal Sally Cardill, Athletic Trainer Mike Cararo, and Assistants Derek Annechino, Bob O'Effore, Mark Magliocco, Pete Haug, John Marola, John Mintel, and Jack Foote.

HONORING CZECH REPUBLIC  
PRESIDENT VACLAV HAVEL**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. HASTINGS of Florida. I rise today in strong support of this resolution commending Vaclav Havel. He served as president of Czechoslovakia from 1989 to 1992 and president of the Czech Republic from 1993 to 2003.

Mr. Havel has led an interesting and exemplary life. In 1948 his homeland of Czechoslovakia was taken over by the Communist Party. He served in the Czechoslovakian army from 1957 to 1959 and later achieved great esteem as a playwright during the politically tolerant period between 1962 and 1968. This period was quickly brought to a conclusion by the Soviet invasion of 1968.

The era of Soviet control over the Czechoslovakian people was a very difficult period in Mr. Havel's life. This new government banned his plays and arrested him in 1975, 1977 and 1978 for anti-government activities. In 1979, Mr. Havel was given a choice between exile and imprisonment. He chose imprisonment and was therefore in prison until 1983. He was imprisoned for another nine months in 1989 for leading anti-government demonstrations.

Mr. Havel was one of the many people whose hard work led the Communist Party to

fall from power in December of 1989. He was elected interim president of Czechoslovakia on December 29, 1989 and was elected to the presidency on July 5, 1990. His main initiatives and reforms during his time in office included abolishing the death penalty, encouraging political tolerance and establishing a democratic government.

Mr. Havel resigned as president of Czechoslovakia on July 20, 1992 in protest of the dissolution of Czechoslovakia into the Czech Republic and Slovakia. He was subsequently elected president of the Czech Republic on January 26, 1993 and reelected president on January 20, 1998. Under his leadership the Czech Republic joined NATO in 1999 and will become a member of the European Union in 2004.

Vaclav Havel should be commended for many reasons. His devotion to freedom and democracy stands as a model for all nations. He has never stopped working hard for human rights and other causes that he believes in strongly. His leadership has carried both Czechoslovakia and the Czech Republic through tumultuous periods in their histories.

INTRODUCING THE CLEAN-UP  
METH ACT**HON. DOUG OSE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. OSE. Mr. Speaker, today I reintroduce The Clean, Learn, Educate, Abolish, Neutralize, and Undermine Production of Methamphetamines Act—or CLEAN-UP Meth Act.

This bill is a bipartisan, comprehensive effort to help local agencies address the growing threat that meth production and use poses.

I am pleased to be joined in this effort by more than 60 original cosponsors that include all three Co-Chairs of the Speaker's Task Force for a Drug Free America, both the Chairman and Ranking Member of the House Subcommittee on Criminal Justice, Drug Policy and Human Resources, the Chairman of the House Judiciary Subcommittee on Crime, the Chairman of the House Agriculture Committee and the House Majority Whip. The cosponsors include Republicans and Democrats, liberals and conservatives, from Hawaii to North Carolina, and in almost every state in between.

In addition, this bill was supported during the 107th Congress by more than two-dozen national, state and local organizations concerned with the impact of Meth on our society. Among the bills supporters are the National Narcotics Officers Association, the National Sheriffs' Association, the National Association of Chain Drug Stores, the National Association of Convenience Stores, the National Fertilizer Institute, the California Association of Highway Patrolmen, the California Narcotics Officers Association, the California Peace Officers Association, the California Police Chiefs Association and the Peace Officers Research Association of California.

As a Californian, I have a heightened awareness of the danger posed by meth. California is the source of more than 80 percent of the meth made and sold in the U.S.

Between 1995 and 1999, the number of meth labs discovered in California shot from

559 to 2,061—nearly a four-fold increase in just five years. In 2001, 199 of the 273—or 84 percent—of all “super labs” found in the U.S. were in California. The next most common state was home to just 17 “super labs.”

My hometown of Sacramento is particularly hit by Meth. Many of you may remember when an out of control trucker deliberately drove his big rig into the side of California’s state capitol building. The driver was on meth.

The Sacramento Sheriffs department alone spends more than \$1.3 million each year fighting meth—roughly 75 percent of their entire anti-narcotics budget. In 2000 the Sacramento Sheriffs dealt with 27 clan labs, in 2001 that was up to 44.

The CLEAN-UP Meth Act addresses three areas where our state and local officials really need help.

First, the Environment.

The CLEAN-UP Meth Act authorizes \$30 million for cleanup and remediation of our federal, state and local parks, forests and farmlands. All too often, the environment is the first victim of a meth lab.

It also authorizes \$30 million to train law enforcement and other first responders in how to safely enter and clean-up a lab, as well as how to meet the OSHA requirements for working in such a hazardous environment.

Finally, it authorizes \$1 million for the EPA to conduct a study of meth waste’s impact on the environment.

It is important to address environmental concerns as 4 pounds of waste are created for every 1 pound of meth. In 2001, 12,013 super labs, labs and waste or dump sites required clean-up and remediation.

Second, Health and Education.

H.R. 3782 will provide \$20 million to local schools and education groups to provide anti-drug—and especially anti-meth programs.

An additional \$10 million is provided to local health care groups for the treatment of both meth abusers, and those abused by meth producers and users. One quarter of that money is specifically set aside for programs helping children found in the toxic environment of meth labs or abused by meth users.

Finally, the bill authorizes \$1 million for the Department of Health and Human Services to conduct a study on the impact of not only meth use, but also meth production on community health. We need to help stop the use of this deadly drug that 9.4 million Americans admitted to having used at least once in 1999 and that in 2000, 7.9 percent of high school seniors said they had tried.

Finally, Law Enforcement.

With meth growing so quickly, many local law enforcement agencies, district attorneys and other members of the law enforcement community are not prepared to deal with its spread into their community. It is all well and good to find the offenders, but you need to know how to catch them—and perhaps most importantly—prosecute them to get them out of the system.

This legislation authorizes an additional \$20 million under the COPS program for training of

state and local prosecutors as well as sheriffs and police officers in the prosecution of meth law violations. And one quarter of these funds are set aside for rural communities that are often hardest hit but lack the resources to attack this emerging threat. One example of this rapid growth: DEA arrests for meth production and distribution between 1993 and 1999 shot up from 1,944 to 8,618—an increase of more than 400 percent.

Speaking of training, the bill provides \$10 million to expand the great Clan Lab training program run by the DEA in Quantico, Virginia. They do a great job down there, and we need to support them.

Regarding criminal penalties, the CLEAN-UP Meth Act tightens criminal laws used to prosecute the promoters of “raves,” the for-profit parties aimed at young people that are often the places where our children our first exposed to these dangerous drugs—too often with the full knowledge and consent of the promoter.

In conclusion, no matter what you call it—meth, crank, crystal, or whatever—this drug is an emerging threat across the country. And it threatens not just those who use it, not just those who know someone who use it, but all Americans who drink our water, breathe our air, send their kids to school or work our lands. It hits rural and suburban areas, perhaps even harder than it does our cities. You cannot just sit back and say it is someone else’s problem. That is why I am grateful that this Administration, so many of my Republican and Democratic colleagues, and members of the law enforcement community is focused on the emerging meth threat. And why I am pleased to have so many of them supporting our efforts to CLEAN-UP Meth as I reintroduce this important legislation today.

INTRODUCING THE TEACHER RECRUITMENT ACT OF 2003—H.R. 5133

**HON. DONNA M. CHRISTENSEN**

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. CHRISTENSEN. Mr. Speaker, I am pleased to re-introduce H.R. 5133, the “Teacher Recruitment Act of 2003” to expand the eligibility of individuals to qualify for loan forgiveness for teachers in order to provide additional incentives for teachers currently employed or seeking employment in economically depressed rural areas, Territories, and Indian Reservations.

Rural and small town schools educate a significant number of America’s students. Nearly forty percent of America’s school-age children attend public schools in rural areas or small towns with populations of less than 25,000. Forty-nine percent of the nation’s public schools are located in rural areas and small towns and 41 percent of public school educators teach in rural community schools. Rural

school districts are often the largest single employer in their area and rural schools serve as the social, recreational, and cultural foundation of their communities.

Although rural and small schools educate nearly 40 percent of America’s students, they receive less than 25 percent of the total federal, state, and local spending on public education. Rural and small schools tend to be located in areas with low property values and few industries, making it more difficult to raise additional revenues. Additionally, because federal grants are awarded based upon student population, rural districts often receive insufficient grant funds to accomplish the stated purpose.

Rural schools face formidable challenges in recruiting and retaining quality teachers. Compared with teachers in central city schools and urban schools, rural teachers tend to be less educated, slightly less experienced, younger, and less likely to belong to a minority group. Chronically low salaries and benefits exacerbate the difficulty in attracting quality teachers to rural and small town schools. For example, in the district that I represent, the U.S. Virgin Islands, teachers have not received a substantial raise in over seven years to offset the rising cost of living. There has been no state subsidized programs towards teacher certification, advance education, or teacher training. Adding to the need to expand the Teacher Loan Forgiveness program is the lack of substantive incentives on the local level to incite teacher recruitment and retention within and outside of the rural communities. Similarly, there are many challenges associated with preparing teachers to work with Native American children and parents, and often teachers have not been properly prepared to address these challenges. Consequently, teachers who are less than qualified are working on American Indian reservations, and the retention of qualified teachers remains a challenge.

If “The Leave No Child Behind Act” is truly meant to reform our nation’s education, we need to pass legislation that adequately addresses the deficiencies in our educational system. To effectively implement the provisions of “The Leave No Child Behind Act,” we must attract and keep quality teachers. The American Federation, which represents of 1.2 million members, has urged the support and passage of amendments to expand eligibility for loan forgiveness to those who are teaching in schools in need of improvement, as defined in “The No Child Left Behind Act.” The “Teacher Recruitment Act of 2003” would expand the eligibility of individuals to qualify for loan forgiveness for teachers beyond that available under section 428J of the Higher Education Act by providing additional incentives for such individuals to teach in economically disadvantaged or depressed and underserved rural areas. Under this bill, teachers may qualify for up to 100 percent student loan forgiveness. The “Teacher Recruitment Act of 2003” is a good step toward the continuing challenge of recruiting and retaining teachers in rural areas and I urge its passage.

## TRIBUTE TO LOVEEDAH NADLER

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career has come to an end. Mrs. Loveedah Nadler, of Lexington, Missouri, has retired from her position as Lafayette County Collector.

Mrs. Nadler, a graduate of Wellington High School, Wellington, MO, joined the County Collector's office on February 2, 1972, working for then-Lafayette County Collector George B. Gordon. However, Mr. Gordon passed away in June, 1974, leaving Mrs. Nadler to train his wife to fill the position until an upcoming election in November of that year. In that election, Warner Bounds was elected to the position and Mrs. Nadler stepped in once again and trained the newly elected official. During Mr. Bounds' third term in 1982, he was struck with health problems leaving, Mrs. Nadler to assume many of the collector's responsibilities.

Mrs. Nadler ran for the office of Lafayette County Collector in 1986 and was elected in November of that year. She ran unopposed for reelection in 1990, 1994, and 1998. In her tenure working in the Office of County Collector, Mrs. Nadler blessed the office with her friendliness, ability, and willingness to work with people. Though her term officially ends on February 28, 2003, her dedication to the Lafayette County Collector's Office will be evident for years to come.

Mr. Speaker, Loveedah Nadler has dedicated 31 years of service to Lafayette County, serving with dedication. As Mrs. Nadler prepares to spend more time with her husband Kenny, her granddaughter, and the rest of her family, I know the Members of the House will join me in wishing her all the best in the days ahead.

## ROSES THAT KILL

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. GEORGE MILLER of California. Mr. Speaker, I would like to call my colleagues attention to an article that appeared in the February 13, 2003 issue of the *The New York Times*. The article was written by Ginger Thompson and appeared under the headline "Behind Roses' Beauty, Poor and Ill Workers."

This St. Valentine's day, many of roses Americans will purchase as expressions of love for spouses, parents and others will have been produced in Ecuador. In a 20-year period, Ecuador has become the fourth-largest producer of roses in the world. The Andean Trade Preference Treaty of 1991 provides tariff-free access to American markets.

It, therefore, behooves us, both as Members of Congress and as consumers, to be aware of the conditions under which these roses are produced. As Ms. Thompson's article makes clear, there is reason for serious concern that workers, making as little as \$156 a month, are being poisoned as a result of the misuse of pesticides, fungicides, and fumigants. The

Ecuadorean rose industry employs 50,000 workers, 70 percent of whom are women.

I commend the following excerpt from the article to the attention of my colleagues and the public and urge you to read the entire article. In our efforts to express affection for a loved-one through the purchase of a flower, I am sure that none of us wants to be a part of the poisoning of another.

[From the *New York Times*, Feb. 13, 2002]BEHIND THE BEAUTY, POOR AND ILL WORKERS  
(By Ginger Thompson)

Cayambe, Ecuador, February 10—In just five years, Ecuadorean roses, as big and red as the human heart, have become the new status flower in the United States, thanks to the volcanic soil, perfect temperatures and abundant sunlight that help generate \$240 million a year and tens of thousands of jobs in this once-impoverished region north of Quito.

This St. Valentine's Day, hundreds of American florists and catalogs are offering the roses of this fertile valley. Calyx & Corolla, for instance, bills it as a place "where Andean mists and equatorial sun conspire to produce roses that quickly burst into extravagant bloom, then hold their glory long after lesser specimens have begun to droop."

But roses come with thorns, too. As Ecuador's colorful blooms radiate romance around the world, large growers here have been accused of misusing a toxic mixture of pesticides, fungicides and fumigants to grow and export unblemished pest-free flowers.

As in other industries like garment production, bananas and diamonds, the poor worry about eating first and labor conditions later. They toil here despite headaches and rashes here for the wealthier of the world, who in turn know little of the conditions in which their desires are met.

Doctors and scientists who have worked here say serious health problems have resulted for many of the industry's 50,000 workers, more than 70 percent of them women. Researchers say their work is hampered by lack of access to flower farms because of reluctant growers. But studies that the International Labor Organization published in 1999 and the Catholic University issued here last year showed that women in the industry had more miscarriages than average and that more than 60 percent of all workers suffered headaches, nausea, blurred vision or fatigue.

"No one can speak with conclusive facts in hand about the impact of this industry on the health of the workers, because we have not been able to do the necessary studies," said Dr. Bolivar Vera, a health specialist at the Health Environment and Development Foundation in Quito. "So the companies have been able to wash their hands of the matter."

Dr. César Paz-y-Miño, a geneticist at the Catholic University, said several pesticides used on a farm that was the setting for his research in the late 1990's were restricted as health hazards in other countries, including the United States, and labeled as highly toxic by the World Health Organization.

Among the most notorious are captan, aldicarb and fenamiphos. Dr. Paz-y-Miño refused to identify the flower farm under an agreement that he said he had with the owners.

He described the conditions as astonishing and recalled workers' fumigating in street clothes without protective equipment, pesticides stored in poorly sealed containers and fumes wafting over the workers' dining halls. When asked what government agencies monitor worker health and safety, Dr. Paz-y-Miño said, "There are no such checks."

Industry representatives denied that there was a health problem or that unacceptable risks were taken.

"The growers we know are very conscious of environmental issues," said Harrison Kennicott, the chief executive of Kennicott Brothers, a wholesaler in Chicago who is a former president of the Society of American Florists, a trade group.

"They go to lengths to get certified environmentally," Mr. Kennicott said. "The growers take care of the people. They provide housing and medical care."

"Our job is to satisfy our customers, who are the florists and retailers who deliver flowers to the public. Our interest is having the best quality product at a competitive price."

Yet it is hard to erase images of workers like Soledad, 32, and Petrona, 34, both mothers and both looking jaundiced and bony. In interviews after quitting time, they asked not to be fully identified out of fear that they would lose their \$156-a-month jobs cutting flowers in greenhouses. The women said they had elementary school educations but did not need high-level science to tell them why their kidneys throbbed at night and heads throbbed in the day.

"There is no respect for the fumigation rules," said Petrona, who has worked on flower farms for four years. "They spray the chemicals even while we are working."

"My hair has begun to fall out," she added, running a hand from the top of her visibly receding hairline down a single scruffy braid. "I am young, but I feel very old."

Soledad, who has worked on flower farms for 12 years, slowly turned her head from side to side.

"If I move my head any faster, I feel nauseous," she said, and then pulled up her sleeve to show her skeletal limbs. "I have no appetite."

When asked whether the farm where they worked had a doctor on duty, the women rolled their eyes.

"He always tells us there is nothing wrong with us and sends us back to work," Petrona said. "He works for the company. He does not help us."

TRIBUTE TO CHIEF WARRANT  
OFFICER MARK S. O'STEEN**HON. TERRY EVERETT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. EVERETT. Mr. Speaker, I rise today to pay tribute to an American hero, Chief Warrant Officer Mark S. O'Steen, of Ozark, Alabama, in my congressional district. An Army Special Forces helicopter pilot, he recently gave his life in service to our nation during Operation Enduring Freedom in Afghanistan.

On January 30, while piloting a training mission flight in an MH-60 Black Hawk helicopter, Mark O'Steen and three of his comrades lost their lives when their aircraft went down east of Bagram Air Force Base. Their sacrifices were not in vain.

Mark O'Steen was and remains an inspiration to all of us, living his life for God and country. Highly motivated and talented, he followed in the footsteps of his late father and older brothers in pursuing a military career.

An excellent athlete, linguist, military pilot, husband, father, and son, Mark O'Steen embodied the best of Alabama and our nation. He was proud of his work and did not let the ever-present risk inherent in military service worry him.

I join our Commander-in-Chief in offering the nation's gratitude for Mark's service and

sacrifice to protect and preserve our freedoms. I also pass along my heartfelt condolences to Mark's family. This nation will be forever grateful to you.

IN HONOR OF MARIANO VEGA, JR.,  
RECIPIENT OF THE HISPANIC  
AMERICAN GOOD SCOUT AWARD

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Councilman Mariano Vega, Jr., who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

Mr. Vega's career demonstrates his dedication to social service and his compassion for families, children, and the elderly living throughout our community. Before serving on the City Council, he was director of Hudson County Department of Public Resources, chief of Hudson County Division of Social Services, and director of the Jersey City Division of Welfare.

A dedicated educator, Councilman Vega has worked in many capacities as part of his commitment to improving education. A former teacher and counselor, he also served as assistant director of Admissions at Montclair State College in New Jersey, and as acting director for the Equal Opportunity Office at the University of Medicine and Dentistry of New Jersey.

A graduate of Montclair State College, Mr. Vega also studied at Rutgers University School of Social Work, School of Law, and Graduate School of Education; Cornell University School of Industrial and Labor Relations; and has participated in the Leadership Institute on Workforce Development and the Hispanic Leadership Opportunity Program. Mr. Vega was a National Policy Fellow at the former Department of Health, Education and Welfare, which today is known as the U.S. Department of Health and Human Services.

Councilman Vega has served as president of the Jersey City Board of education and Jersey City Borinquen Lions Club and commissioner of the Jersey City Planning Board. He founded the Liberty Soccer Club and International Recreation and Educational Exchange Program, and was a founding member of the Liberty Academy of Visual Arts and the Hispanic Leadership Association.

Today, I ask my colleagues to join me in honoring Mariano Vega, Jr., for his contributions to the City of Newark and the state of New Jersey, and his continued dedication to public service.

HONORING SUSAN B. ANTHONY

**HON. BARBARA CUBIN**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. CUBIN. Mr. Speaker, I rise today to recognize and honor a true pioneer in the fight for women's rights; a woman who 183 years ago this month set out on a life and career that would earn her a place in history—Susan B. Anthony.

She is perhaps best remembered for her struggle to obtain equal rights for all, regardless of age, race, or gender.

To her, life was about the dignity of all people—from the most oppressed of women to the most innocent and defenseless of all, the unborn.

As a pro-life woman, I can very much identify with her deeply held belief in the rights of the unborn. I personally believe that life begins at conception. That means that I want to protect and nurture human life in every stage of development.

Partial birth abortion is not an option. It is a death sentence. It is my hope that this Congress will pass, and the President will sign, a measure outlawing this repulsive procedure.

Susan B. Anthony was truly a compassionate sole and a protector of women and children. I feel it very appropriate to recognize her on this anniversary of her birth.

SUSAN B. ANTHONY

**HON. SUE WILKINS MYRICK**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. MYRICK. Mr. Speaker, Susan B. Anthony is best remembered as a great women's rights campaigner. On February 15th, her 183rd birthday, we recognize that she was indeed instrumental in helping women achieve the right to vote.

Another piece of her legacy that is often brushed over but equally important is her commitment to the rights of unborn children. Susan B. Anthony believed that all people should be treated equally, and she made no exception for unborn children. She did not see a difference in fighting for women's rights and protecting the right to life for all children.

This is why I am taking this opportunity to honor her birthday today. As we think back on Susan B. Anthony's tireless work to promote the dignity of all life, let us renew our own commitment to fight for equal rights, especially for unborn children who have no voice to fight for themselves.

60TH ANNIVERSARY OF WOMEN IN  
MARINE CORPS

**HON. HEATHER WILSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. WILSON of New Mexico. Mr. Speaker, I would like to take this opportunity to commemorate the contributions of the thousands of women who have served in the United States Marine Corps throughout history. They celebrate their 60th anniversary today, February 13th, when the first group of women went off to Hunter College in 1943 to train as Women reservists to "Free a Man to Fight!" In honor of this anniversary I enter the following proclamation into the official record of today.

Whereas since its inception in 1943 to "Free a Man to Fight" under the leadership of Col. Ruth Cheney Streeter, thousands of women have served the Corps in every clime and place and have continued to be an essential part of the United States Marine Corps;

Whereas it should be acknowledged the women who serve a grateful nation are committed to preservation of the freedoms of this Nation and serve today at the forefront of our military in almost every specialty and;

Whereas it should be acknowledged that the first group of women who volunteered to serve their Nation led the way and broke the ground for all the women who serve today and are entitled to a special debt of gratitude and thanks;

Therefore, let it be known that the 60th anniversary of the women who have served in the United States Marine Corps marks a milestone that a grateful Nation acknowledges as those women and the women today and those that follow will continue to pursue a course of action that serves to inspire all freedom loving people in the world. SEMPER FIDELIS!

TRIBUTE TO OUR TROOPS

**HON. FRED UPTON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. UPTON. Mr. Speaker, I rise today to recognize the brave men and women of the 415th Civil Affairs Company of the U.S. Army Reserve in Kalamazoo, Michigan. Often overlooked, our Reservists provide an invaluable service to our country and to our Armed Forces. The 415th Civil Affairs Company has been on continuous deployment for the better part of the last decade, separated from families, careers, and livelihoods. Now, these folks are being deployed to Kosovo to help keep the peace in an uncertain world. Freedom isn't free; it comes at a price—and individuals like these are the ones who bear the cost. I wish them a safe return.

INTRODUCTION OF THE "PARTIAL-BIRTH ABORTION BAN ACT OF 2003" REP. STEVE CHABOT

**HON. STEVE CHABOT**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CHABOT. Mr. Speaker, today, on behalf of a bi-partisan coalition, I have introduced the "Partial-Birth Abortion Ban Act of 2003."

The "Partial-Birth Abortion Ban Act of 2003" would ban the dangerous and gruesome procedure known as a partial-birth abortion in which a physician delivers an unborn child's body until only the head remains inside the womb, punctures the back of the child's skull with a sharp instrument, and sucks the child's brains out before completing delivery of the dead infant. The great majority of these abortions are performed on unborn infants from the 20th to the 26th week of pregnancy and more often than not on the healthy babies of healthy mothers. The "Partial-Birth Abortion Ban of 2003" is similar to the previous bans on partial-birth abortion approved by the House in that an abortionist who violates the ban will be subject to fines or a maximum of two years imprisonment, or both; a civil cause of action

is established for damages against an abortionist who violates the ban; and a doctor cannot be prosecuted under the ban if the abortion was necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

A moral, medical, and ethical consensus exists that the practice of performing a partial-birth abortion is a gruesome and inhumane procedure that is never medically necessary and should be prohibited. Rather than being an abortion procedure that is embraced by the medical community, particularly among physicians who routinely perform other abortion procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. It is also a medical fact that the unborn infants aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure. As a result, at least 27 states banned the procedure as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses.

Three years ago in *Stenberg v. Carhart*, however, the United States Supreme Court struck down Nebraska's partial-birth abortion ban as an "undue burden" on women seeking abortions because it failed to include an exception for partial-birth abortions deemed necessary to preserve the "health" of the mother. The *Stenberg* Court based its conclusion "that significant medical authority supports the proposition that in some circumstances, [partial birth abortion] would be the safest procedure" for pregnant women who wish to undergo an abortion on the trial court's factual findings about the relative health and safety benefits of partial-birth abortions—findings which were highly disputed. Yet, because of the highly deferential clearly erroneous standard of appellate review applied to lower court factual findings, the *Stenberg* Court was required to accept these trial court findings.

These factual findings are inconsistent with the overwhelming weight of authority regarding the safety and medical necessity of the partial-birth abortion procedure—including evidence received during extensive legislative hearings during the 104th, 105th, and 107th Congresses—which indicates that a partial-birth abortion is never medically necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. In fact, a prominent medical association has concluded that partial-birth abortion is "not an accepted medical practice," and that it has "never been subject to even a minimal amount of the normal medical practice development."

Thus, there exists substantial record evidence upon which Congress may conclude that the "Partial-Birth Abortion Ban Act of 2003" should not contain a "health" exception, because to do so would place the health of the very women the exception seeks to serve in jeopardy by allowing a medically unproven and dangerous procedure to go unregulated.

Although the Supreme Court in *Stenberg* was obligated to accept the district court's findings regarding the relative health and safety benefits of a partial-birth abortion due to the applicable standard of appellate review, Congress possesses an independent constitutional authority upon which it may reach findings of fact that contradict those of the trial court. Under well-settled Supreme Court jurisprudence, these congressional findings will be entitled to great deference by the federal judiciary in ruling on the constitutionality of a partial-birth abortion ban. Thus, the first section of the "Partial-Birth Abortion Ban Act of 2003" contains Congress's factual findings that, based upon extensive medical evidence compiled during congressional hearings, a partial-birth abortion is never necessary to preserve the health of a woman.

The "Partial-Birth Abortion Ban Act of 2003" does not question the Supreme Court's authority to interpret *Roe v. Wade* and *Planned Parenthood v. Casey*. Rather, it challenges the factual conclusion that a partial-birth abortion might, in some circumstances, be the safest abortion procedure for some women. The "Partial-Birth Abortion Ban Act of 2003" also responds to the *Stenberg* Court's second holding, that Nebraska's law placed an undue burden on women seeking abortions because its definition of a "partial-birth abortion" could be construed to ban not only partial-birth abortions (also known as "D & X" abortions), but also the most common second trimester abortion procedure, dilation and evacuation or "D & E." The "Partial-Birth Abortion Ban Act of 2003" includes a new definition of a partial-birth abortion that clearly and precisely confines the prohibited procedure to a D & X abortion.

This bill is not new. This chamber has passed legislation to ban this procedure four times and twice, this chamber voted to override the President's veto of this bill. Now that we have a President who is equally committed to the sanctity of life and who has promised to stand with Congress in its efforts to ban this barbaric and dangerous procedure, it's time for Congress to act to place this bill in front of the President and end this barbaric and dangerous procedure.

INTRODUCTION OF THE ACCIDENTAL SHOOTING PREVENTION ACT

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LANGEVIN. Mr. Speaker, today I am joined by 33 of my colleagues in introducing the "Accidental Shooting Prevention Act" to address the large number of firearm injuries and deaths that occur when users mistakenly fire guns they believe are not loaded. This

sensible bipartisan legislation would require that all semiautomatic firearms manufactured after January 1, 2006, which have removable magazines, be equipped with plainly visible chamber load indicators and magazine disconnect mechanisms.

As with many other consumer products, firearm design can reduce the risk of injury. But unlike other products, gun design decisions have been largely left to manufacturers. Fortunately, firearms manufacturers have already produced many guns with safety devices, such as chamber load indicators and magazine disconnect mechanisms, which can help reduce the risk of accidental injuries.

A chamber load indicator indicates that the gun's firing chamber is loaded with ammunition, but to be effective, a user must be aware of the indicator. Generally, chamber load indicators display the presence of ammunition via a small protrusion somewhere on the handgun. Unfortunately, most chamber load indicators do not clearly indicate their existence to untrained users or observers. We must ensure these indicators are easily visible to all gun users, and my legislation will do just that.

By comparison, a magazine disconnect mechanism is an interlocking device which prevents a firearm from being fired when its ammunition magazine is removed, even if there is a round in the chamber. Interlocks are found on a wide variety of consumer products to reduce injury risks. For example, most new cars have an interlocking device that prevents the automatic transmission shifter from being moved from the "park" position unless the brake pedal is depressed. It is common sense that a product as dangerous as a gun should contain a similar safety mechanism.

At the age of sixteen, I was left paralyzed when a police officer's gun accidentally discharged and severed my spine. Although the act was unintentional, I am reminded every day of the tragedies that can occur when firearms are mishandled. Unfortunately, I am not alone in my experience. In 1999, the Centers for Disease Control reported that over 820 people were killed in the United States by accidental discharges of firearms, and many more were injured. Clearly, mistakes can happen even when guns are in the hands of highly-trained weapons experts, which is why safety devices are so critical.

I urge my colleagues to join me and the 33 original co-sponsors of this bill in reducing the risk of unintentional shootings. Please co-sponsor this responsible measure, and help make firearms and their storage safer while protecting those unfamiliar with the operation of guns.

NORTH TEXAS MOBILITY IMPROVEMENT ACT OF 2003

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. BURGESS. Mr. Speaker, I rise today to introduce the North Texas Mobility Improvement Act of 2003.

Transportation, its related infrastructure, and industry are a vital part of Texas' economic development and a significant contributor to quality of life in the 26th congressional district of Texas. My congressional district includes

the growing northern suburbs of the Dallas-Fort Worth Metroplex, which provides state and local officials with some of our greatest transportation mobility challenges. The increase in traffic over the past three decades is a result of unprecedented population and employment growth experienced in the North Texas region.

The transportation congestion and mobility challenges of Interstate 35 East could minimize economic opportunity and investment in the North American international trade corridor if our country's leaders do not support the development of an efficient, seamless, intermodal trade and transportation system. With congressional passage of several important trade agreements, the heartland of America enters a new era as a geographic crossroad for international trade.

Interstate 35 extends from Laredo, Texas, the busiest U.S. border crossing into Mexico, to Duluth, Minnesota. One third of the highway is in Texas, including the Dallas-Fort Worth Metroplex. Of \$57 billion in U.S. trade into Mexico annually, 78 percent moves through Laredo, and much of that on Interstate 35. The North American Superhighway's Coalition estimates it will take \$3.4 billion to upgrade Interstate 35 over the next five years. Texas alone would require about \$2.87 billion.

I am actively working with local, state, and federal officials to improve international trade transportation on Interstate 35 by widening current lanes and adding frontage roads without sacrificing Texas' ability to meet its regular mobility needs within the state. The North Texas Mobility Improvement Act of 2003 would authorize \$2.5 million to widen from four lanes to six lanes those segments of Interstate 35 East between FM Road 2181 and Lake Lewisville in Denton County. The environmental review for this interstate expansion is currently underway by the Texas Department of Transportation.

With ever-increasing demands on our transportation system for both local mobility and international trade transportation improvements, the North Texas Mobility Improvement Act of 2003 would help the Texas Department of Transportation accelerate the widening of the segments both north and south of the existing 6-lane segment in order to alleviate the overburdensome bottlenecking on this vital segment of Interstate 35 East. Mr. Speaker, I strongly support the widening of this portion of Interstate 35 East. The North Texas Mobility Improvement Act of 2003 would provide for the additional needed funding to complete the project and address the immediate needs of my constituents and other North Texas commuters that Interstate 35 East on a daily basis.

#### INTRODUCTION OF THE CLEARWATER BASIN PROJECT ACT

**HON. C.L. "BUTCH" OTTER**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. OTTER. Mr. Speaker, I rise before the House today to introduce the Clearwater Basin Project Act, a bill to provide for enhanced collaborative forest stewardship management within the Clearwater and Nez Perce national forests in Idaho. I am pleased to be joined by Congressman MIKE SIMPSON, a fellow Idahoan, in introducing this legislation.

The Forest Service has not been able to adequately address insect outbreak, catastrophic fire, and other fish and wildlife habitat and ecosystem health issues on the lands it manages within the basin. That is why I am introducing The Clearwater Basin Project Act to provide a better mechanism to address critical resource issues concerning Clearwater and Nez Perce national forest lands. The legislation takes advantage of existing collaboration and stewardship mechanisms to provide a more effective framework for stakeholders to work with the Forest Service to attain some meaningful forest management results on the ground.

In 1996, the state of Idaho established a Federal Land Task Force to design potential pilot projects on federal lands. The task force report identified a broken decision-making process as part of the problem on federal lands. An eight-member working group identified five pilot projects on Idaho's federal lands. The legislation I am introducing today is a product of that process. The Clearwater Basin Project Act implements concepts and addresses needs identified in the Clearwater Basin Collaborative Project that was described in the December 2000 Federal Land Task Force Working Group Report, "Breaking the Gridlock." The aims of the original Clearwater Project and the Act are to provide a better mechanism to address critical resource issues concerning Clearwater and Nez Perce national forest lands within the basin.

This legislation provides an up-to-date, reasonable and realistic approach to implementing a pilot project on national forest lands in the Clearwater Basin. The Act facilitates forest management through consensus-building procedures to expedite identification, scheduling and implementation of specific high-priority forest stewardship activities. The legislation provides a working test of innovative collaborative management, fully within the framework of existing environmental laws.

This legislation requires the Secretary of Agriculture to establish the Clearwater Advisory Panel (CAP), a collaborative group comprised of a broad spectrum of stakeholders in Clearwater Basin national forest management. The CAP is to work with the Forest Service, other agencies and the public to consider and recommend specific high-priority forest stewardship activities to implement over a five-year period within the Basin.

This act does not bypass existing environmental legislation. Rather, it requires the Forest Service and other federal agencies to complete National Environmental Policy Act (NEPA) and other consultation and coordination procedures for each proposed schedule of activities, within one year after the Forest Service issues the public scoping notice for the proposed schedule. The appropriate forest supervisor is required to review the five-year schedule of activities for each forest, then issue a decision document within 30 days regarding whether to approve the schedule recommended by the CAP.

The Act also provides additional authority for stewardship and other contracting to prepare and carry out activities recommended and approved for priority implementation. Also authorized is monitoring to measure the success of the project and to assure accountability and determine what funding and other support is needed for the project to succeed.

It is important to note that nothing in this act (1) transfers ownership or control of any na-

tional forest lands from the United States to anyone else; (2) transfers Forest Service national forest decision authority to anyone else; (3) exempts Forest Service decisions or the priority activities from environmental laws, or from administrative appeal and judicial review; or (4) impairs opportunities for participation by any interest group or the general public.

The need for this legislation is greater now than ever. Elk City, a small rural community in my district, is an island in a sea of Forest Service, Bureau of Land Management, and state lands. The town is surrounded by dead and dying timber. However, because of federal regulations there is little or no access to the resource. That is threatening the local mill and placing the city and its residents at risk of catastrophic wildfires. Inaction no longer is an alternative for the Clearwater Basin. We cannot sit idly by and watch the forest burn. We must take action before our precious resource is destroyed and the lives of those dependent upon the resources are changed forever.

#### EIGHT AMERICAN HEROES FROM THE GREAT STATE OF OHIO

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. JONES of Ohio. Mr. Speaker, I rise in honor eight American heroes from the great State of Ohio.

JoAnn Gallitto, Robert S. Kraska, Paul J. Mizerak, Florence I. Ousley, George T. Radigan, Walter L. Ratcliffe, Kathleen C. Sauterer, and Theresa Ann Yakubik are the honorees of the distinguished Franklin A. Polk Public Servants Merit Award presented by the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association as a result of their more than twenty years of faithful service to the bench, bar and public in Cuyahoga County.

JOANN GALLITTO—CLEVELAND HEIGHTS MUNICIPAL COURT

Cleveland Heights Municipal Court Chief Deputy Clerk JoAnn Gallitto is this year's nominee of Judge A. Deane Buchanan. JoAnn has been employed at the Court since 1974, and she has been Chief Deputy Clerk since 1984. Her duties include supervision of the Civil Division of Ohio's largest single judge municipal court, the processing of new cases, judgment execution proceedings, preparation of judgment entries and a myriad of other tasks, including direct contact with the bar and public. A graduate of Shaw High School in East Cleveland, JoAnn is the eldest of 4 children, who credits her upbringing by two hard-working parents in a close, traditional Italian-American family, with instilling in her a level of encouragement and support that has allowed her to succeed personally and professionally. An avid Browns' and Indians' fan, JoAnn looks forward to a Super Bowl trophy in Cleveland sometime soon. While waiting for that event, she enjoys reading and music of the '50's and '60's, particularly that of Dean Martin, whose shows she saw frequently while visiting her favorite vacation destination Las Vegas, the home of two very good friends. JoAnn has a myriad of memories in almost three decades of work. She recalls, from early in her career, the excitement of being a witness at a wedding before her Judge, which was followed

about a week later by the happy couple's filing assault charges against each other. She also relates the story of a lawyer who asked for a continuance of a hearing on the day of the hearing as a result of severe bronchitis; she told the lawyer that he would need to file the continuance in writing, only to be amused later that same day to have the not-so-sick lawyer there to file his continuance. JoAnn is proud to note that she is the second generation of her family to be honored with the Public Servants Merit Award, having followed the example of her Uncle, Richard Gallitto, who was honored in 1982.

ROBERT S. KRASKA—CUYAHOGA COUNTY COURT OF COMMON PLEAS

Robert Steven Kraska is the Assistant Chief Court Reporter at the General Division of the Court of Common Pleas and has been a court reporter there since 1975. Administrative and Presiding Judge Richard McMonagle's nominee, Robert is a 1969 graduate of Garfield Heights High School, who worked in the private sector until his graduation from the Academy of Court Reporting and employment with the Court. Robert, the father of a grown son, was on the All Ohio High School Baseball Team his senior year and enjoys attending games at Jacobs Field. He also fishes and travels to Canada and West Virginia to play slot machines. Robert recalls two incidences clearly, from his many years of court reporting, but he discreetly will not identify either Judge involved. In one, he recalls a lawyer arguing that his client was "as sober as a Judge," which, after looking at the Judge, he corrected "as sober as the Pope." Another time, when a Judge seemed to be a little lost in asking some standard questions of a defendant when taking a criminal plea, Robert tried to help by suggesting that the next question should be "Are you under the influence of drugs or alcohol?" to which the Judge replied, "No, I am not."

PAUL J. MIZERAK—CLEVELAND MUNICIPAL COURT

Chief Bailiff Paul Joseph Mizerak is Cleveland Municipal Court Administrative Judge Larry Jones' nominee this year. Paul has worked at the Court since 1976, following employment at U.S. Steel and Yellow Trucking. Paul's duties are many. He oversees department supervisors, ensures enforcement of court orders, manages the day-to-day operations of his department (including scheduling, assignments and discipline) and trains all supervisors in his department. Paul graduated from the Cleveland schools and received bachelor's and master's degrees at Cleveland State University. Paul is a hitter, but in a good way. Hitting is part of his life-long commitment to sports and fitness, which includes playing in two men's baseball leagues and visiting Florida each Fall to play in the Roy Hubbs League. He also has trained in the martial arts. He has been married for 15½ years to Maureen and actively participates in the lives of his 13 nieces and nephews.

FLORENCE I. OUSLEY—CUYAHOGA COUNTY PROBATE COURT

Call Probate Court, and find out that Florence I. Ousley communicates. Florence, Probate Court Administrative Judge John Donnelly's nominee this year, has worked for the court for 27 years, the last decade as Telephone Operator. In addition to direct, initial contact with the public, Florence is also the Court's interpreter for deaf visitors seeking Probate Court's assistance. Beginning her

public employment some four decades ago as a summer employee of the County Recorder's office, Florence has worked more than the last quarter century at Probate Court. A graduate of Notre Dame Academy, Florence has been a single mom for 27 years and is proud of her three children, Dionne, Holly and Flournoy, all now adults. She has been active in many political activities, but she also finds time to assist the elderly in nursing homes by providing cosmetology services. She also enjoys reading, cooking, listening to music and line dancing! Florence's commitment to public service can be traced to helping her father, former Councilman and Judge Theodore M. Williams. However, that lifetime of achievement by Florence still leaves her with pride about a recent part of her life, her substantial time with her pride and joy, her grandson, Quinn, who, without apologizing to Muhammad Ali, she says is "The Greatest."

GEORGE T. RADIGAN—UNITED STATES DISTRICT COURT (N.D.O.)

George T. Radigan, Chief United States District Judge Paul Matia's nominee, has been a probation officer for more than two decades. After a few years' service with the Cuyahoga County Court of Common Pleas, George has, since 1974, been involved in both pre- and post-sentencing probation services, including preparation of sentencing recommendations, supervision of pre-release clients and monitoring of offenders after their release from formal custody. A John Carroll University graduate, George is married to Kathleen and is father to two adult sons. To him, his true blessing is his wonderful family. He has actively participated in parents' groups for his sons' high schools and colleges and also his own college alumni organization. As he nears the end of his career, he reflects that his service has been a major part of his life, and he hopes that he has helped his clients in a positive manner. He does recall, with clarity, two occasions involving his car, which gave some humor to a serious job. The first occurred when he was visiting a client who was a well-known auto thief. He locked his keys in his car and, reluctantly, asked that client to help him. In a matter of seconds, his car was open, and the client inquired, "Was that a test, Mr. Radigan"? Second, he was dealing with a well-known organized crime figure and George was asserting the criminal had violated his probation and requested that he be returned to prison. At that time, the criminal noted "I think you need a new car." Four years later, when the criminal was released, George still had the same car (which he liked), and the client offered to help George out and buy him a new car.

WALTER L. RATCLIFFE—SHAKER HEIGHTS MUNICIPAL COURT

Walter L. Ratcliffe, Shaker Heights Municipal Court Judge K. J. Montgomery's nominee, has capped over two decades of public service as Chief Bailiff of the Court. There, he supervises all the bailiffs, oversees court security and performs duties assigned by his Judge. Walter, a 40-year resident of Shaker Heights, is in his second period with the Shaker Heights Municipal Court. He started his career as a Cuyahoga County Adult Probation Officer, prior to being a Probation Officer and Deputy Bailiff in Shaker Heights. He then served as a Pretrial Service Officer with the United States District Court, before returning to Shaker Heights in his current position in

1994. He is proud to recall his mother's public service with the Cleveland Board of Education as a nurse and educator and her pioneering efforts to gain employment for African-American nurses. He was also a pioneer, as the first African-American student at Shaker's Moreland Elementary School, and he attended the Shaker schools through high school. Married for two decades to April, and the father of three, Walter is the Youth Director at Good Shepherd Baptist Church and participates in Church and Youth Ministry. Recognizing that court proceedings are serious, he points to some humor, particularly the instance of an obviously delusional criminal defendant, who insisted that the acting judge presiding that day was, in fact, television's George Jefferson, and who demanded an opportunity to see the Judge's wife "Weezy." At the same time, that defendant thought Walter was "Wimpy" from the comic Popeye and was glad to offer to pay Walter Tuesday for a hamburger that day.

KATHLEEN C. SAUTERER—CLEVELAND MUNICIPAL COURT CLERK OF COURTS

As Deputy Director of the Cleveland Municipal Court's Criminal Division, Kathleen C. Sauterer makes sure that her division runs smoothly. She continues to be instrumental in the Court's efforts to bring its new computer system on-line in 2004. As a 30-year employee, since about the time of her graduation from Cleveland's John Marshall High School, Clerk Earle C. Turner's nominee has risen from a part-time position through supervisor of the night shift to her current position. Kathleen has been active at her two daughters' school and prides herself on her almost 24 years of marriage to her husband James, with whom she lives in Olmsted Falls. When not assisting her daughters and husband, Kathleen enjoys gardening.

THERESA ANN YAKUBIK—CUYAHOGA COUNTY CLERK OF COURTS

This year, Connon Pleas Clerk Gerald E. Fuerst, a long-time supporter of the Public Servants Merit Awards, has nominated Theresa Ann Yakubik. Since about the time she graduated from high school, Theresa has worked at the Common Pleas Court Clerk's Office, starting as a deputy clerk in the Mortgage Department and proceeding through a number of positions to that of Chief Internal Auditor, a title she has proudly held for the past decade. Theresa verifies titling receipts and data for accuracy and insures that millions of dollars, which are deposited flow to the agencies entitled to receive them. Beyond her duties within the Clerk's office, she has been her office's representative on a number of state titling committees, including helping to structure state-wide automated title process systems. In this later work, she was so persistent in "bugging" the programmers constructing the systems to provide accurate design and reports in the systems that her colleagues throughout the State dubbed her "Terri, the Report Queen from Cuyahoga County" and presented her with a crown, scepter and sash. Terri volunteers with the Make-a-Wish Foundation and in her local parish, St. Wendelin's. She also enjoys sewing, baking and making table centerpieces for social and political functions.

## REPEAL OF THE SPECIAL OCCUPATIONAL TAXES ON ALCOHOL

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I join my good friend and colleague, Representative DAVE CAMP, today in introducing legislation that will repeal the Special Occupational Tax (SOT) on taxpayers who manufacture, distribute, and sell alcoholic beverages. The special occupational tax is not a tax on alcoholic products but rather operates as a license fee on businesses. Believe it or not, this tax was originally implemented to help finance the Civil War. I began the fight to repeal this unfair tax back in 1992. This is an inequitable tax that has outlived its original purpose and is a clear example of an antiquated approach to federal taxation.

The SOT on alcohol was dramatically increased during a budget process in 1986 and has unfairly burdened business owners across the country. Repealing the SOT would provide immediate and visible relief to thousands of small businesses in every congressional district. According to the ATF, there are 480,427 locations nationwide that pay this tax every year, including 458,603 retailers. These retail establishments account for \$114 million out of \$126 million in SOT revenues.

In my district, repealing the SOT will save convenience stores approximately \$50,750 annually. Repealing the SOT will save California wineries approximately \$750,000 annually and California restaurants approximately \$20 million annually.

This tax is hardest on small businesses. A one-store operator pays the same SOT as a Wal-Mart Super center. In fact, a chain of four neighborhood food stores pays the same annual tax as the nation's largest single site brewery or distillery—\$1,000. This is not what Congress had in mind 150 years ago, and I don't believe it is a situation we want today.

Repeal of the SOT on alcohol is supported by a broad-based group of business organizations and enjoys widespread bipartisan support on Capitol Hill. Senators Max Baucus and Jim Bunning are introducing similar legislation in the Senate today. The Joint Committee on Taxation has examined the efficacy of the SOT several times and found it fundamentally flawed, and has recommended its repeal in its 2001 tax simplification report.

With small businesses being hardest hit by the recent economic troubles, repeal of the SOT will provide much needed assistance to these important employers. It is time for us to move forward and enact legislation to repeal the SOT on alcohol. We urge our colleagues to join us in this endeavor.

TRIBUTE TO ANTHONY PAUL SPITALERI

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. ESHOO. Mr. Speaker, I rise to honor Anthony Paul Spitaleri who is retiring after a distinguished career in service to the City of

Palo Alto and its Fire Department for thirty-five years.

On January 1, 1967, Anthony "Tony" Spitaleri joined the Stanford Fire Department as a Firefighter. The Stanford Fire Department merged with the Palo Alto Fire Department in 1976, and Tony rose through the ranks to become Fire Captain. He has served his coworkers ably as President of the Palo Alto Firefighters Union (Local 1319) for more than a quarter century with professionalism and commitment. He helped recruit and retain a force of highly qualified firefighters and developed safe standards for staffing and equipment. He's been a tireless fundraiser for many community causes, and recently helped raise \$800,000 for the families of New York Firefighters following the tragedies of September 11th.

Mr. Speaker, Tony Spitaleri is known throughout our community as an unselfish, enthusiastic, thorough, fair, compassionate, courteous man and he's one of the best barbequers around! I salute him for his extraordinary leadership which has made our community safer and stronger.

Mr. Speaker, I ask my colleagues to join me in honoring Anthony Paul Spitaleri for his outstanding service to our community and wishing him a retirement filled with every blessing.

TRIBUTE TO VIRGINIA "GINNIE" MUIR HIRSCH

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. FARR. Mr. Speaker, I rise today to honor the life of Virginia "Ginnie" Muir Hirsch. She passed away in the early morning of January 29 in her home in Santa Cruz, California. Her husband, Fred, and their three daughters Liza, Leslie, and Laurie were at her side.

Ginnie was born in Altoona, Pennsylvania on August 4, 1925. She came from a family of strong Democrats. Because of her father's leftist ideals, he had difficulty finding a job in Altoona. Eventually the family was forced to migrate to West Virginia so that Ginnie's father could find work.

Ginnie moved to New York in 1942, where she began working for the American Committee for the Protection of the Foreign Born and for the American Slav Congress. Ginnie worked continuously during the period of anti-leftist hysteria in the nineteen forties, supporting many activists who were being deported for their progressive ideologies. While helping to organize a 1949 concert by Paul Robeson, her 1937 Oldsmobile was pushed over a cliff in what became known as the Peekskill Riot. The next day, in clothes bloodied by cross-burning Klansmen, Virginia testified with Paul Robeson about the attack.

Ginnie was married in 1952. In 1957 she and her husband moved to California with their children. Virginia held down two jobs, campaigned against the "right to work" law, and fought against the deportation and abuse of Mexican immigrants. In San Jose, Ginnie became an active member of the Office of Professional Employees International Union, and for a number of years she worked for the local Retail Clerks Union. She was also a founding member of the Friends of the Stu-

dent Nonviolent Coordinating Committee, which involved traveling to Mississippi and bringing supplies to SNCC.

Ginnie has been a life-long activist in California labor politics. As a board member for the Central Labor Council, she consistently supported the United Farm Workers as well as a number of East San Jose labor organizations. In 1967 Virginia moved her family to Delano, California to open the first legal office for Cesar Chavez's United Farm Workers. She was also an integral part of the jury investigation team for the 1971 trial of Angela Davis.

Ginnie continued through her years in San Jose, and later in Santa Cruz, providing for her family and working for peace, against racism, and for social and economic justice. She regretted that leukemia made her unable to take part in the January 18 anti-war actions in San Francisco and died less than two weeks later.

Mr. Speaker, Virginia Muir Hirsch will be remembered in the community for her years of service and the invaluable contributions she has made to the progressive cause.

BALANCED BUDGET AMENDMENT

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. ISTOOK. Mr. Speaker, today we are reintroducing the Balanced Budget Amendment for the U.S. Constitution. Although we recently enjoyed four years of balanced federal budgets, the results of 9-11, the fight against terrorism, and economic challenges have all pushed us back into a sea of red ink.

Although borrowing can be justified to protect America in a time of national emergency, deficits should not be acceptable in normal times. So, unless we first set a goal of balancing the budget again, it will never happen. And recent experience once again proves that we need the discipline that a Balanced Budget Amendment provides.

I'm especially happy for the support of Wisconsin's JAMES SENSENBRENNER, Chairman of the House Judiciary Committee, and also of the Chairman of the Subcommittee on the Constitution, STEVE CHABOT from Ohio. And, of course, the long-time leading Democrat on this issue, Congressman CHARLES STENHOLM of Texas.

I also want to acknowledge the pioneering work done by National Taxpayer's Union, the nation's largest organization representing the interests of taxpayers, and their work with Congressman STENHOLM and Senator LARRY CRAIG who have been working on this issue for the last quarter century.

It's time to set the standard, and show America what our goals are. It doesn't matter which side of the aisle you are on. Some people complain about the deficit, and say that's why they oppose tax relief. Others complain about the deficit and say that's why they oppose spending. But everyone who complains about the deficit should support the goal of balancing the budget again. It's hypocritical to say you oppose the deficit but don't support the balanced budget amendment.

With the expenses of the war on terrorism, we won't balance the budget in the next year or two. And it will take a couple of years for

this amendment to be ratified by the states. We have to set our goal NOW to balance the budget again. Unless we commit to it, we'll never get the budget balanced again. First we must set the goal, then we work toward it.

Our children and our grandchildren will pay a heavy price if we do not return to a balanced budget. They not only would face the high taxes of big government, but they would bear the extra expense of paying off the bills that we are running-up today.

This Balanced Budget Amendment is identical to the language passed by a vote of 300–132 in 1995, as part of the original "Contract With America," and then failed by one single vote in the U.S. Senate in 1997. Neither the House nor the Senate have voted on it since then. Obviously, we now have many new faces in Congress; we now have 212 House Members who have never been held accountable, because they have never had to vote on a Balanced Budget Amendment. We believe the time has come for every Member of Congress to address this issue head-on.

The amendment includes an exemption for times when Congress declares a national emergency. But during peacetime, it would require a supermajority of Congress for the federal government to operate at a deficit.

No ordinary law can restrain Congress, because Congress has the power to remove that safeguard whenever it wishes by a simple majority vote. The only real protection against deficit spending is constitutional protection. In light of the current national emergency, we need this amendment more than ever to ensure that deficit spending will end.

INTRODUCTION OF THE BILL "TO PROVIDE FOR AND APPROVE THE SETTLEMENT OF CERTAIN LAND CLAIMS OF THE BAY MILLS INDIAN COMMUNITY"

**HON. CANDICE S. MILLER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. MILLER of Michigan. Mr. Speaker, for more than 100 years, the Bay Mills Indian Community has sought justice for the illegal sale of over 110 acres of Chippewa County lands which, prior to the sale, had been homeland to a large group of the Tribe's ancestors. Today I am introducing legislation that finally brings relief to this group of Michigan's Native people.

The legislation I propose today also brings too-long awaited relief to the non-Indian citizens of Michigan who live within the Tribe's Chippewa county claim area. Because the Indian claim has remained unresolved for many years, innocent homeowners have watched their property values plummet to 90 percent below what that property would otherwise be worth on the open market. This legislation accomplishes these ends by ratifying the Land Settlement Agreement signed by the Bay Mills Indian Community and the State of Michigan on August 23, 2002.

This Land Settlement Agreement is the product of a long and careful negotiation process between the Tribe and the State. It calls for the extinguishment of all of the Tribe's title and right to the Chippewa County disputed lands and in return provides for the Tribe to

receive replacement land in Port Huron that will be put into trust (and therefore protected by federal law from illegal sale) by the Secretary of the Interior. Further, the settlement is structured in such a way as to ensure that neither the taxpayers of Michigan nor the taxpayers of the United States will ever be saddled with the cost of paying a monetary damage award, which otherwise could be quite substantial, to the Tribe.

Finally, and of particular importance to my constituents in the 10th District, the settlement agreement will enable the City of Port Huron and the Tribe to engage in desperately needed and mutually beneficial economic development, of a casino. The people of Port Huron approved a June 2001 casino advisory referendum. This legislation is critical in allowing the residents of the Port Huron community to actively participate in its economic recovery through the establishment of a casino approved by the people. The Port Huron community has been brutalized by the loss of thousands of manufacturing jobs, a double-digit unemployment rate that doubles our state and federal average and a Canadian casino located just 500 yards from our border. That casino attracts more than 1 million American visitors per year, which is devastating to our tourism and entertainment business. A casino on the American side of the border would create 3,000 American jobs while providing competition to our Canadian neighbors at the only border crossing with Ontario where we have not responded by having a casino of our own.

Resolution of this land claim is long overdue. In sponsoring this legislation, I am proud to be part of a solution crafted to benefit the Tribe, residents of the claim area, and the taxpayers of Michigan.

I join with the members of the Bay Mills Indian Community, the Charlotte Beach landowners, my constituents in Port Huron, and my distinguished colleague Congressman DON YOUNG in support of this proposed settlement. This legislation provides a fair solution that is long overdue for many Native Americans.

COMMENDING FACULTY AND STAFF OF EDWARD J. BRISCOE AND VAN ZANT—GUINN ELEMENTARY SCHOOLS

**HON. MARTIN FROST**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. FROST. Mr. Speaker, I rise today to commend the faculty and staff of Edward J. Briscoe and Van Zant-Guinn Elementary Schools. The principals of these two schools, Dr. Jennifer Brooks and Mrs. Constance Goines, respectively, are to be commended for the work they have done to improve the educational opportunities for young people in their communities. Both schools received the Title I, Part A Distinguished Performance Award. The Title I Award is given to a select number of schools around the country that exhibit outstanding performance in the areas of academic performance and achievement.

At Briscoe Elementary, Dr. Brooks has been honored on numerous occasions for the work she has done to help broaden the horizons for the children that attend her school. Her dedication to improving the basic skills of school

age children helped secure a 5-Star Rating from Texas Monthly Magazine—the highest rating the statewide magazine gives to public schools. Most recently Briscoe received a TEA (Texas Education Agency) Exemplary Rating. The school also takes part in the prestigious Bass Performance Hall Program and encourages conversational Spanish with specially designed curriculum.

A few miles away to the north, children, parents, and the faculty of Van-Zant Guinn Elementary were also joyous in hearing the news that they too would be receiving a Title I Award. Their principal for the last nine years, Constance Goines, also deserves praise for the steps she has taken to make her school a success in the field of education. Van Zant-Guinn was also recognized by the TEA in 2002 as Exemplary and was given the agency's "2002 Gold Performance Award" for the progress that students made in Math and Reading. Mrs. Goines and her staff were also instrumental in initiating a program on campus called Homework Helper. Homework Helper provides kids who lack the ideal environment at home a more suitable place after school to do their homework.

Mr. Speaker, it is my hope that the Title I, Part A Distinguished Performance Award will continue to help improve the lives of school children, not only in Fort Worth, but throughout the country. Once again, I congratulate Dr. Jennifer Brooks and Constance Goines for all they do in regards to the schools they represent, our country and their receiving this award.

INTRODUCING MELANIE BLOCKER-STOKES POSTPARTUM DEPRESSION RESEARCH AND CARE ACT

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. RUSH. Mr. Speaker, I rise today to honor the memory of Melanie Blocker-Stokes and all women who have suffered in silence from postpartum depression and psychosis. I am pleased that 47 of my colleagues have joined me in introducing the Melanie Blocker-Stokes Postpartum Depression Research and Care Act.

Chicago native, Melanie Blocker-Stokes was a successful pharmaceutical sales manager and loving wife of Dr. Sam Stokes. However, for Melanie, no title was more important than that of mother. Melanie believed motherhood was her life mission and fiercely wanted a daughter of her own. This dream came true on February 23, 2001 with the birth of her daughter, Sommer Skyy. Unfortunately, with the birth of her daughter, Melanie entered into a battle for her life with a devastating mood disorder known as postpartum psychosis. Despite a valiant fight against postpartum psychosis, which included being hospitalized a total of three times, Melanie jumped to her death from a 12-story window ledge on June 11, 2001.

Melanie was not alone in her pain and depression. Each year over 400,000 women suffer from postpartum mood changes. Nearly 80 percent of new mothers experience a common form of depression after delivery, known as "baby blues." The temporary symptoms of "baby blues" include mood swings, feelings of

being overwhelmed, tearfulness, and irritability, poor sleep and a sense of vulnerability. However, a more prolonged and pronounced mood disorder known as postpartum depression affects 10 to 20 percent of women during or after giving birth. Even more extreme and rare, postpartum psychosis, whose symptoms include hallucinations, hearing voices, paranoia, severe insomnia, extreme anxiety and depression, strikes 1 in 1,000 new mothers.

Postpartum depression and psychosis afflicts new mothers indiscriminately. Many of its victims are unaware of their condition. This phenomena is due to the inability of many women to self-diagnose their condition and society's general lack of knowledge about postpartum depression and psychosis and the stigma surrounding depression and mental illness. Untreated, postpartum depression can lead to self-destructive behavior and even suicide, as was the case with Mrs. Blocker-Stokes. This was also evident in the case of Andrea Yates of Houston, Texas who drowned her five children.

This is why it is important for us to treat this silent disease which can have a dire impact on ones family and society in general. The challenge that we have as a Member of Congress is to bring awareness to all Americans, particularly families who have women who will give birth soon, or have given birth recently. This is a preventable disorder.

In remembrance of Melanie Blocker-Stokes and all the women who have suffered from postpartum depression and psychosis, as well as their families and friend who have stood by their side, I am introducing the Melanie Blocker-Stokes Postpartum Depression Research and Care Act which will:

Expand and intensify research at the National Institute of Health and National Institute of Mental Health with respect to postpartum depression and psychosis, including increased discovery of treatments, diagnostic tools and educational materials for providers;

Provide grants for the delivery of essential services to individuals with postpartum depression and psychosis and their families, including enhanced outpatient and home-based health care, inpatient care and support services.

It is my hope that through this legislation we can ensure that the birth of a child is a joyous occasion time for the new mother and family, and not a time of mourning over the loss of yet another mother and child.

COMMEMORATING RETIREMENT  
OF GARY GRZANICH

**HON. LANE EVANS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. EVANS. Mr. Speaker, I would like to take this opportunity to commemorate the retirement of one of Central Illinois' most dedicated public servants. For the past 28 years, my friend Gary Grzanich has served as the Fulton County Regional Superintendent of Schools in Lewistown, Illinois. An innovative administrator, Mr. Grzanich worked tirelessly to ensure his students an exceptional learning environment and unequalled educational opportunities both in school and in extracurricular activities.

A Fulton County native, Mr. Grzanich graduated from Canton High School and received both his Bachelor's Degree and Educational Specialist Degree from Western Illinois University. He later attended Bradley University in Peoria, where he was awarded a Master's Degree. A teacher and coach for 11 years, Mr. Grzanich went on to work for the Illinois State Board of Education before running for Fulton County Regional Superintendent of Schools in 1974. Aided by hand-painted signs, he won the post and held it despite periodic electoral opposition until November 2002.

Gary Grzanich's 28 years of service yielded a vast array of accomplishments benefitting both his students and the wider Illinois educational community. The Chairman of the Mid-Illini Educational Cooperative, he was also a member of the Illinois Association for Supervision and Curriculum Development (IASCD) and the Superintendents' Round Tables at both Bradley University and Western Illinois University. He established a Cooperative Testing Program in Fulton County schools, initiated the GED Testing Program in Fulton County, introduced Madeline Hunter's "Science of Teaching" theories to Fulton County teachers, and launched an Institute Day for his schools' gifted students. Mr. Grzanich worked to promote the fine arts through comprehensive arts grants, brought the substance abuse DARE program to Fulton County students, and initiated a county-wide policy on AIDS. In addition to these achievements, he also held posts in the Regional Superintendents' Association and the Illinois Association of School Administrators, and is a past member of the State Certification Board and the Blue Ribbon Committee for Teacher Preparation and Training.

A lifelong Democrat, Mr. Grzanich is married to Dian and has two children, Susan and Jon. Fittingly, both his daughter and son grew up to become teachers in Central Illinois. He still lives in Canton, and will most likely keep himself busy hunting and fishing during retirement.

On behalf of Fulton County and the rest of the 17th District, I would like to extend my sincerest thanks to Gary Grzanich for his many years of service to the youth of Illinois. His hard work and unflinching leadership will be sorely missed.

EXPRESSING CONDOLENCES OF  
THE HOUSE TO THE FAMILIES  
OF THE CREW OF THE SPACE  
SHUTTLE "COLUMBIA"—HOUSE  
RESOLUTION 51

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. McCOLLUM. Mr. Speaker, I rise to join my colleagues in support of H. Res. 51, a resolution expressing condolences to the families of the crew of the space shuttle *Columbia*. Together, our nation, the people of Israel and the entire world grieve the loss of these seven heroes and remember their extraordinary lives.

In the days following this terrible tragedy, millions of Americans have struggled to cope with the loss of these astronauts. We have worried about the ramifications of this accident for the future of our space program. But this past Tuesday, I was reminded by the students

of the Farnsworth Aerospace Elementary School in Saint Paul, Minnesota that this tragedy can not diminish our hopes or dampen our desire to go after our dreams.

In a touching memorial service, the Farnsworth students recalled the history of the space program and told the stories of the seven astronauts that they regarded as their heroes. Even as they expressed their sadness about the loss of these astronauts, the students shared their undeterred dreams to travel to space some day.

Like the *Columbia* astronauts, the students of Farnsworth Aerospace Elementary School have always understood that travel into space is remarkable, but never routine, ordinary or without risk. While men and women across America mourn this tragic event, we must remember that our nation will overcome this tragedy and once again allow mankind to venture into space.

The students of Farnsworth Aerospace Elementary School serve as an inspiration to us all. As they keep reaching for the stars, I will hold onto hope that some day, they will make it there.

INTRODUCTION OF THE PATIENT  
ACCESS TO PHYSICAL THERA-  
PISTS ACT

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CRANE. Mr. Speaker, I am pleased to rise today with my friend and colleague, Mr. POMEROY, to reintroduce the Patient Access to Physical Therapists Act. This bill will allow Medicare beneficiaries direct access to qualified physical therapists without a physician referral.

Currently, Medicare beneficiaries must see a physician before being allowed to see a physical therapist. This burdensome requirement in Medicare is a regulation whose time has passed. The referral mandate is unnecessary and limits access to timely and medically necessary physical therapists' services. I believe that providing Medicare beneficiaries with direct access to physical therapists is critical as Congress looks to modernize the Medicare program.

All health care consumers should have the ability to choose the health care services they want when they need it. Allowing Medicare beneficiaries to have direct access to physical therapists will help achieve that goal. Currently, 47 states and the District of Columbia allow direct access to physical therapist evaluation and 35 states, including the state of Illinois allow their citizens to access physical therapists' services without the added cost of a physician referral. The Medicare Patient Access to Physical Therapists Act would allow Medicare beneficiaries in these states to access care that is already available to other residents of the state.

Direct access to physical therapists allows for improved access to quality health care services. A study of BlueCross BlueShield insurance claims in Maryland indicates that when a patient has direct access to physical therapists, services are neither over-utilized nor do they result in higher costs for physical therapy. To the contrary, the study found that

the costs incurred for episodes of physical therapy care were 123 percent lower when patients went to a physical therapist directly. State boards that regulate physical therapy confirm that patient safety is not compromised by the elimination of the referral requirement. With this in mind, the policy of improved access to physical therapists is healthy to the Medicare program and its beneficiaries. It is clear that improved access to physical therapists will maintain this critical balance of patient safety, cost to Medicare program, and improved beneficiary service. Medicare beneficiaries should have the same access to physical therapists as the rest of patients in Illinois and 35 other states.

Providing better access to qualified physical therapists will help ensure patients receive quality health care for all Americans. Mr. Speaker, I ask my colleagues for their consideration and support of the Patient Access to Physical Therapists Act.

NEW JERSEY'S 11th DISTRICT—  
PRIME RECRUITING GROUND  
FOR ACADEMIES

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. FRELINGHUYSEN. Mr. Speaker, every year, more high school seniors from the 11th Congressional District trade in varsity jackets for Navy pea coats, Air Force flight suits, and Army brass buckles than most other districts in the country. But this is nothing new—our area has repeatedly sent an above average proportion of its sons and daughters to the nation's military academies for decades.

This fact should not come as a surprise. The educational excellence of our area is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other extracurricular activities. This diverse upbringing makes military academy recruiters sit up and take note—indeed, many recruiters know our towns and schools by name.

Since the 1830's, Members of Congress have enjoyed meeting, talking with, and nominating these superb young people to our military academies. But how did this process evolve? In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. This was not an act of an imperial Congress bent on controlling every aspect of the Government. Rather, the procedure still used today was, and is, a further check and balance in our democracy. It was originally designed to weaken and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to unfettered nepotism that handicapped European armies.

In 1854, Representative Gerritt Smith of New York added a new component to the academy nomination process—the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and as-

sist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of six local citizens who have shown exemplary service to New Jersey, to their communities, and to the continued excellence of education in our area—many are veterans. Though from diverse backgrounds and professions, they all share a common dedication that the best qualified and motivated graduates attend our academies. And, as is true for most volunteer panels, their service goes largely unnoticed.

I would like to take a moment to recognize these men and women and to thank them publicly for participating in this important panel. Being on the board requires hard work and an objective mind. Members have the responsibility of interviewing upwards of 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. High school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform my office of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In late November, our Academy Review Board interviews all of the applicants over the course of 2 days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

This year the board interviewed over 50 applicants. Nominations included 19 to the Naval Academy, 15 to the Military Academy, 2 to the Merchant Marine Academy and 7 to the Air Force Academy—the Coast Guard Academy does not use the Congressional nomination process. Congressman FRELINGHUYSEN then forwarded the recommendations to the academies by January 31, where recruiters reviewed files and notified applicants and my office of their final decision on admission.

As these highly motivated and talented young men and women go through the academy nominating process, never let us forget the sacrifice they are preparing to make: to defend our country and protect our citizens. This holds especially true at a time when our nation is fighting the war against terrorism. Whether it be in Afghanistan, the Persian Gulf or other hot spots around the world, no doubt we are constantly reminded that wars are fought by the young. And, while our military missions are both important and dangerous, it is reassuring to know that we continue to put America's best and brightest in command.

ACADEMY NOMINEES FOR 2002 11TH  
CONGRESSIONAL DISTRICT NEW JERSEY

AIR FORCE ACADEMY

Mark C. Domogola, Short Hills, Millburn H.S.; Mark Cavanaugh, Flanders, Mt. Olive H.S.; Michael D. Fitzsimmons, Andover, Lenape Valley H.S.; Hannah Minchew, Mountain Lakes, Mountain Lakes H.S.; Andrew J. Moreno, Chester, West Morris Mendham H.S.; Don N. Smith, Sparta, Sparta H.S.; Joseph E. Ziega, Sparta, Sparta H.S.

MERCHANT MARINE

Matthew J. Pulitano, Randolph, Morris Catholic H.S. Donald G. Maye, Bridgewater, Bridgewater-Raritan H.S.

MILITARY ACADEMY

Lee W. Barnes, Mendham, Rutgers; Duane W. Clark, Bloomingdale, Butler H.S.; Robert Connelly, Brookside, West Morris Mendham H.S.; Phillip A. Durkin, Sparta, Pope John XXIII H.S.; John R. Fiddes, III, Long Valley, Delbarton Andrew D. Filauro, Denville, Morris Knolls H.S.; Allison T. Gaydosh, Bridgewater, Bridgewater-Raritan H.S.; Edward Gibbons, Chatham, Chatham H.S.; Timothy Kuppler, Basking Ridge, Ridge H.S.; Jason C. McKay, Bridgewater, Bridgewater-Raritan H.S.; Timothy Nagle, Bridgewater, Bridgewater-Raritan H.S.; William C. Nordlund, Mendham, St. Georges School; John R. Rashap, Randolph, Randolph H.S.; Todd R. Stawicki, Bridgewater, Rutgers; Paul R. Wistermayer, Denville, Morristown Beard School.

NAVAL ACADEMY

David S. Bellomo, Whippany, Whippany Park H.S.; Gregory D. Butler, Bloomingdale, Bulter H.S. Joseph L. Caprio, Denville, Morris Knolls H.S.; Shannon E. Clancy, Califon, West Morris Central H.S.; Michael J. Coffey, Succasunna, Roxbury H.S.; Benjamin B. DeWitt, Mendham, Hill School; Christopher T. Dibble, Somerville, Somerville H.S.; Thomas K. Gallant, West Caldwell, James Caldwell H.S.; Joshua Haba, North Caldwell, West Essex H.S. Bryce C. Holden, Sparta, Sparta H.S.; Richard L. Kilcoyne, III, Essex Fells, West Essex H.S.; Paul S. Kim, Kinnelon, Kinnelon H.S.; Emily A. Laraway, Long Valley, West Morris Central H.S.; Daniel M. Leahey, Morris Plains, Morristown H.S.; Matthew F. Minor, Kinnelon, Kinnelon H.S.; Gregory A. Pappianou, Chester, West Morris Mendham H.S.; Erin C. Reeve, Madison, Madison H.S.; Christopher C. Smith, Succasunna, Roxbury H.S.; Craig G. Wilson, Sparta, Sparta H.S.

TRIBUTE TO THE AUSTRALIAN EX-  
CHANGE WASHINGTON INTERN-  
SHIP PROGRAM

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CLYBURN. Mr. Speaker, it gives me great pleasure to rise today to celebrate a unique international exchange that continues to enrich this institution and The Other Body annually.

Australia is half a world away from this chamber and my constituents in the Sixth Congressional District of South Carolina. Yet Australians and Americans are close international allies and, in many ways, exceptionally close cousins in our democratic institutions, in our multiculturalism, and in the value we place on friendship.

Since 2000, a select handful of Australian university students have made the journey, at great personal expense, from Adelaide in South Australia to spend six-weeks full-time in very welcoming congressional offices. This year was my first such opportunity to host such an entrepreneurial student in Alison Cupper, who is originally from the neighboring Australian state of Victoria.

Alison has been a tireless assistant since the moment she arrived. She is here to study, which she has done daily in her enthusiasm to

learn all she can about the American system of government and in how even a brief visitor from overseas can help serve the people of South Carolina.

Alison is by no means alone in this adventure. Whether it has been Grant Harvey-Mutton in the office of Senator CHUCK HAGEL, or Briony Whitehouse in the office of SEN. CHRISTOPHER DODD, or Tamara Gale with our colleague ALCEE HASTINGS, or Joshua Bolton in the office of JERRY NADLER—each of the students has brightened our days with their curiosity, humanity, and the demeanor of the best tradition of polished diplomats.

Both the U.S. and Australian governments have been strong supporters of this exchange, and rightly so. It is an effort I hope continues on a small staple of US-Australian relations.

Late last month, Mr. Speaker, the Roll Call newspaper offered a small portrait of the program and its participants. I offer that text here to you and our colleagues so that we may all celebrate the value of this exchange, which is so delightfully focused on the students, and from which we can reinforce the values we hold dear about ourselves and about the world in which we live. Mr. Speaker, please join me and my colleagues in thanking everyone involved in creating and shepherding this internship program from its initial concept to the thriving institution it has become. They have done this nation and the Australian people numerous proud acts of public service, which I hope will continue for many years to come.

[From Roll Call, Jan. 27, 2003]

FAR FROM HOME; AUSTRALIANS BRAVE SNOW,  
STRONG DOLLAR FOR INTERNSHIPS

(By Raya D. Widenoja)

Coming to Washington is always an adventure, but just imagine coming from the other side of the world. Five students from Flinders University in Adelaide, Australia, have, braving the elements for a back-stage look at American politics.

"It's just so bloody cold," commented Grant Harvey-Mutton, who recently left high summer in Adelaide to intern in Sen. Chuck Hagel's (R-Neb.) office on the 4-year-old program arranged by former Democratic Hill aide Eric Federing.

Federing, who is now the director of business public policy and government affairs for KPMG, was motivated to start the program after traveling and lecturing in Australia. He runs the program on a pro bono basis with professor Don DeBats of Flinders' American studies department. "The idea is to put good people in good places with good people," Federing says of his organizational philosophy. "[The students] learn stuff by being here that they couldn't possibly know otherwise . . . and some have parlayed this experience into good jobs in the Australian government."

Accompanying Harvey-Mutton are Joshua Balfour of Adelaide in Rep. Jerrold Nadler's (D-N.Y.) office; Alison Cupper of Mildura in Rep. James Clyburn's (D-S.C.) office; Tamara Gale of Yacka in Rep. Alcee Hastings' (D-Fla.) office; and Briony Whitehouse of Adelaide in Sen. Chris Dodd's (D-Conn.) office. Their internships will last until Feb. 14, with a reception in their honor at the Australian Embassy on Feb. 5.

The program is as much about bridging the cultural gap between the United States and Australia as it is about politics, says Federing. Although the countries are very similar in some ways, he says what the Australians call "the tyranny of distance" encourages a mutual ignorance.

The students haven't been here long—arriving on Christmas Day—but they already

have interesting tidbits to share about the differences in political culture.

"I was surprised at how polite the Members are to each other [in the chamber]," said Balfour. Members of parliament in Australia are much more "irreverent" when they address one another, Federing explained, and their remarks are generally "less scripted."

Gale said one of the most interesting things she has noticed is the seating arrangement on the House floor. In Australia the two main parties literally "face off" in opposing rows, so it was odd for her to see the Members all facing the Speaker.

Cupper, who studies law as well as international relations, said she was surprised to see how individualism manifests itself in U.S. culture and to observe the comparative weakness of organized labor movements. In Australia, one of the two main parties is called the Labor Party.

The program has garnered high praise from its start. In March 2000, after the first students left, Rep. Loretta Sanchez (D-Calif.) submitted remarks for the Congressional Record praising the program and her intern, Estee Fiebiger, who, among other things, helped Sanchez's office analyze human rights in Vietnam. Back in Australia, Fiebiger was inspired by her experience to start an internship program of her own in the Labor Party.

According to Federing, at least twice as many Congressional offices have expressed interest in hosting the interns than are available. He is considering expanding the program, but despite growing interest among Flinders students—in part because even domestic political internships are uncommon in Australia—few students actually qualify so far.

The students must major either in American studies or political science, but it's the program's cost that really narrows the field. The students' airfare and housing is subsidized, but their out-of-pocket expenses add up to about 8,000 Australian dollars, which translates into \$4,500 for the six-week program.

"Interns would be beating down your door," Harvey-Mutton said, "if it weren't for the cost."

IN COMMEMORATION OF THE DAY  
OF REMEMBRANCE—RE-INTRO-  
DUCTION OF THE WARTIME PARITY  
AND JUSTICE ACT OF 2003

**HON. XAVIER BECERRA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. BECERRA. Mr. Speaker, I rise today on behalf of my constituents to commemorate the Day of Remembrance. As we know, on February 19, 1942, then President Franklin D. Roosevelt signed Executive Order 9066 that led to the internment of 120,000 Americans of Japanese descent. With the stroke of a pen, innocent men, women, and children became prisoners and were branded disloyal to the nation they called home. Lives were disrupted and homes were broken as these Americans were uprooted from their communities and locked behind barbed wire fences.

The force of wartime hysteria darkened the light of justice and reasonable people suddenly embarked on an unreasonable course. Indeed, America was engaged in a monumental struggle as our soldiers engaged the enemy in the European and Pacific Theatre. Here in the United States, many citizens had

faces that looked like that of the enemy. Without any evidence, fear was mounting, and the patriotism of these Japanese Americans was questioned. Some worried that they were intent on doing harm against the very flag they saluted. Decades later, history vindicated these loyal Americans as not even a single documented case of sabotage or espionage was committed by an American of Japanese ancestry during that time.

What our nation found through the disinfectant of time, those who endured internment knew all along. Surrounded by armed guards behind a prison fence, mothers thought of their sons who fought for the freedom of the nation that denied them of their own liberty. Indeed today the annals of military history show that the Japanese American soldiers of the 442nd and combat regiment fought honorably and bravely for ideals they knew our nation had not yet afforded to their own families back home. Still, they were worth fighting for. And this regiment would become the most decorated group of soldiers in American history as they proved their devotion to our nation fighting in both the European and Pacific theatres. It took more than 50 years, but finally in 2000, President Bill Clinton awarded 22 of these heroes with the Medal of Honor.

In 1983, a Presidential Commission concluded that the internment was the result of both racism and wartime hysteria. Five years later, then President Ronald Reagan signed the Civil Liberties Act into law that provided an official apology and redress to most of those confined in U.S. internment camps during World War II. This was the culmination of half a century of struggle to bring justice to those to whom it was denied. I am proud that our nation did the right thing. But fifteen years after the passage of the CLA, we still have unfinished work to be done to rectify and close this regrettable chapter in our nation's history.

Last Congress, I introduced bi-partisan legislation in Congress to finish the remaining work of redress. While most Americans are aware of the internment of Japanese Americans, few know about our government's activities in other countries resulting from prejudice held against people of Japanese ancestry. Recorded thoroughly in government files, the U.S. government involved itself in the expulsion and internment of an estimated 2,000 people of Japanese descent who lived in various Latin American countries. Uprooted from their homes and forced into the United States, these civilians were robbed of their freedom as they were kidnapped from nations not even directly involved in World War II. These individuals are still waiting for equitable redress, and justice cries out for them to receive it. That is why today I re-introduced the Wartime Parity and Justice Act of 2003 to finally turn the last page in this chapter of our nation's history.

This bill provides redress to every Japanese Latin American individual forcibly removed and interned in the United States. These people paid a tremendous price during one of our nation's most trying times. Indeed, America accomplished much during that great struggle. As we celebrate our great achievements as a nation let us also recognize our errors and join together as a nation to correct those mistakes. My legislation is the right thing to do to affirm our commitment to democracy and the rule of law.

In addition, the Wartime Parity and Justice Act of 2003 provides relief to Japanese Americans confined in this country but who never received redress under the Civil Liberties Act of 1988 given technicalities in the original law. Our laws must always establish justice. They should never deny it. That is why these provisions ensure that every American who suffered the same injustices will receive the same justice. Finally, my legislation will reauthorize the educational mandate in the 1988 Act which was never fulfilled. This will etch this chapter of our nation's history into our national conscience for generations to come as a reminder never to repeat it again.

Mr. Speaker, let us renew our resolve to build a better future for our community as we dedicate ourselves to remembering how we compromised liberty in the past. Doing so will help us to guard it more closely in the future. As we commemorate the Day of Remembrance, I look forward to working with my colleagues to pass the Wartime Parity and Justice Act of 2003.

WESTERN ENVIRONMENTAL  
TECHNOLOGY OFFICE

**HON. DENNIS R. REHBERG**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. REHBERG. Mr. Speaker, I rise to call the attention of Members of the House to critical federal programs conducted at the Western Environmental Technology Office, or WETO, located in Butte, Montana. These programs involving the National Energy Technology Laboratory are funded under Energy and Water Development Appropriations.

First, I want to commend Chairman HOBSON and Ranking Member VISCLOSKY, and the members of the House Appropriations Subcommittee on Energy and Water Development, for their action to restore over \$11 million in funds that were eliminated from the FY 2003 budget for the U.S. Department of Energy's Office of Science and Technology, within the Environmental Management program. The Office of Science and Technology has a critical mission in providing cost effective technology to clean up contaminated federal property across the country, and it deserves the strong support of the Congress.

I continue to be very concerned, however, about the likely adverse effects of proposed Office of Science and Technology cutbacks on our nation's ability to perform cost effective and timely remediation of the DOE's contaminated sites around the country.

More specifically, I am concerned about the continuation of the important work of DOE's Western Environmental Technology Office. At the WETO facility, the National Energy Technology Laboratory provides critical support to DOE's Office of Science and Technology. Their activities help facilitate DOE's demonstration, evaluation and implementation of technologies that promise to provide much-needed solutions to the environmental cleanup challenges at various DOE sites.

DOE's Research and Development contract for the Western Environmental Technology Office, originally awarded in FY 1997, has been extended through the end of FY 2004.

That contract extension provided that DOE would fund WETO at the following levels: \$6

million in FY 2002, \$6 million in FY 2003, and \$4 million in FY 2004. However, in FY 2002 WETO received only \$5 million, \$1 million short of the DOE's contractual obligation.

It is critically important to preserve this commitment to WETO and continue funding on schedule at a rate that will account for last year's shortfall.

I would add that the operations and activities of WETO are very important to the economy in Montana. Many professionals have chosen western Montana as their home while they serve our nation's challenge to clean up contaminated DOE sites.

Mr. Speaker, I would submit to my colleagues that when the Department of Energy makes contracts for multi-year programs in such important areas as WETO, where the Department's Science and Technology Office is developing and implementing technologies to remediate contaminated federal sites, these agreements must be honored.

UPON THE INTRODUCTION OF THE  
MORRIS K. UDALL ARCTIC WIL-  
DERNESS ACT OF 2003

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MARKEY. Mr. Speaker, we are here to introduce legislation that would permanently protect the Coastal Plain of the Arctic Refuge from development. The Morris K. Udall Wilderness Act of 2003 honors an extraordinary environmentalist by protecting, in his name, this extraordinary piece of America's wilderness. And we are proud of the fact that begin this battle in the 108th Congress with more original cosponsors than in any other previous Congress—133 upon introduction—a testament to the growing national demand to keep the developers out of this precious wilderness and to preserve it in its current pristine, roadless condition for future generations of Americans.

We have a bipartisan legacy to protect, and we take it very seriously. It is a legacy of Republican President Eisenhower, who set aside the core of the Refuge in 1960. It is a legacy of Democratic President Carter, who expanded it in 1980. It is the legacy of Republican Senator Bill Roth and Democratic Representative Bruce Vento and especially Morris Udall, who fought so hard to achieve what we propose today, and twice succeeded in shepherding this wilderness proposal through the House. Now is the time to finish the job they began now is the time to say "Yes" to setting aside the Coastal Plain as a fully protected unit of the Wilderness Preservation System.

The coastal plain of the Refuge is the biological heart of the Refuge ecosystem and critical to the survival of caribou, polar bears and over 160 species of birds. When you drill in the heart, every other part of the biological system suffers.

This Valentine's Day, the oil industry is in a state of lobbying frenzy to give Cupid a bad name. It wants to pierce the heart of the Arctic Refuge with oil wells and drill bits, all the while calling this an act of environmental friendliness. The industry loves the Refuge so much that it wants to brand it with scars for a lifetime.

Turning the Coastal Plain of the Arctic Refuge into an industrial footprint would not only

be bad environmental policy, it is totally unnecessary. According to EPA scientists, if cars, mini-vans, and SUV's improved their average fuel economy just 3 miles per gallon, we would save more oil within ten years than would ever be produced from the Refuge. Can we do that? We already did it once! In 1987, the fleetwide average fuel economy topped 26 miles per gallon, but in the last 13 years, we have slipped back to 24 mpg on average, a level we first reached in 1981! Simply using existing technology will allow us to dramatically increase fuel economy, not just by 3 mpg, but by 15 mpg or more—five times the amount the industry wants to drill out of the Refuge.

Our dependence on foreign oil is real, but we cannot escape it by drilling for oil in the United States. We consume 25 percent of the world's oil but control only 3 percent of the world's reserves. 76 percent of those reserves are in OPEC, so we will continue to look to foreign suppliers as long as we continue to ignore the fuel economy of our cars and as long as we continue to fuel them with gasoline.

The public senses that a drill-in-the-Refuge energy strategy is a loser. Why sacrifice something that can never be re-created this one-of-a-kind wilderness simply to avoid something relatively painless—sensible fuel economy?

Is it any wonder its credibility with the American public has sunk to new lows? According to poll after poll after poll, preserving this public environmental treasure far outweighs the value of developing it. The latest poll, done by Democratic pollster Celinda Lake and Republican pollster Christine Matthews, shows a margin of 62–30 percent opposed to drilling for oil in the refuge. The public is making clear to Congress that other options should be pursued, not just because the Refuge is so special, but because the other options will succeed where continuing to put a polluting fuel in gas-guzzling automobiles is a recipe for failure.

That's the kind of thinking that leads not just to this refuge, but to every other pristine wilderness area, in a desperate search for yet another drop of oil. And it perpetuates a head-in-the-haze attitude towards polluting our atmosphere with greenhouse gases and continuing our reliance on OPEC oil for the foreseeable future.

If we allow drilling in the Arctic Refuge, we will have failed twice—we will remain just as dependent on oil for our energy future, and we will have hastened the demise of an irreplaceable wildlife habitat.

We have many choices to make regarding our energy future, but we have very few choices when it comes to industrial pressures on incomparable natural wonders. Let us be clear with the American people that there are places that are so special for their environmental, wilderness or recreational value that we simply will not drill there as long as alternatives exist. The Arctic Refuge is federal land that was set aside for all the people of the United States. It does not belong to the oil companies, it does not belong to one state. It is a public wilderness treasure, we are the trustees.

We do not dam Yosemite Valley for hydro-power.

We do not strip mine Yellowstone for coal.

And we should not drill for oil and gas in the Arctic Refuge.

We should preserve it, instead, as the magnificent wilderness it has always been, and must always be.

HONORING RICHARD COWAN FOR  
HIS CONTRIBUTIONS TO LEGAL  
ASSISTANCE FOR SENIORS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. STARK. Mr. Speaker, I rise today to honor the accomplishments of Richard Cowan, Executive Director of Legal Assistance for Seniors (LAS) and its well-known Health Insurance Counseling and Advocacy Program (HICAP). HICAP's health insurance counseling program provides the local assistance seniors need to make sure Medicare works for them.

With a leadership style of humor and compassion, Richard Cowan has steered LAS and HICAP through a major growth in services, outreach, and budget during his nine-year tenure as Executive Director. The agency's size has quadrupled under Cowan's leadership, and the legal staff has increased from six attorneys to thirteen.

Richard Cowan worked to develop Healthy Seniors, a program that unites the work of LAS and HICAP, and he led the Senior Immigrant Legal Services Project. He advocated for the Elder Abuse Prevention and Grandparent/Kin Caregiver programs and strengthened the agency's ties throughout Alameda County's senior, social services, health, and legal networks.

He spearheaded development of several LAS newsletters, and expanded LAS's funding resources to include over 30 major individual donors and firm contributors. Also, Cowan oversaw the hiring of a diverse LAS staff, which has the capability to assist clients in eight languages. He was a founding member of Alameda County Senior Services Coalition and Save Oakland Seniors, two groups dedicated to advocating for increased senior services.

Prior to joining LAS, Richard Cowan was Executive Director of the Conciliation Forums of Oakland, a citywide dispute resolution center, for six years, and interim Executive Director of the Volunteer Centers of Alameda County for one year. He earned his Bachelor of Arts, Master of Arts, and Masters of Public Health degrees from the University of California, Berkeley.

I am honored to join the colleagues of Richard Cowan in commending him for his years of exemplary leadership at Legal Assistance for Seniors. I have great respect for the work of Mr. Cowan and this organization. Under his direction, Legal Assistance for Seniors has become a program that should be modeled nationwide.

SPECIAL ORDER: CHENEY TASK  
FORCE RECORDS AND GAO AU-  
THORITY

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. WAXMAN. Mr. Speaker, last Friday, February 7, the General Accounting Office

abandoned its efforts to obtain basic records about the operations of the White House task force on energy policy. This action received only limited attention, and few people fully understand its profound consequences.

When we have divided government, the public can expect Congress to conduct needed oversight over the Executive Branch. But today we are living in an era of one-party control. This means the House and the Senate aren't going to conduct meaningful oversight of the Bush Administration.

When there is one-party control of both the White House and Congress, there is only one entity that can hold the Administration accountable . . . and that is the independent General Accounting Office.

But now GAO has been forced to surrender this fundamental independence.

When GAO decided not to appeal the district court decision in *Walker v. Cheney*, it crossed a divide. In the Comptroller General's words, GAO will now require "an affirmative statement of support from at least one full committee with jurisdiction over any records access matter prior to any future court action by GAO."

Translated, what this means is that GAO will bring future actions to enforce its rights to documents only with the blessing of the majority party in Congress.

This is a fundamental shift in our systems of check and balances. For all practical purposes, the Bush Administration is now immune from effective oversight by any body in Congress.

Some people say GAO should never have brought legal action to obtain information about the energy task force headed by Vice President Cheney. But in reality, GAO had no choice.

The Bush Administration's penchant for secrecy has been demonstrated time and again. The Department of Justice has issued a directive curtailing public access to information under the Freedom of Information Act. The White House has restricted access to presidential records. The Administration has refused to provide information about the identity of over 1,000 individuals detained in the name of homeland security.

The White House deliberately picked this fight with GAO because it wants to run the government in secret.

GAO's efforts to obtain information about the Cheney task force began with a routine request. The task force was formed in January 2001 to make recommendations about the nation's energy future. During the course of the task force's deliberations, the press reported that major campaign contributors had special access to the task force while environmental organizations, consumer groups, and the public were shut out. Rep. Dingell, the ranking member of the Energy and Commerce Committee, and I felt that Congress and the public had the right to know whether and to what extent the task force's energy recommendations may have been influenced by well-connected outside parties. Accordingly, we asked GAO to obtain some basic information on the energy task force's operations, such as who was present at each meeting of the task force, who were the professional staff, who did the Vice President and task force staff meet with, and what costs were incurred as part of the process. We did not request, and GAO did not seek, information on internal communications.

From the start, the White House assumed a hostile and uncompromising position, arguing that GAO's investigation "would unconstitutionally interfere with the functioning of the Executive Branch." Stand-offs between Congress and the White House are not new, of course. Typically, they are resolved through hard bargaining and compromise. But the White House made clear that it wasn't willing to bargain or to compromise. Even when GAO voluntarily scaled back its request—dropping its request for minutes and notes—the Vice President's office was intransigent.

The White House's contempt for legitimate congressional requests for information was apparent even in the one area in which it conceded GAO's authority. The Vice President acknowledged that GAO was entitled to review the costs associated with the task force. However, the only information he provided to GAO about costs were 77 pages of random documents. Some of the pages consisted of simply numbers or dollar amounts without an explanation of what the money was for; other pages consisted only of a drawing of cellular or desk phones. Without an explanation—which the Administration refused to provide, of course the information was utterly useless.

The statutes governing GAO's authority spell out an elaborate process which the agency must follow before initiating any litigation against the Executive Branch. The statute even gives the White House authority to block litigation by certifying that disclosure "reasonably could be expected to impair substantially the operations of the Government."

In this case, GAO followed the letter and the spirit of that statute, even giving the White House an opportunity to file a certification. But the White House position was that GAO had no right even to ask for documents. Faced with an Administration that had no interest in reaching an accommodation, GAO was left with a stark choice: GAO could drop the matter, effectively conceding the White House's position that it was immune from oversight, or it could invoke its statutory authority to sue the Executive Branch. Reluctantly, on February 22, 2002, GAO filed its first-ever suit against the Executive Branch to obtain access to information.

It's not hard to figure out why the White House was so eager to pick a fight with GAO. After all, GAO provides the muscle for Congress' oversight function. Over the past century, Congress has increasingly turned to GAO to monitor and oversee an Executive Branch that has ballooned in size and strength. Moreover, because it has earned a reputation for fairness and independence, GAO is particularly threatening to an Administration that doesn't want to be challenged on any front.

GAO's effort failed at the trial level. In December, the district court in the case issued a sweeping decision in favor of the Bush Administration, ruling that GAO has no standing to sue the Executive Branch. The judge who wrote the decision was a recent Bush appointee who served as a deputy to Ken Starr during the independent counsel investigation of the Clinton Administration. The judge's reasoning contorted the law, and it ignored both Supreme Court and appellate court precedent recognizing GAO's right to use the courts to enforce its statutory rights to information.

This brings us to last week. Before deciding whether to pursue an appeal, the Comptroller General consulted with congressional leaders.

He found no support among Republican leaders for an appeal. And he decided not to appeal.

The judge's ruling raised major institutional issues about Congress' power to investigate the Executive Branch. But Republican leaders put party ahead of the institution and partisanship ahead of principle.

The hypocrisy about this issue on the Republican side is simply breathtaking. During the 1990s, it was Republicans in Congress who embarked on a concerted effort to undermine the authority of the President. Congressional committees spent over \$15 million investigating the White House. They demanded—and received—information on the innermost workings of the White House. They subpoenaed top White House officials to testify about the advice they gave the President. They forced the White House to disclose internal White House documents—memos, e-mails, phone records, even lists of guests at White House movie showings. And they launched countless GAO investigations into everything from President Clinton's Health Care Task Force to his working group on China Permanent Normal Trade Relations.

And if the White House resisted, these same leaders insisted that Congress and the public's right to know was paramount. Defending his numerous demands for White House records, for example, Rep. Dan Burton insisted on the House floor that "public disclosure of the facts is the essence and in large part the purpose of congressional oversight. The American people have a right to know the facts." And other Republican leaders reiterated this message over and over again on countless television talk shows.

But now that President Bush and Vice President Cheney are in office, suddenly these priorities have changed. Oversight is no longer a priority. In fact, it's something to be avoided at all costs, including sacrificing the independence of GAO. Even when GAO asks for the most basic information—what private interests met with a White House task force—the answer is that GAO is not entitled to ask these questions.

By pressuring GAO to accept a badly flawed court decision, Republican leaders placed expediency over principle. In the short term, they will get what they want—a Bush White House that is accountable to no one. In the long term, however, they have done lasting damage to the balance of powers between Congress and the White House.

Consider this irony: In their eagerness to undermine the Clinton White House, Republicans in Congress tried to tear down the presidency. Now, in their eagerness to protect the Bush White House, they are willing to tear down Congress.

The implications of GAO's decision not to appeal are enormous. Without a realistic threat of legal action, GAO loses most of its leverage. In effect, the agency's ability to conduct effective independent investigations is emasculated. And in the process, core American values of open government and accountable leaders have been sacrificed.

The Comptroller General has stated that his decision not to appeal will have little impact on the day-to-day operations of GAO. There is some truth to this. Much of what GAO does every day are routine audits of government programs that virtually everyone supports. GAO will be able to continue this routine work.

And if a Republican-controlled committee ever urges GAO to pursue a controversial investigation of the Bush Administration, GAO may be able to do this. But don't hold your breath.

What has been lost, however, is something very precious: it is GAO's ability to be more than an auditor of government books. To truly serve Congress and the American people, GAO needs the ability to take on important assignments even if they are not supported by the majority party, and it needs the authority to carry them out effectively even if they are controversial. This essential independence is now gone.

For the first time in its history, GAO's shield of nonpartisanship has been pierced. In this new world, partisan considerations matter. Congressional Republicans can dictate GAO action; congressional Democrats can't. That is a sea change in GAO's mission.

In the last eight years, some of our most important congressional powers have been misused for partisan purposes. We've seen the power to subpoena documents or individuals abused and twisted beyond recognition. The power to immunize witnesses was trivialized. The power to hold officials in contempt became a cheap political tool. And the power to impeach a President was reduced to a campaign strategy.

Now the General Accounting Office, with its well-deserved reputation for superb work, becomes the latest casualty of partisanship. We are losing something very special here, and it is slipping away almost without notice.

I ask unanimous consent to insert three short documents into the RECORD. They are an exchange of correspondence with the Comptroller General on this issue and a fact sheet on the Walker v. Cheney case that my staff has prepared.

### COMMENDING ISRAEL ON THEIR ELECTIONS

SPEECH OF

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. CONYERS. Mr. Speaker, I voted "present" on the resolution offered by the Gentleman from Virginia (Mr. CANTOR) on the Israel-Palestine controversy. Because of the extensive interest in that resolution, I would like to explain the basis of my vote. For nearly a year, I have worked more intensively on this controversy than on any of the other pressing matters before us, with the exception of the looming disaster in Iraq. My aim has been to convince my colleagues that—despite the understandably intense feelings many have on this matter—it is crucial that we promote and engage in honest dialogue about the terribly difficult questions posed by the Middle East crisis. That delicate dialogue must be marked by as much civility and mutual respect as we can muster, and by a relentless effort to understand viewpoints we may not share.

Finger-pointing, brandishing claims and grievances may seem totally justified and important to express. The intensity of feeling is obvious and understandable. But surely the goal of halting violence and resolving the dispute is paramount. I believe its priority requires that my words and conduct in this body

be consistent with advancing this dialogue. At the end of this long national debate, we must somehow achieve a national consensus.

Dr. King once reminded us that countries, like people, which have been the bitterest enemies must someday realize their fate is intertwined.

"We are caught in an inescapable network of mutuality, tied in a single garment of destiny"

Over the course of the last ten months, I have spoken with many colleagues on both sides of the aisle, and on both sides of the Capitol, urging that we create and continue an inclusive forum in which different views about the Mideast could be freely expressed freely and listened to carefully.

With several other equally concerned colleagues, I convened a series of discussion meetings to which all Members have been invited. House Members of all faiths have attended them. They also have been attended by rabbis, ministers, priests and imams, as well as by senior officials of Arab-American and Jewish-American organizations concerned about the Middle East crisis. Other participants have included Yitzhak Rabin's son; President Carter's NSC officer for the Camp David Agreement between Israel and Egypt; one of President Clinton's negotiators in the 2000 Palestinian-Israeli peace negotiations; the U.S. Conference of Catholic Bishops' representative on institutions in the Holy Land; the Vice-President for International Affairs of the American Jewish Committee, the President of the Arab-American Institute; a Deputy Secretary General of the National Council of Christian Churches, and two representatives—one Israeli and one Palestinian—of an association of bereaved parents of victims of the violence. While we all have been distracted by other pressing national security issues, I plan to resume these panels, as soon as possible.

All the attendees agreed on the importance of maintaining genuine dialogue and of minimizing inflammatory or divisive declarations. I agree, and that conclusion guides my vote on this resolution.

I fully supported the creation of the State of Israel. My continuing support of its security and viability has never wavered. And I agree that one of Israel's lasting strengths has been its fierce commitment to democracy, implemented once again in the recent elections. At the same time, my dedication to America's pursuing a just, equitable and lasting peace for all people in the region is equally strong.

I am sure that my colleagues fully share these goals, however much we sometimes may differ on the best path to reach them. I believe, nevertheless, that this resolution, though well-intentioned, would be counter-productive to progress towards those goals, especially at this perilous time when competing considerations should be carefully balanced.

This resolution is partially designed to reassure Israel of our friendship. I am convinced, however, that the Israeli Government and the Israeli people know well that the United States' commitment—and the commitment of this entire body—to their safety and survival is steadfast and will remain so.

Judged in the context of all these considerations, this resolution is simply too one-sided

to accomplish another of its presumed purposes, namely, advancing peace in the Middle East. Alternative formulations would be better suited for that objective.

I also do not think the Congress should try to involve itself in the internal politics of an allied nation.

In addition, this president, like his predecessors, should be given the maximum flexibility to maintain the credibility of the United States with all parties; we should strive to preserve his ability to broker a permanent resolution. With equal conviction, I urge the president to use those capabilities to the fullest; to advance a timetable more vigorously, and to propose more detailed possible peace plans.

In conclusion, Mr. Speaker, I appreciate the frustrations and fears that have marked the past three years. And I know that Washington is now preoccupied with Iraq and with the threat of terrorism to our homeland security. But that is all the more reason that we should strive to keep this body poised to play its part in stanching violence in Israel and the West Bank, and in supporting any future peace initiatives. For me, it is difficult to see why, during these perilous times, the legislative body of the sole nation on earth which might bring this crisis to closure would do anything that could compromise that nation's ability to do so.

HONORING THE COURAGE OF THE  
U.S. MARINES, 5TH DIVISION ON  
MT. SURIBACHI

**HON. ED CASE**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CASE. Mr. Speaker, I rise today to honor the courage of the first United States soldiers to scale the summit of the heavily-defended Mt. Suribachi on Iwo Jima.

Iwo Jima is a small rocky island only two miles wide and four miles long located approximately 650 miles south of Tokyo, Japan. It is a volcanic island, much like the islands in my home state of Hawaii—a place where cool Pacific breezes rush over soft beaches and birds sing songs learned during lonely flights across the wide ocean.

For a brief moment in time, the island of Iwo Jima became a central battleground between the Empire of Japan and the Allied Forces during those terrible and dark days of World War II. The Allied Forces were determined to take the island in preparation for a final attack on Japan, and the Japanese were unbendable in their desire to defend Iwo Jima and to prevent foreigners from moving any closer to the main islands of Japan.

On February 19, 1945, approximately 70,000 American and other Allied Forces and 22,000 Japanese soldiers locked themselves in a horrific battle that would begin the final phase of the War in the Pacific. Entrenched in a series of interlocking caves, blockhouses, and pillboxes, the Japanese fought with determination to defend their island. Debarking off a naval armada of more than 450 ships, the Allies, led by the United States, brought the full weight of their highly trained and battle tested troops to bear with the determined goal of taking the rocky island no matter what the cost. The battle for Iwo Jima would be one of

the fiercest conflicts of the Second World War. Almost 7,000 Americans were killed in action. More than 20,000 Americans were wounded. Of the 22,000 Japanese defenders, only 1,083 survived.

On February 23, 1945, the fifth day of the battle, Marines from the 5th Division were ordered to ascend the slopes of Mt. Suribachi, the main peak controlling the island. Four Marine squads worked their way up the mountain and, at 10:30 a.m., 1st Lieutenant Harold Schrier, Platoon Sergeant Ernest Thomas, Sergeant Henry Hansen, Corporal Charles Lindberg, and Private James Michels raised the first American flag on Mt. Suribachi.

Today, when our Nation thinks about the brave soldiers of Iwo Jima, we often visualize the commanding bronze statue resting on the banks of the Potomac River. Most Americans do not realize that this memorial actually depicts the second, much larger flag that was raised over Mt. Suribachi, signaling the courage and determination of the United States to almost every soldier on Iwo Jima and to the naval vessels at sea.

In my home state of Hawaii, the Iwo Jima United States Memorial Association is working to raise the funds necessary to build a memorial to recognize the American soldiers who raised the first American flag on Mt. Suribachi. I applaud their efforts and hope that every citizen across the nation will support those groups dedicated to recognizing the courage of American soldiers.

IN RECOGNITION OF CARL KELLY

**HON. MAC COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. COLLINS. Mr. Speaker, a man from Butts County, Georgia, Carl Kelly of Pepperton Cottonmill Village, has recently been reintroduced to his community and to new generations as a true hero.

Just prior to World War Two, First Sergeant Kelly was a member of the Jackson Rifles of the Jackson National Guard. 1st Sgt. Kelly was sent to Europe with very little training and very little equipment. While he was there he was one of the thousands of Americans who went ashore on Utah Beach during the Normandy Invasion. He was later wounded in St. Lo, France and awarded his first Purple Heart and the first of his three Bronze Stars for gallantry.

Following the war, Kelly remained in the military and was deployed very shortly thereafter to Korea, where he was given a field promotion to 2nd Lieutenant. While in Korea, Lt. Kelly was wounded a second time. Once he returned to action, he repeatedly risked his own life to cover the retreat of a pinned down artillery unit, ultimately receiving a mortal wound.

Lt. Carl Kelly is, from all available records, the most highly decorated veteran of Butts County. While bravely serving his nation he was awarded three Purple Hearts, three Bronze Stars, the Silver Star, and dozens of other honors.

What has brought Lt. Kelly's actions to the attention of the public is a book chronicling the life of an infantryman in World War Two and Korea. In his recently published book, *Warrior*

By Choice in World War Two, *By Chance* in Korea, author Jack M. Anderson tells Kelly's story in an excerpt describing the first man he ever saw die.

As we prepare to send our young men and women into combat, I think that it is fitting that we remember the sacrifice of men like Carl Kelly, and finally give him the honor that has been so long overdue.

Recently my hometown newspaper, the *Jackson Argue-Progress*, published an article about Kelly's life of commitment, and I would like that article and these comments to be submitted together for the RECORD. In this way, I wish to honor the memory of a hometown hero, a father, a husband, and an example of valor to all Americans, on behalf of a grateful nation.

[From *Jackson Argue-Progress*, Jan. 29, 2003]

REMEMBERING BUTTS COUNTY'S LT. KELLY

(By Herman Cawthon)

In the recently published *Warrior By Choice in World War II, By Chance* Korea, author Jack M. Anderson tells of his 24-plus years of service as a United States Infantryman.

In his book Anderson includes an excerpt of a Butts County warrior, Carl Kelly. Anderson describes Kelly as follows:

"From Butts, Georgia 1st Sgt. Carl Kelly, Hq Co, 1st Bn, 38th Inf was wounded the same time I was. He would return to duty and be killed the day before I was captured. He was the first man I would watch die. We started to move him to the Bn Aid Station, but he said not to, but wanted us to get a hometown friend of his who was the Bn S4 Sergeant.

"Carl told Stewart (I hope that name is right) that things were going slowly dim and he wanted Stewart to be sure to tell his wife and kids that he loved them and would meet them in heaven. He talked for a few minutes more, then just closed his eyes and was dead. I had seen others killed and would see more, but that was the first time I watched a man die."

Anderson and Kelly both had very similar military careers up to the death of Kelly. Both were in the National Guard when World War II started and both were sent into action with little training and even less to work with; not only guns and ammunition, but food and lodging. Kelly went to the European Theater and Anderson to the Pacific. Both were wounded and decorated several times. Anderson details how the US troops improved and how they wound up with so much more than the enemy.

After World War II, both joined the regular Army, so when the Korean Conflict started, they were sent into battle immediately. Again Anderson tells how the U.S. was very short on supplies and had very few men with any training and experience. At the beginning, he describes the hardships experienced by the troops as they fought the larger, better trained enemy troops. Both men were prisoners and escaped. Again, the U.S. wound up with superior troops and equipment.

After reading the book, Cary Kelly, son of Lt. Carl Kelly, wrote the following letter:

"To Whom It May Concern: The following is a brief military history of Lt. Carl Kelly from Jackson, Georgia.

"Carl Kelly began his military career by joining the Jackson National Guard, then called the Jackson Rifles, while still in his teens. When WWII started, the Jackson National Guard was called upon to train for the war in Europe. Carl Kelly was made 1st Sergeant before leaving for Ireland to wait for the invasion of Normandy.

"After landing on Utah Beach the 8th Army division fought their way inland to France. There in St.-LoFrance, then 1st Sergeant Kelly was wounded in action and was awarded his first of two bronze stars for gallantry. He also received his first Purple heart for being wounded in action. As soon as he was able he rejoined his outfit and continued fighting into Germany until the Germans surrendered.

"By this time Sgt. Kelly had made the decision to enlist in the military for a career and was a full time military personnel.

"When the Korean Conflict began Sgt. Kelly was immediately sent to Korea. (How President Harry Truman could call it a conflict when over 50,000 American soldiers were killed is beyond me). It was a terrible war, often fought in hand-to-hand combat in temperatures of 20 degrees below zero, fighting against not only North Koreans but Chinese as well.

"After distinguishing himself on the battlefield as being a leader of men, Sgt. Kelly was awarded a battlefield commission to 2nd Lieutenant. Soon after he was again wounded in action.

"After recuperating from wounds, Lt. Kelly returned to active duty and soon after was involved in a battle involving an artillery unit that had been ambushed and was trying to retreat. According to records, intense enemy fire was preventing the withdrawal of the field artillery battalion.

"Lt Kelly reconnoitered the enemy positions and organized the artillerymen into fighting groups. With complete disregard for his personal safety, Lt. Kelly repeated aggressive actions, wiping out enemy forces and weapons. Besides instilling confidence in the artillerymen, his conspicuous actions served to center the fire of the enemy on himself. Although enemy fire became more intense and deadly, Lt. Kelly continued to expose himself in leading the assaults. Finally he was struck by enemy fire and fell mortally wounded.

"Before he died he told a friend to tell his wife and children that he loved them very much and would see them in heaven someday. He received the Silver Star Award posthumously.

"Lt Kelly was in service for eleven years. He received three Purple Heart Medals, three Bronze Star Medals and the Silver Star medal, as well as the many service medals awarded by the United States Army, during the period of time served.

"I feel my father is a forgotten Hero from Butts County. From all the records I can find, he was the most decorated soldier from Butts County. He was also the only military man and officer to serve in both World War II and the Korean Conflict who was killed in action. He received a battlefield commission from 1st Sgt. to 2nd Lieutenant. Our family also received a letter of condolence from General Douglas MacArthur (which we still have).

"To me this is not a bad resume for a young man from Pepperton Cottonmill Village who started out in the Jackson National Guard and died a hero at the ripe old age of 32.

"I believe that every young man and woman from Butts County who gave their life in defense of their country are heroes and should be recognized. In a time when roads, highways and buildings, are named after people at the drop of a hat, none of these young heroes even have a small plaque on a park bench in Butts County. Even on Veterans Day and/or Memorial Day their names are only brought up by family members. I feel that other counties in Georgia are way ahead of Butts County in this matter.

"Very Sincerely, Cary V. Kelly"

Carl Kelly is not the only hero in the family. His wife, Edna is a hero to many of her friends.

At the time Carl was killed she had three young sons, Cary, Tim and Pat. All three served in the military. Tim was killed in a motorcycle accident in California after being discharged and on the way home. Pat was a disabled Vietnam Combat Veteran and was killed a couple of years ago in a truck accident.

A few years after Carl's death, Edna married Ed Daniel, another Veteran and they had two sons, Chip and Joe. Both sons are now veterans, too. Ed passed away a few years ago after an extended illness.

When asked how she had handled so much tragedy and could still have a smile and her special laugh, she pointed upward, and said she had a lot of help from above.

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#### PAYING TRIBUTE TO: J. THOMAS GILMORE

SPEECH OF

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 2003*

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today in order to recognize Dr. J. Thomas Gilmore of Alamosa Colorado. Over the last seven years Dr. Gilmore has served as president of Adams State College in Alamosa, during which the college has experienced a period of dramatic growth and development.

Dr. Gilmore, a native of the San Luis Valley, received his bachelor's and master's degrees in 1967 and 1968, from Adams State College. In 1973, Tom became a member of the College's faculty in the School of Business and later earned his Ph.D. from Colorado State University in Economics. Dr. Gilmore served as the School of Business's Dean from 1983 until 1993, during which time, he guided the school to receiving the first of Adam State's four Excellence in Education Awards. In 1993, he was named Vice President for External Affairs, and within that same year he became the Vice President for Administration. No sooner did Tom accept the position of Vice President, that he was named President of the College.

Beginning in 1995, and throughout his entire tenure as President, Dr. Gilmore was preparing Adams State to become an independent institution. Under his direction, the school embarked on an ambitious building program constructing the first new building on its campus in more than 25 years. After having built a new theater and remodeled the School of business, Dr. Gilmore had every student residence hall wired for internet access. Due to his desire to see more students get the best education possible, he enlarged the endowment to almost four times its original size. As Dr. Gilmore retires, it is clear that he has left Adams State College a stronger institution than he found it.

Mr. Speaker, it is with honor that I recognize Dr. J. Thomas Gilmore before this body of Congress and this nation. His strong leadership has improved the quality of secondary as well as post-secondary education in the State of Colorado. Tom has truly been a valuable resource to the students and faculty of Adams State College. I thank him for his continued service to his community and the great State of Colorado.

TRIBUTE TO MATTHEW R. DUKSA, SR.

#### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to honor and pay tribute to Matthew R. Duksa, Sr. of Newington, Connecticut who died November 28, 2002 at the age of 80. Mr. Duksa was a longtime business owner in the First Congressional District and a valued member of the community.

Matt will long be remembered for his commitment to his business and community. He created the Borawski-Duksa funeral home in New Britain in 1949 and the Newington Memorial Funeral Home in Newington in 1952. He was president of both until his death, and held memberships in the Connecticut and National Funeral Director's Associations.

Throughout his life, Matt was intensely devoted to his family, to Connecticut, and to his country. He was a Newington volunteer firefighter for sixteen years, was director of the Newington volunteer ambulance, a member of Polish Businessmen and Falcons Nest #88, as well as a 3rd and 4th degree member of the Knights of Columbus Council 3884 in Newington.

Those who knew Matt, knew him for his integrity, contagious sense of humor, endless curiosity, love of life, and twinkling blue eyes. He will be remembered as respectful of his staff, putting the needs of others before himself, always doing his best, living life to its fullest, and showing love continuously. Matthew Duksa will be greatly missed by his friends, family, and his community and I ask my colleagues to join me in honoring his life.

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#### DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT ACCOMPLISHMENTS

#### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. McCOLLUM. Mr. Speaker, I rise today to honor the accomplishments of the Dakota County Soil and Water Conservation District. I am pleased that the Environmental Protection Agency selected the Dakota County Soil and Water Conservation District as one of their Clean Water Partners for the 21st Century this year. This is a great honor and I am proud to support Dakota County Soil and Water Conservation District's achievements.

The Dakota County Soil and Water Conservation District helps local landowners protect Minnesota's natural resources. Their assistance has been critical in controlling erosion near our lakes and rivers. They have also played a valuable role in helping integrate ecological and environmental considerations into all phases of urban planning, design and construction. Their assistance helps reduce contaminated runoff and introduces the use of wetlands and other natural processes to protect our water resources.

The EPA's Clean Water Partners for the 21st Century program recognizes these extraordinary efforts. This award is presented to

local governments that go beyond the requirements of the Clean Water Act. It goes to those willing to mobilize local resources in order to protect and improve the overall health of our watersheds. The Dakota County Soil and Water Conservation District clearly fits this description.

Mr. Speaker, protecting and improving the nation's watersheds is important to me and my district. I share in the excitement of this award and am proud of the Dakota County Soil and Water Conservation District's achievement.

CONFIRMATION OF MIGUEL A. ESTRADA TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. BONNER. Mr. Speaker, I rise today in support of the nomination of Miguel A. Estrada of Virginia to the United States Court of Appeals for the District of Columbia Circuit. This nomination has been pending before the Senate since May 9, 2001.

Miguel Estrada has experience, intelligence, character and bipartisan support. Mr. Estrada has argued 15 cases before the United States Supreme Court and has served in the Justice Department under presidents of both political parties as a federal prosecutor and as the Assistant to the Solicitor General. Mr. Estrada was born in Honduras and attended Harvard Law School where he served as Editor of the Harvard Law Review. He maintains the highest rating of "unanimously well qualified" from the American Bar Association. This rating is based on professional as well as personal evaluations of a nominee, and some Democratic leaders have referred to this rating as "the gold standard." As a result of Mr. Estrada's professional and personal accomplishments, he has received broad support among lawyers and judges associated with both political parties.

President Bush has voiced his concern for the current judicial emergency in America with a large number of seats at the appellate and district levels remaining unfilled. President Bush, as the Chief Executive to the Judiciary, has a constitutional right to name a qualified person to the Judiciary. Mr. Estrada's confirmation will not only place a well-qualified and respected lawyer on the United States Court of Civil Appeals, it will uphold one of the finest traditions of our country. Mr. Estrada has endured over a twenty month nomination process without the courtesy of a floor vote. I strongly support Miguel Estrada becoming the first hispanic judge to sit on the United States Court of Appeals for the District of Columbia Circuit.

TRIBUTE TO LOLA SPRADLEY

SPEECH OF

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 2003*

Mr. McINNIS. Mr. Speaker, it is with great pride that I recognize and congratulate Representative Lola Spradley. Rep. Spradley has recently become the first female Speaker of the Colorado House, a truly momentous accomplishment.

Growing up on a wheat ranch on the plains of Colorado, Lola learned to be a ready farm hand and could do everything from drive a tractor to milk a cow. Her experience growing up on a farm has helped Lola to have an excellent understanding of the rural district that she now represents. Now, Lola Spradley is a 56-year-old representative from southern Colorado. She and her husband, Dale, have four children and seven grandchildren. She lives on a 240-acre ranch with her horses and dogs, near Beulah, Colorado.

As a political leader, Rep. Spradley is proud of her beliefs. She stands firmly for the rights of Colorado's citizens on issues that are as diverse as Gun Control and Water Management. She is a strong conservative and a devoted student of government. Running under that banner "Lola Listens," Spradley won a decisive victory in the last election, and a unanimous election to the position of Speaker from the Colorado House Republicans. Colorado is proud to have her as its first female Speaker of the House.

Mr. Speaker, it is with honor that I recognize Rep. Lola Spradley before this body of Congress and this nation. She is a strong woman who cares about her district and her state, and she will continue to be an integral part of Colorado's leadership.

ABSTINENCE

**HON. JOSEPH R. PITTS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. PITTS. Mr. Speaker, I rise today in strong support of the funding for abstinence-until-marriage education in this bill, and I thank the Chairman for his leadership on this important issue.

Today, the results of a landmark Zogby International survey assessing parental attitudes on sex education have been released to the public. The Zogby poll reveals strong parental approval for character-based, abstinence-until-marriage programs and proves that parents soundly reject the goals and content of so-called "comprehensive" sex education. The results are available online at [www.whatparentsthink.com](http://www.whatparentsthink.com)

According to the Zogby poll, 73.5 percent of parents approve or strongly approve of abstinence-centered sex education. 61.1 percent of parents disapprove or strongly disapprove of so-called "comprehensive" or "safe sex" education. 75.3 percent of parents disapprove or strongly disapprove of the Centers for Disease Control (CDC) sex education curriculum.

When parents are accurately informed about what "comprehensive" sex education actually entails, which includes distributing condoms in schools, they make it clear that they do not want their children to be inundated with "safesex" propaganda. Instead, parents want their children to be taught self-respect, self-control and abstinence-until-marriage.

This survey marks the first time parents have been polled using the exact language from comprehensive sex education guidelines. The major weaknesses of previous polls are their misleading questions and fuzzy interpretations. In this poll, Zogby used exact definitions and verbatim wording from the comprehensive sex education curricula developed and endorsed by such groups as the Sexuality Information and Education Council of the United States (SIECUS) and Planned Parenthood.

The Zogby organization also found that: All demographic groupings strongly disapprove of comprehensive sex education—especially non-white minorities (Hispanics and Asians). And, 70 percent of parents strongly disapprove of their teens getting contraceptives without their approval.

Mr. Speaker, America's parents have spoken. They want abstinence-until-marriage education. This bill ensures that the values many American parents hold dear—the values of abstinence and marital faithfulness are not determined by taxpayer-funded "safe-sex" propaganda in schools.

I encourage my colleagues to join America's parents in supporting this bill, and I yield back the balance of my time.

COALITION FOR ADOLESCENT SEXUAL HEALTH—SUMMARY OF KEY FINDINGS

BACKGROUND

Zogby International conducted the survey on behalf of the Coalition for Adolescent Sexual Health, an ad hoc association formed exclusively for the purpose of conducting the poll.

Private foundations that wish to remain anonymous paid for the cost of the survey.

The random sample survey was conducted January 11 to 15. A total of 1,245 adult parents of children ages 5 to 18 were interviewed with an over-sampling of African Americans. The margins of error were: Total MOA = +/- 2.8 percent; Whites MOA = +/- 3.3 percent; All non-whites MOA = +/- 5.5 percent; Blacks MOA = +/- 6.3 percent; Born again Christians = +/- 5.6%.

The total sample was approximately evenly split among fathers of children in grades K-6, fathers of children in grades 7-12, mothers of children in grades K-6 and mothers of children in grades 7-12.

NEED FOR ZOGBY SURVEY

Previous surveys by groups such as Alan Guttmacher Institute, Planned Parenthood, Sexuality Information and Education Council of the United States (SIECUS), and Advocates for Youth have had serious flaws: Biased sample selection; Leading questions; Deceptive questions; Biased interpretation of results.

Such surveys have been used to claim that parents support comprehensive sex education (also known as "safer-sex" or "abstinence-first" sex education) and that parents oppose character-based, abstinence-until-marriage sex education.

Such surveys describe comprehensive sex education using innocuous, vague, euphemistic, and almost compassionate wording designed to convince parents that such education is needed for their children's health and well being.

## HOW THE QUESTIONS IN THE ZOGBY POLL WERE DEVELOPED

Five types of questions were included in the Zogby survey. All 29 questions in the survey were developed to introduce a minimum level of bias.

Fourteen questions asked parents their level of approval for comprehensive sex education. The questions asked verbatim components of the Guidelines for Comprehensive Sexuality Education. These guidelines, developed in 1990 by the Sexuality Information and Education Council of the United States (in conjunction with the Centers for Disease Control and Prevention [CDC], the National School Boards Association, Planned Parenthood and others) represent the foundation of comprehensive or abstinence-first sex education. In short, these guidelines detail what comprehensive sex education wants children and adolescents to learn. When organizations such as Planned Parenthood, SIECUS, the Alan Guttmacher Institute, and Advocates for Youth lobby Congress, state legislatures and school boards on behalf of comprehensive sex education, it is these guidelines that they have in mind. (See questions 7 through 20.)

Six questions asked parents their level of approval for character-based, abstinence-until-marriage sex education. These questions asked verbatim portions from the National Guidelines for Sexuality and Character Education. These guidelines, developed in 1996 by the Medical Institute for Sexual Health, are considered by many abstinence groups to represent the foundation for abstinence education. (See questions 1 through 6.)

Four questions asked parents their level of approval for comprehensive sex education curricula promoted for years by the Centers for Disease Control and Prevention (CDC). The questions paraphrased teaching material from these curricula. (See questions 25 through 28.)

Four questions reflect different aspects of comprehensive sex education not specifically covered by other questions. (See questions 21, 23, 24 and 29.)

One question asked parents their level of approval for comprehensive sex education using the type of vague, innocuous wording typically used in the past by groups attempting to show parental approval for comprehensive sex education. This question was included for benchmark purposes. (See question 22.)

## MAJOR FINDING

Parents overwhelmingly reject comprehensive sex education when they are asked questions that deal specifically with the topics included in comprehensive sex education.

	Percent of parents who approve or strongly approve	Percent of parents who disapprove or strongly disapprove
Comprehensive or abstinence-first sex education guidelines .....	25.0	61.1
Character-based, abstinence-sex education guidelines .....	73.5	16.3
CDC-promoted comprehensive sex education curricula .....	13.9	75.3
Misc. aspects of comprehensive sex education .....	22.4	68.1

By a 4.6 to 1 margin, parents approve or strongly approve of abstinence sex education. By a 2.4 to 1 margin, parents disapprove or strongly disapprove of comprehensive sex education. By a 5.3 to 1 margin, parents disapprove or strongly disapprove of the information contained in comprehensive sex education curricula that have been promoted by the CDC.

All demographic groupings strongly disapprove of comprehensive sex education, although the strongest opposition was found

among non-white minority parents (Hispanics and Asians) and among parents who identified themselves as born-again Christians.

All demographic groups disapprove of comprehensive sex education curricula that have been promoted by the CDC.

## FINDINGS ON SPECIFIC QUESTIONS

By a 4.4 to 1 margin, parents disapprove or strongly disapprove of teaching young people that homosexual love relationships can be as satisfying as are heterosexual relationships. (See question 14.)

It appears that parents have a more mixed opinion on the matter of having children taught factual or biological information (see questions 13, 18 and 19, for example). However, opposition from parents seems to increase substantially if a connection is perceived between their children and sexual activity.

When it comes to allowing teens to obtain contraception without parental approval, parents much more strongly disapprove when their own children are involved. About 46 percent of parents either strongly disapprove or disapprove of the idea that teens could obtain contraception without the permission of a parent. (See question 27.) However, when this question was personalized, about 70 percent of parents either strongly disapprove or disapprove of their child being able to obtain contraception without their knowledge or approval. (See question 29.)

## CONGRATULATING SENATOR MIKE BISHOP

## HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to congratulate Michigan State Senator Mike Bishop on earning the 2003 Credit Union National Association's National Desjardins Youth Financial Education Award. His dedication and desire to work for the improvement of our state is a model for all state legislators.

Senator Bishop is a 1989 graduate of the University of Michigan and a 1993 graduate of the Detroit College of Law. He is a practicing attorney for Booth & Patterson, P.C., a licensed real estate broker and president/owner of Freedom Realty, Inc., and Pro Management, Inc.

Senator Bishop served two terms in the Michigan House of Representatives, and now serves as Assistant Majority Leader while representing Michigan's 12th district in the Michigan State Senate.

The National Desjardins Youth Financial Education Award was bestowed upon Senator Bishop for his sponsorship of HB 5327, a bill designed to promote financial education in grades K-12. With hard work and determination, then-Representative Bishop promoted this bill in such a way that it was passed by both the House and the Senate, with only one dissenting vote in the House and none in the Senate. Senator Bishop's legislation, now law, will help ensure that children will be educated in financial responsibility, and as a result will be better prepared for life.

Mr. Speaker, Senator Bishop's record of service and the fruits of his labor speak for themselves. He has served the state of Michigan well, and has done much to provide for its

future. This award is a well-deserved token of the respect that is due him for his efforts. Therefore, I ask my colleagues to join with me in thanking him for his commitment to excellence and his desire to benefit others through public service. I would also like to ask my colleagues to join me in wishing him good fortune in his new role as a State Senator.

## INTRODUCTION OF FULL FUNDING FOR IDEA NOW ACT OF 2003

## HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to introduce a bill that will put an end to the embarrassing legacy that the federal government has created for itself in failing to fully fund our children's education and saddling the states with tens of billions in unfunded mandates. I refer of course to the failure of the federal government to provide for mandatory full funding for the special education program—or IDEA.

Currently, the federal government does not meet the financial obligations for special education it committed to in 1975 when the "Education for all Handicapped Children Act" (renamed Individuals with Disabilities Education Act in 1990) was first passed by Congress. This shortfall places an onerous financial burden on local communities who must find alternate resources, such as higher property taxes, to fund special education.

The Individuals with Disabilities Education Act (IDEA) is a civil rights statute that provides funding to states and helps states fulfill their constitutional obligation to provide a public education for all children with disabilities. IDEA serves more than six and a half million children today. Underlying IDEA is the basic principle that states and school districts must make available a free and appropriate public education (FAPE) to children with disabilities between the ages of 3 and 21, and must be educated with children who are not disabled "to the maximum extent appropriate."

Since 1975, Congress has authorized a federal commitment to special education funding at a level of 40 percent of the average per pupil expenditure (APPE) on special education services. However, Congress has only appropriated funds to meet between 5 and 16 percent of the APPE, with FY2002 appropriations setting a record at 16.5 percent, or about \$7.5 billion. But that is still only little more than a third of the so far embarrassingly unfulfilled, Federal commitment to our children. This has resulted in great burdens being placed on our school districts. For example, in the 2001-02 school year, the last completed school year, the town of Berlin, Connecticut spent \$4,721,372 on special education, with all but \$361,543 locally funded. This is outrageously short of the oft-stated goal of 40 percent federal financing. One can only begin to imagine the burden IDEA requirements, in the absence of federal funding, impose on our local school districts. We are literally forcing our schools to rob from Peter's education to pay for Paul's when we should fully fund both.

And now with passage of the Omnibus Appropriations Bill for Fiscal Year 2003, funding will go up about \$1.4 billion. There will be a

lot of congratulatory backslapping because of this great increase. And it truly is a commendable step for Congress, but sadly one which fulfills less than half of the promise. Even with this increase, the federal share rises to only 18.2 percent of the 40 percent. I am sure the people of Berlin will appreciate the few thousand extra dollars they will get as a result of this increase. But the reality is that they need is the hundreds of thousands of extra dollars that is owed to them.

As a former teacher, member of a school board, State Senator, and now Congressman, I have constantly heard a clear message from local educators and administrators that more resources must be committed to provide fair and adequate educational opportunities to children with special needs, and that the federal government must meet its commitment under IDEA. In the past, "fully funding" IDEA has generally been a theme for a handful of others who purport to fully fund IDEA but would take ten long years to do so. My bill recognizes that 25 years is enough to wait and mandates this federal funding now.

Let us be clear, this is a constitutional right. Local school districts do not have the discretion to not fulfill their obligations to children with special needs. Where does the approximately \$10 billion in unfulfilled Federal pledges to the States come from? It has to be made up somewhere and will most likely come from other important, but not constitutionally mandated, priorities. This is the real cost of our inaction. It is either a tradeoff in spending or a property tax increase. Ultimately, the Federal Government must choose: either to support its commitments or stop making them. We cannot afford to continue down this path of broken promises any longer. It does not have to be this way, of course. And I believe our local educational districts, the states and the American people deserve better from us.

THE LIFE INSURANCE TAX  
SIMPLIFICATION ACT OF 2003

**HON. AMO HOUGHTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from Massachusetts, Mr. NEAL, together with a number of our colleagues in introducing our bill, "The Life Insurance Tax Simplification Act of 2003." The bill repeals two sections of the Internal Revenue Code, which no longer serve valid tax policy goals. Except for the effective date, the bill is identical to the one we introduced in the 107th Congress.

Congress has taken a major step forward in rewriting the regulatory structure of the financial services industry in the United States. This realignment is having a positive impact on the way life insurance companies serve their customers, conduct their operations and merge their businesses to achieve greater market efficiencies. Unfortunately, the tax code contains several provisions which no longer represent valid tax policy goals, and, in fact, are carry-overs from the old tax and regulatory regimes that separated the life insurance industry from the rest of the financial world and differentiated between the stock and mutual segments of the life insurance industry.

Today, the lines of competition are not between the stock and mutual segments of the life insurance industry. Rather, life insurers must compete in an aggressive, fast moving global financial services marketplace contrary to the premises underlying these old, outmoded tax rules.

The bill would repeal section 809 that imposes a tax on the policyholder dividends of mutual life insurance companies, and section 815 that applies to policyholder surplus accounts of stock-owned life insurance companies. Both of these provisions are vestiges of an outdated tax scheme developed in 1984 when the lines of competitive balance existed between stock and mutual life insurance companies.

Section 809 was added to the Code in 1984, in part, to address a perceived imbalance between the tax treatment of stock and mutual companies. In 1984, there were over 100 mutual life insurers, including many large mutual companies, accounting for about one-half of industry activity. Today, about 40 mutual life companies remain, including only a few large companies, and mutual insurers account for only about 10 to 15 percent of the industry. Stocks as well as mutuals agree that section 809 is not now needed to provide competitive balance.

Both mutual and stock life insurers believe that their policies provide superior value to consumers. Repeal of section 809 would result in more nearly neutral taxation of stock and mutual companies and allow consumers to focus more on nontax considerations in selecting their insurance provider. As a result, repeal of section 809 is one of the few corporate tax relief measures endorsed by the Consumer Federation of America and the National Cooperative Business Association.

Section 815 was added to the Code as part of the 1959 changes to the life insurance companies tax structure. Before 1959, life insurance companies were taxed only on their investment income. Underwriting (premium) income was not taxed, and underwriting expenses were not deductible. The change provided that all life insurance companies paid tax on investment income not set aside for policyholders and on one-half of their underwriting income.

The other half of underwriting income for stock companies was not taxed unless it was distributed to shareholders (so-called "policyholders surplus account or PSA"). The 1959 tax structure sought to tax the proper amount of income of stock and mutual companies alike and the PSA mechanism helped implement that goal.

In 1984, Congress rewrote the rules again. Both stock and mutual companies were subjected to tax on all their investment and underwriting income. In this context, dividend deductions for mutuals were limited under section 809, and the tax exclusion for a portion of stock company's underwriting income was discontinued. Congress made a decision not to tax the amount excluded between 1959 and 1984. Rather the amounts are only taxed if one of the specific events described in the current section 815 occurs (principally dissolution of the company).

The bill would repeal the obsolete section 815 provision. Since 1984, the Federal government has collected relative small amounts of revenue with respect to PSAs as companies avoid the specific events which trigger

PSAs taxation. There is not a "fund", "reserve", "provision" or "allocation" on a life insurance company's books to pay PSA taxes because, under generally accepted accounting principles, neither the government nor taxpayers have ever believed the significant amounts of tax would be triggered. Nevertheless, the continued existence of the PSAs does result in a burden on the companies in today's changing financial services world—a burden based on bookkeeping entries made from nineteen to forty-three years ago to comply with Congress' then vision of how segments of the life insurance industry should be taxed.

The repeal of these two provisions, sections 809 and 815, would provide certainty, less complexity, and remove two provisions from the Internal Revenue Code, which no longer serve a valid tax policy goal in the life insurance tax structure of the Code. We urge our colleagues to join us in cosponsoring this legislation.

TRIBUTE TO LLOYD CHAVEZ

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. McINNIS. Mr. Speaker, it is with a great sense of pride that I honor Lloyd Chavez. Mr. Chavez's continuous dedication to the automobile industry, as well as his philanthropic endeavors in Denver, Colorado, have made him a valuable asset to the community.

Lloyd was born in Denver, Colorado, one of five children. He served in the Navy, and soon after, married his high school sweetheart. They had three children. After finishing his degree at the University of Denver, Lloyd began to work as a salesman at Burt Chevrolet in Englewood. Little did he know, fifty-one years later, that he would own the Burt Automotive Network, a successful and influential business in Colorado.

Mr. Chavez is a successful business owner, and has garnered many awards and recognitions for his endeavors in business. In 1993, Lloyd was recognized as the Top Hispanic Businessman in the U.S., and, in 1994, as the National Hispanic Businessman of the Year. Burt Automotive Network has also been recognized as the top Minority-Owned Business in Colorado for the past four years.

In addition to Lloyd's success in the business community, he also is involved in various community groups. He has donated cars to Craig Hospital's occupational department, sponsored children's sports teams, and donated cars to the Littleton Public School's Driver Education Program. Lloyd's life has been marked by significant contributions to his community.

Mr. Speaker, it is with privilege that I recognize Lloyd Chavez before this body of Congress and this nation today. Mr. Chavez's success in the Denver business community, as well as his generous donations to the people, have been immeasurably beneficial in the lives of many.

CONDEMNING THE SELECTION OF  
LIBYA TO CHAIR THE UNITED  
NATIONS COMMISSION ON  
HUMAN RIGHTS

SPEECH OF

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 2003*

Mr. PAUL. Mr. Speaker, I must reluctantly vote against this measure. We can all agree that Libya is a ridiculous choice to head a human rights commission in any civilized organization. The State Department has long listed Libya on its list of states sponsoring terrorism. Libya has shown over the years that it has no respect whatsoever for human rights, when it comes to its dealings with the rest of the world or even its own citizens. Additionally, this election just underscores what I have been saying for years about the United Nations: it is an organization that undermines American sovereignty and consistently works against U.S. interests.

The problem with this legislation, however, is that it pretends to be something it is not. It pretends to be simply a condemnation of the elevation of Libya to head the UN Commission on Human Rights. Were that the case I would have voted in favor of the measure.

But unfortunately the legislation ventures off course from there. The legislation calls on the president to demand that sanctions against Libya be initiated anew, after they had already been suspended. I do not believe that sanctions have ever hurt a dictator or repressive regime. On the contrary, sanctions against an authoritarian regime only give the leaders a scapegoat for the sufferings of their people—while the leadership itself manages to avoid any hardship. Sanctions do not lead to the defeat of these kinds of regimes, but actually strengthen them.

Cuba is an excellent example: the United States has maintained sanctions against that nation for four decades, but its dictator is stronger than ever. The best way to break the hold of dictatorship on a country is to engage and trade with that country. Trade with a repressive regime brings in goods and ideas that undermine the hold of the ruling elites on power. It breaks the monopolization on economic activity that characterizes a closed society and economic system. It weakens dictatorships and it enriches the population.

Mr. Speaker, I join my fellow members in condemning Libya's election to chair the UN Human Rights Committee. I do not support sanctions, be they against Libya or any other country.

PERSONAL EXPLANATION

**HON. THOMAS H. ALLEN**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. ALLEN. Mr. Speaker, on February 12 and 13, 2003, I was unavoidably absent for seven rollcall votes, due to the death of a family member.

Had I been present I would have voted "yea" on rollcall votes 24 (H.R. 346, American Spirit Fraud Prevention Act), 25 (H. Res. 62,

regarding POWs), 26 (H.R. 395, Do-Not-Call Implementation Act).

HONORING THE PUBLIC SERVICE  
OF MR. ROBERT VILMUR

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. ROYBAL-ALLARD. Mr. Speaker, it is my privilege to honor the career of Mr. Robert Vilmur, who retires this week after 38 years of distinguished service to the Los Angeles community.

Mr. Vilmur began his public service career in 1965 with California's first community action agency, the Economic and Youth Opportunities Agency. As part of the agency, he helped administer a variety of poverty reduction programs, including employment training and Head Start.

Additionally, he committed himself and the agency to work toward improving community based organizations in impoverished and underserved areas like East and South Central Los Angeles. Mr. Vilmur later continued helping community based organizations working as staff for the Comprehensive Employment and Training Act Program, where he evaluated employment and training programs to ensure that they served our community's needs.

In the next stage of his career, Mr. Vilmur joined forces with then Mayor Tom Bradley to combat homelessness. As head of Los Angeles' Homeless Steering Committee, he worked in collaboration with the City's growing shelter system to create a network of government and nonprofit organizations dedicated to ending homelessness. He was also instrumental in shaping the committee's direction by developing new operational procedures. During this tenure several of his efforts, including the City's Mobile Ombudsperson program, received national recognition.

In the spring of 1987, Mr. Vilmur became manager of the City's Outdoor Homeless Encampment, and he was later asked to serve as the City's first Homeless Programs Coordinator. As coordinator, he helped increase funding for the Community Service Block Grants and he redirected traffic funds to safety programs. Under his guidance, California's Traffic and Safety Program drastically reduced fatalities, injuries, and economic losses resulting from motor vehicle crashes.

The City of Los Angeles is grateful for Mr. Vilmur's service and dedication to improving our quality of life. On behalf of the City, I thank him for his many years of public service and I wish him well in all his future endeavors.

TRIBUTE TO ROBERT G. TOINTON

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. McINNIS. Mr. Speaker, it is with a great sense of pride that I honor Robert G. Tointon. Mr. Tointon has spent over 42 years building and strengthening Colorado's engineering, contracting, and manufacturing industries. His undying commitment has made significant contributions to his community of Greeley.

Robert began his commitment to the engineering industry when he graduated from Kansas State University with a Bachelor of Science Degree in Civil Engineering with honors. Soon after, Robert married his wife and had two sons. After working as a field engineer in Wichita, Kansas, he was transferred to Colorado. He was hired by Hensel Phelps Construction Company, and moved to Greeley in 1963. During his first year there, Bob worked as an estimator, project engineer, superintendent, and project manager. He became vice-president of the company in 1974, and soon found himself elected president in 1975.

Under Robert's enthusiastic leadership, the company's combined revenue increased tremendously. In June of 1989, his success led him to split off two of the company's five divisions, and form Phelps-Tointon Incorporated. Robert now serves as the company's president, owning and operating several other Colorado companies, such as Rocky Mountain Prestress, Inc., Southern Steel Co., and Armor Safe Technologies.

In addition to his business success, Robert is a member of the Greeley Rotary and Colorado Forum, and serves on many other community councils. He also has a vested interest in providing leadership training and opportunities for K-12 principals, administrators, and superintendents in the district with the Tointon Institute for Educational Change at the University of Northern Colorado.

Mr. Speaker, it is with privilege that I recognize Robert G. Tointon before this body of Congress and this nation today. His contributions to the engineering industry, as well as those in his leadership capacities, have been immeasurably beneficial in the lives of many.

IN MEMORY OF SAMUEL J. SIMMONS:  
ADVOCATE, ACTIVIST AND  
FRIEND

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. RANGEL. Mr. Speaker, for the benefit of my colleagues I rise to remember the lifelong contributions that Samuel J. Simmons made to his community, to issues affecting the aging and fair housing, and to this nation. I would like to extend my deepest regrets to his family and loved ones. We all mourn the loss of this great man.

For the past twenty years Samuel J. Simmons has worked tirelessly as president and chief executive of the National Caucus on Black Aged, Inc., which is dedicated to serving the needs of the most vulnerable elderly Americans, and particularly aging African-Americans.

As Assistant Secretary for Equal Opportunity at the Department of Housing and Urban Development (HUD) during the civil rights era, Mr. Simmons made enormous and lasting contributions to the infrastructure of fair employment practices that our nation holds so dear today. In doing so, Mr. Simmons administered fair housing laws, and wrote advertising guidelines to include the fair housing symbol.

Following his tenure at HUD, he worked to formulate training programs for managers of government-assisted housing and certifications for managers of elderly housing programs, as the founding president of National Center for Housing Management, created by presidential executive order. His longtime work, commitment and expertise in the area of equal housing initiatives and home ownership for all Americans, was recognized with his election to the board of directors of Fannie Mae.

Samuel J. Simmons's service to this nation began decades ago, when he worked with the Detroit NAACP and Michigan State labor and employment groups while our nation was beginning to address the injustice and inequality that African-Americans faced in the workplace. When he arrived in Washington, he brought energy and determination to the Post Office Department, where he fought for fair appeals procedures that would adequately address the grievance and advancement issues of minorities. For his hard work and results produced, he received a Meritorious Service Award.

Samuel J. Simmons spent his lifetime selflessly working to improve the access that the most vulnerable Americans have to employment, housing and affordable healthcare, and he will be greatly missed.

TRIBUTE TO MRS. CLEMENTINE  
WRENN ODOM

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. TOWNS. Mr. Speaker, I rise today to pay special tribute to Mrs. Clementine Wrenn Odom is often referred to as "The Tax Lady," because in the late 1940's she began to help farmers with their income tax filings and soon found herself in the tax business. For her services, a farmer would often give her ham, bacon, vegetables or other perishable items. She received so much that she purchased a freezer! When asked what she charged, her reply was usually "whatever you can afford to give me" and to this day she has served four generations of families.

She was born February 15, 1916 in Smithfield, Virginia to Fred Douglas and Norma Whitehead Wrenn. Although formal education for African-Americans ended after 6th grade, she attended boarding school in North Carolina and then went on to attend Virginia Union University and graduated from Virginia State College. Her teaching career came to an end when she married Mr. Woodrow Odom, a Hampton Institute graduate who came to Isle of Wight County as an agricultural extension agent. In 1960, Mrs. Odom accompanied her husband to Ghana, West Africa where he was Extension Advisor to the Ministry of Agriculture.

She established the first Head Start Center in Isle of Wight County, Virginia and neighboring counties. She taught in a one-room school for 12 years in Surry County, Virginia until 1937 and never let a child's need go unmet. When the African-American students at the school wanted to form a band, she went to the music director at Virginia State College for guidance and organized the fundraisers and got several of the instruments donated.

Mrs. Odom is an accomplished musician and mastered the piano and pipe organ at an

early age. She taught piano lessons in her home and was organist and director of music at St. Mark's Episcopal Church. She is the recipient of numerous awards and commendations, including Woman of the Year (twice) and the "Pinnacle of Success" award; but she still considers her family her greatest achievement.

She has three daughters and a son, ten grandchildren (one deceased) and one great-granddaughter. Her children and eight of the nine grandchildren are college graduates, several with advanced degrees.

Mr. Speaker, I hope that all my colleagues today will join me in paying special tribute to not only an everyday ordinary woman, but also a woman who has done extraordinary things in her time! I yield back the balance of my time.

SMALLPOX VACCINE COMPENSA-  
TION AND SAFETY ACT OF 2003

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MARKEY. Mr. Speaker, I am pleased to join with Representative WAXMAN in co-sponsoring the "Smallpox Vaccine Compensation and Safety Act of 2003".

The smallpox vaccine helps the body develop immunity to smallpox. The vaccine is made from a virus called vaccinia which is a "pox"-type virus related to smallpox. The smallpox vaccine contains the "live" vaccinia virus—not dead virus like many other vaccines. For that reason, the vaccination site must be cared for carefully to prevent the virus from spreading. Also, the vaccine can have side effects such as fever and body aches to much more serious and life-threatening side effects. People most likely to have serious side effects are: people who have or had skin conditions (especially eczema or atopic dermatitis) and people with weakened immune systems, such as those who have received a transplant, are HIV positive, are receiving treatment for cancer, or are currently taking medications, such as steroids, that suppress the immune system. In addition, pregnant women should not get the vaccine because of the risk it poses to the fetus. Women who are breastfeeding should not get the vaccine. In the past, between 14 and 52 people out of every 1 million people vaccinated for the first time experienced potentially life-threatening reactions to the vaccine. It is estimated that 1 or 2 people in 1 million who receive the vaccine may die as a result. Careful screening of potential vaccine recipients is essential to ensure that those at increased risk do not receive the vaccine.

The Administration's smallpox vaccination program began on January 24, 2003 with a much lower participation than expected and lower than is needed to adequately protect our nation against a bioterrorist threat. The low participation rate is due to the Bush Administration's failure to create a compensation program for the health care workers who will be injured by the smallpox vaccine. The Institute of Medicine reported that the lack of a compensation program could seriously impact the program's goal of increasing terrorism preparedness in the United States. The Adminis-

tration has included protection for the vaccine manufactures and hospitals but seems to have forgotten the people who could suffer the most—the volunteers who are performing their patriotic duty by volunteering to participate in the vaccination program.

We need legislation which includes funding to states to provide for education, screening, medical surveillance, and treatment; protection against discrimination in the workplace, and compensation for those harmed by adverse reactions. The "Smallpox Vaccine Compensation and Safety Act of 2003" creates a no-fault compensation program modeled on the existing childhood Vaccine Injury Compensation Program. This program has been extremely beneficial in providing compensation to the families and children who have been injured or suffered by routine vaccination. Smallpox vaccine compensation will cover the people vaccinated or who are injured by coming into contact with someone who has recently been vaccinated for their unreimbursed medical expenses and lost wages.

In addition the "Smallpox Vaccine Compensation and Safety Act of 2003" will establish state grants to help with the costs of a safe vaccination program which includes pre-screening, education, follow-up care, and health care for people experiencing side-effects. This legislation would provide medical leave for health care workers and first responders who get sick from the smallpox vaccine and will make it unlawful to discriminate against workers who opt not to participate in the vaccination program.

The "Smallpox Vaccine Compensation and Safety Act of 2003" will help to establish a safer vaccination program and provide a safety-net for the inevitable injuries due to vaccination. Ultimately, this should enhance participation in the Smallpox Vaccination Program and help reach the goal of preparedness against a bioterrorist smallpox threat.

TRIBUTE TO ROGER L. REISHER

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MCINNIS. Mr. Speaker, it is with a great sense of pride that I honor Roger L. Reisher of Lakewood, Colorado. Mr. Reisher's entrepreneurial endeavors and ambitious goals led him to found FirstBank forty years ago, creating the largest banking organization in Colorado. His ambitions to succeed, and his community involvement, have made Roger a valuable asset to the Lakewood community.

Roger was one of seven children, and became the first person in his family to attend college. He graduated from the University of Colorado with aid from the GI Bill, after serving in the Army. After gaining some experience in banking, Roger moved to Lakewood and eagerly began a new endeavor in 1963 when he opened First Westland National Bank. His business has created positions for 2,000 employees at over 100 offices, making a difference in their lives as well.

In 1988, Roger's colleagues created the FirstBank Scholars program at CU. This program has created an endowment of over \$1.6 million that is funded by FirstBank employees

along with matching company contributions. These scholarships are made available to those with financial need and leadership capabilities, and are disbursed annually at the University of Colorado and the University of Northern Colorado.

In addition to the FirstBank Scholars program, Roger and his family have created the Family Foundation. The Family Foundation works with the Denver Foundation and has funded scholarships for almost 100 students. Roger's commitment to helping students achieve educational excellence is admirable. He has also served in several leadership positions within the community.

Mr. Speaker, it is with great privilege that I recognize Roger L. Reisher before this body of Congress and this nation today. Mr. Reisher's commitment to the banking industry, as well as his contributions to the educational success of students in Colorado, have been immeasurably beneficial to numerous Coloradoans.

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#### SMALLPOX VACCINE COMPENSATION AND SAFETY ACT OF 2003

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. WAXMAN. Mr. Speaker, today I am introducing legislation to enhance the ability of the United States to respond to a terrorist attack that uses the lethal smallpox virus. This legislation establishes a program to compensate those injured by the smallpox vaccine. It also contains provisions to assist state efforts against smallpox and to protect health care workers and their employers during the vaccination campaign.

I am introducing this bill today to begin a dialogue that I hope will culminate in the quick passage of legislation. This is not a partisan issue. I know that all members of the House and Senate are committed to protecting the American public from potential bioterrorist threats. I look forward to working with members from both the Republican and Democratic parties and with the Administration to develop a bipartisan solution. I hope that my ideas, as outlined in this legislation, can provide a starting place for discussion.

Three weeks ago, President Bush launched a national program to vaccinate millions of healthcare workers against smallpox in order to protect the United States in case of a bioterrorist attack. To date, the number of those vaccinated is far lower than anticipated. According to press accounts, about one thousand health care workers have been vaccinated, despite an initial goal of about 500,000 in the first month.

According to public health officials, one reason for this gap is that health care workers are concerned about the risks of the smallpox vaccine itself. About one out of every million people who receive the vaccine will die, and several others will suffer severe medical complications, including brain damage, blindness, and significant scarring. Serious injury can occur even among people who have never been vaccinated, but who come into close

contact with someone who has recently received the vaccine.

The homeland security bill passed last fall limited the liability of hospitals, doctors, and vaccine manufacturers for injuries caused by the smallpox vaccine. However, the legislation did not provide compensation to those who are injured.

I have heard from public health officials and vaccination experts that many health care workers are understandably reluctant to accept a vaccine to protect the public while being forced to face the consequences of an adverse reaction alone. These consequences can include large medical bills, lost income, pain and suffering, and death. There can be no doubt that a compensation program is urgently needed.

Some have suggested that existing workers compensation programs can cover those vaccinated in case of injury. This approach is not adequate. It is clear that some state programs do not cover vaccine injuries at all, others provide insufficient compensation, and not one covers those who fall ill from contact with someone who has received the vaccine.

Health insurance may also fall short. Some insurers have threatened not to cover smallpox vaccine injuries. And some volunteers or contacts who get injured by the vaccine may not have health insurance at all.

Aside from the lack of compensation for vaccine injury, there are other impediments to the smallpox vaccination effort. States are straining under the weight of their usual public health responsibilities and need additional funding. Volunteers who need immediate medical care because of a smallpox vaccine reaction may not be able to afford it, and those volunteers who fall ill for a few days with common local reactions to the vaccine may lose wages while recovering.

The legislation I am introducing today addresses these problems. My goal is the same as the President's: to enhance the ability of the United States to defend against a bioterrorist attack. I believe that changes in the law are urgently needed to achieve this goal.

First, the bill establishes a no-fault compensation program for those injured by the smallpox vaccine modeled on the successful program for children injured by routine immunizations. This system is fair, efficient, and less litigious than the traditional court system. Most importantly, a compensation program will provide real security to health care workers and their families in case of injury and will remove a major impediment to the vaccination effort.

Second, the bill would provide grants to states to pay for their vaccination programs, including education and testing for medical conditions that are risk factors for severe reactions to the smallpox vaccine.

Third, the bill would provide states full funding to pay for the immediate medical care of any health care worker or first responder injured by the vaccine, or anyone injured by coming into contact with someone who has been recently vaccinated. Timely medical attention can help to prevent the most serious complications of adverse reactions from ever developing.

Fourth, the bill would prohibit discrimination against any worker who refuses to be vaccinated.

Fifth, the bill would permit up to four days of paid leave for health care workers who experience transient but significant local reactions. Employers can obtain reimbursement for this expense from the compensation program.

Each of these provisions will support our nation's preparations for a smallpox attack. In the coming days, I look forward to a productive legislative exchange to assure that these issues are quickly addressed.

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ENSURE BANK CUSTOMERS ARE INFORMED WHEN THEIR IDENTITY IS STOLEN

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. KLECZKA. Mr. Speaker, today I am introducing legislation, in conjunction with my colleague Mr. RYAN of Wisconsin, that would require financial institutions to notify customers if their personal information was compromised as a result of employee misconduct or computer hacking. This legislation, the Identity Theft Consumer Notification Act, was also offered in the last Congress.

Identity theft complaints have nearly doubled over the last year, and this is the third straight year this crime has topped the Federal Trade Commission's consumer fraud list. Last fall, the FBI broke up the largest identity theft ring in U.S. history, with more than 30,000 consumers' information having been stolen.

In our home state of Wisconsin, it was revealed last year that a local bank had discovered that hundreds of its customers' information had been stolen in September 2001, yet none of the victims were notified until May of 2002, eight months later. This is completely unacceptable, as any victim of this crime will tell you of the lengthy and expensive process of restoring one's credit history after his or her identity has been hijacked. Unfortunately, there is nothing in existing law that compels banks or other financial institutions to contact their customers if it is discovered that their information was stolen from one of these businesses.

In addition to requiring financial institutions to promptly notify victims if their personal information has been compromised, this legislation would also have banks assist the customer in repairing his or her credit report, and reimburse them for any losses incurred. It would ensure that the annual privacy notices to financial institution customers required by Gramm-Leach-Bliley include the bank's obligation to carry out these duties. Lastly, the bill would specify that the two-year statute of limitations on seeking civil damages begins to toll at the time the crime is discovered by the victim, rather than at the time the crime took place.

It is only common sense that consumers receive timely information from the businesses that they have entrusted their personal data, should they fall victim to identity theft. This bill would give consumers confidence that they will quickly learn if their information has been compromised, and that they will receive the necessary assistance to repair the damage done. I urge my colleagues to cosponsor this measure.

TRIBUTE TO KEMMONS WILSON

**HON. HAROLD E. FORD, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. FORD. Mr. Speaker, I rise today to honor Kemmons Wilson, beloved father, friend and businessman, who died February 12 at his home in Memphis, Tennessee at the age of 90. An innovative entrepreneur and benevolent philanthropist, Mr. Wilson is best known as the founder of the Holiday Inns hotel chain.

Kemmons Wilson was born in Osceola, Arkansas, but spent most of his life in Memphis, where he was well respected and well known for his business, community and philanthropic involvement. He traveled the world developing the hotel chain that made him an international business legend. Over the years he visited palaces and dined with royalty, yet he always stayed grounded. Kemmons Wilson kept the "common man" in mind because he always thought of himself as one. Mr. Wilson came from a background where he and his mother struggled greatly after the death of his father, and during the Great Depression they both worked hard just to survive. The desire to never be hungry again drove Kemmons Wilson to achieve.

On one fateful trip from Memphis to Washington, D.C. in the early '50s, Kemmons Wilson, traveling with five children in tow, found it impossible to find nice lodging where they wouldn't be charged extra for children. Frustrated but inspired, Kemmons Wilson founded the first Holiday Inn, vowing to provide average families with comfortable, affordable accommodations. Over the next fifty years, his bold vision, pioneering spirit and hard work made him a business icon, and his brainchild, Holiday Inn, changed the face of the hotel industry forever. Today countless locations and vacations later, the hotel chain Mr. Wilson founded is still helping families create lasting memories together.

Kemmons Wilson's generous, life-long philanthropy testifies to his devotion to family and community. Whether it was to his church where he was a member for 46 years, or to the University of Memphis where he built the only Hospitality and Resort Management school of its kind in the southeast, Kemmons Wilson gave joyfully and abundantly. He remembered how often he had been helped along the way, and he was glad to help others in return.

Mr. Speaker, Kemmons Wilson worked tirelessly to improve the quality of life for families around the world, and he will be remembered not only as a business legend but also as a caring family man and devoted friend who always remembered his roots. I thank the speaker for allowing me to honor him today.

AFFORDABLE COLLEGE  
EDUCATION ACT OF 2003

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. LOFGREN. Mr. Speaker, in the State of the Union address, President Bush proposed

large tax cuts that primarily benefit the top 1 percent of taxpayers. According to the Congressional Budget Office, the President's tax cut and other proposals will constitute a majority of the projected \$2.1 trillion dollar debt. I object to this; Democrats object to this. But the President and the Republican Party have ignored these objections.

The President's plan to eliminate the corporate tax on dividends comprises the bulk of his proposed tax cut—\$364 of the \$674 billion dollar package—nearly 50 percent.

If the President wants us to cut \$674 billion dollars in taxes, we should do this right. We should promote a prosperous future for America. We should encourage the intellectual development of our nation's youth. We should focus on families, and students, and make college possible for everyone.

Consider the facts—From 1991 to 2001, college tuition grew faster than inflation and family income. According to the College Board, average tuition and fees grew by 38 percent at public four-year institutions and 37 percent at private four-year institutions. Over the same period, median family income increased by only 8 percent.

In the last year alone, public universities faced the largest single-year increase in 10 years. In my district, San Jose State University fees increased by 10 percent this year and could increase an additional 20 to 25 percent next year due to state budget cuts.

In addition, the burden of student loans continues to increase. Average student loan debt is now close to \$17,000, up from \$8,000 in just seven years.

We cannot let families and students continue to shoulder the burden of rising costs in higher education. This is why I am introducing the Affordable College Education Act of 2003, ACE.

ACE puts money back in the pockets of middle-class families who need help with college costs. It will allow American taxpayers to fully deduct college expenses, including tuition, fees, books, supplies, transportation, housing and meal plans. This bill will also help Americans saddled with student loan debt by allowing them to deduct all student loan interest.

ACE breaks down financial barriers and ensures what every family wants for their children: the opportunity for higher education. I urge you to support this bill and deal an ACE for American families facing the daunting costs of college.

TRIBUTE TO PAUL McENCROE

SPEECH OF

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 6, 2003*

Mr. McINNIS. Mr. Speaker, it is with great honor that I recognize Mr. Paul McEncroe of Evergreen, Colorado. At this time, I would like to pay tribute to the life of Mr. McEncroe. Paul will be remembered as a man of great spirit, charm, and friendliness by all of those whom he knew.

Mr. McEncroe was born in 1922 in Chicago. Both Paul and his wife, Donna, attended

Northwestern University in Evanston, Illinois. During his early life, Paul worked as an office machine salesman in Chicago, San Diego, and Milwaukee, before he and Donna moved to Colorado. In 1965, they purchased the El Rancho Restaurant near Evergreen, Colorado. Paul was a friendly and likeable owner who greeted patrons at the door of El Rancho with his quick wit and a smile. Paul's wonderful personality helped him to win the 1977 Lakewood Sentinel's Man of the Year award. Paul and his wife continued to run the restaurant for more than twenty years until they retired in 1998.

As an avid bicycling enthusiast, Mr. McEncroe had not only enough energy to run a successful restaurant, but also spent countless hours involved in his community as well. He worked with the Colorado Philharmonic Orchestra Board, and was a member of the Saint Anthony Hospital Flight for Life advisory board. At one point in time, Paul also served on the Jefferson County School Board. Mr. McEncroe gave back to his community in countless ways, and will be remembered fondly for all of his hard work and dedication.

Mr. Speaker, it is with humble respect that I recognize Mr. Paul McEncroe before this body of Congress and this nation. He was an excellent man whose memory will live on in the lives of those he touched, especially his family. It gives me great pride to be able to honor such a man.

RETIREMENT OF COACH WILSON  
TERRELL, JR.

**HON. CHARLES W. "CHIP" PICKERING**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. PICKERING. Mr. Speaker, for the past 41 years, Wilson Terrell has coached basketball for the Laurel City School District, influencing the lives of many of the young men within the community of Laurel, Mississippi. While some people remember him as a coach, I remember him as someone who enjoyed mentoring and teaching students as much as he loved the game of basketball.

Since the beginning of his coaching career in 1962, he has been a role model for many young men. He taught them how to respect others, how to take responsibility for their actions, and a discipline of hard work and accountability. He has been a strong asset to the Laurel City School District and the community.

During his time as coach he led the Laurel Tornados to several District Championships and to the State playoffs. Coach Terrell loved to win at basketball, but more importantly, he loved to see his students succeed in life. Wilson Terrell is truly a man of incredible character. As a former student in the Laurel public schools, I am honored to join with the entire community, and his former and current students and players, to wish him well in his retirement and to thank him for his invaluable service.

IN RECOGNITION OF THE RETIREMENT OF NANCY LONSDALE

**HON. JAMES C. GREENWOOD**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. GREENWOOD. Mr. Speaker, it is essential that those of us who have the high honor and privilege of serving in this body regularly remind ourselves how dependent we are upon our families, our friends, our supporters, our volunteers and most especially upon our dedicated staffs, to carry out the work of the nation that has been entrusted to our care.

It is difficult, at times, for those who do not work in this body to appreciate the incredible demands that are regularly placed upon our intellect, our time, our health and on numerous occasions, our sheer physical endurance, as we labor to conduct the people's business. Yet the opportunities to do good and to seek the answers to the challenges of our times are so great that, however heavy the burden, we heed the call to duty.

None of this work, however, is done by Members of Congress alone. In fact, without the strong, constant, and faithful service that is rendered to us and to our country by our professional staff the work would be impossible to perform. Every day, we rely upon their knowledge, their wisdom and their moral strength of character to carry a hundred different missions . . . from developing legislation to solving constituent problems to offering counsel and advice on the complex issues that come before the Congress.

Like many of my colleagues, we are most often reminded of the invaluable service our staff members render to us and to our nation when one of our team retires or moves on. This is the case with me today.

For ten years, both in Washington and in my District office at Doylestown, Pennsylvania, Ms. Nancy Lonsdale has been a devoted and capable member of my professional staff. And for years before that, she served as a volunteer in a number of my campaigns for state office. During most of that time, she served as my Executive Assistant and Scheduler at home in the district. In that position she was the steward and guardian of life's most precious commodity . . . time. Through all those years she has served as an honest broker, ably accommodating the desire of the thousands of constituents who wished to see me with all the other myriad demands placed on a Member of Congress.

Perhaps what I am most appreciative of is her dedication throughout those years, when my children were so young, to carve out a time for me to perform the most important duty in my life . . . to be a father to my children. And not just a loving and caring father, but even more importantly, one who had the time to be truly involved in the life of my growing family.

But I am in her debt as well for many other services she rendered. Charged with the task of managing my schedule, she yet found time to take on some of the most difficult casework, including the needs of service men and women on active duty and families in crises.

To everything she does and has done, Nancy Lonsdale brings a level of commitment, a sense of purpose, and a degree of compassion unsurpassed by anyone I have ever known.

All of us who have had the honor to work with her these past years are better people because of our association with her. For in addition to her work ethic, she brings a high and uncompromising moral standard matched with an inquiring mind imbued with an abiding sense of the value and the dignity of every human being.

In her last will and testament, the founder of Nancy's alma mater, Sophia Smith, wrote these words about the woman's college she founded, "It is my wish that the institution be so conducted, that during all coming time it shall do the most good to the greatest number. I would have it a perennial blessing to the country and the world."

I can attest that in the case of Nancy Lonsdale, Smith College alumni that wish has been more than fulfilled. Nancy Lonsdale is a blessing, to her family, to her colleagues, to her country and to the world she labors so tirelessly to improve.

**PUTTING THE PEDAL TO THE METAL: ACCELERATING THE ENERGY INDEPENDENCE OF AMERICA ACT**

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. FILNER. Mr. Speaker, I rise today to introduce H.R. 770, "Putting the Pedal to the Metal: Accelerating the Energy Independence of America" Act, legislation creating a broad tax credit for the production of alternative fuel vehicles.

Transportation accounts for about two-thirds of the oil consumption in the United States, and we are 97 percent dependent on oil for our transportation needs. If our nation is going to have a strategy for energy security, that strategy must begin with transportation fuels. As we all learned during the California energy crisis, any strategy for energy security has to be based in alternative sources of production, to ensure that we have we are never again held captive by one company or industry.

When enacted, this legislation will offer a tax credit for every dollar invested by companies towards the production of alternative fuel vehicles. The credit will allow companies to take a credit equal to the percent of investment in the production of alternative fuel vehicles, so if a company spends 40% of their time and expense on producing alternative fuel vehicles, they would receive a 40% credit against its tax burden.

Hopefully, this will spur small companies and large companies alike, to move towards the production of alternative fuel vehicles. This landmark legislation will help break the old cycle of automobile manufacturers failing to sufficiently invest in alternative fuel vehicle technology, because it was not profitable enough.

Many companies, large and small, are already in the business of producing alternative fuel vehicles, such as L3 Research, Inc. in San Diego. L3 Research Inc. has a prototype, the L3 "Enigma"—a hybrid-electric sports car. This is the world's first hybrid-electric sports car, faster than a Corvette, and it recharges from a common wall outlet. This is the kind of innovative, next-generation, vehicle production that will benefit from this legislation.

During his State of the Union address, President Bush rolled out an initiative to fund the development of hydrogen fuel cell vehicles. While I support this worthy goal, most experts estimate that fuel cell powered vehicles are a generation away.

Mr. Speaker, we don't need to wait many years to support alternative fuel vehicles—it's time to put the pedal to the metal and accelerate the energy independence of America. Pass H.R. 770.

**HONORING MAE EMMA BROOKS OF CENTRE, ALABAMA**

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to honor Mae Emma Brooks of Centre, Alabama. On February 22, 2003, she will be honored by St. Mary's United Methodist Church, of Centre, Alabama, which has been her church for the past 74 years.

Mrs. Brooks began attending St. Mary's in 1920 at the age of 5 and became a member of the church in 1929. In addition to raising 6 children and her membership in the Progressive Women's Guild Order of the Eastern Star, Mrs. Brooks has devoted her entire life to her church. She was the Church Secretary for 42 years, the former President of the Women's Society of Christian Service, a choir member for more than 40 years and head of the Board of the Communion Stewards for more than 50 years.

Because of her devotion to St. Mary's United Methodist Church and its congregation, I salute Mae Emma Brooks and join this fine church in thanking Mrs. Brooks for her generous life of service.

**CONGRATULATIONS TO PEDRO CAPO AND THE ENTIRE CAPO FAMILY**

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to commend Mr. Pedro Capó for becoming the first Hispanic to serve as president of the National Home Furnishings Association. Mr. Capó's journey is inspiring and it speaks volumes of determination, passion, and family values.

Approximately 36 years ago, Pedro Capó's father, Manuel, and two brothers fled communist Cuba in a 24-foot wooden boat motored only by a converted water pump. Their boat was named "El Dorado," the Spanish word for dolphin. This name was to foreshadow the success to come, both in reaching their destination and continuing a successful family tradition. Upon arriving in the United States Mr. Capó's father and three brothers used the experience gleaned in the family's successful furniture shop in Cuba and shortly after they founded El Dorado Furniture.

The Capó family reflects traditional Cuban values, hard-work, self-reliance, self-confidence and determination.

El Dorado Furniture is a success by any standard. From its humble sales of \$18,251 its first year, it boasts sales of \$125 to \$130 million in 2002. Not many businesses can claim at least a 22 percent increase every year. Apart from El Dorado's business success, it has served as a source of family unity. All the family members continue to work in the business, including seven of the 19 grandchildren.

Passion for the furniture business has been in the Capo family's blood and can be traced back to Cuba. Pedro Capo's father describes him as a child "having an active imagination" and as a child who "loved to share his ideas with the whole family". In the last 10 years, Pedro Capo has been sharing his ideas as a member of National Home Furnishings Association, and in his new position as president, he will continue to share his ideas with National Home Furnishings Association members about getting the most out of their retailing businesses.

I urge all our colleagues to join me in paying tribute to the entire Capo family, and especially to Mr. Pedro Capo, a man that embodies the American dream. He serves as a shining example and reminder that anything is possible in the United States and that dreams can and do come true. A man who stands out as a light for all; whether newly arrived immigrant or multi-generational United States citizen.

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#### WILDLIFE GRANTS PROGRAM

### HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. BASS. Mr. Speaker, today, Congress is failing to protect America's wildlife by short-changing the State Wildlife Grants program. As many know, I am a strong and consistent supporter of this program, which works to preserve wildlife and save endangered species. Last year, I joined 57 colleagues in recommending \$150 million in funding. Regrettably, the Fiscal Year 2003 omnibus legislation dramatically decreasing the spending level supported by the House last July.

Restoration of previous funding levels for the State Wildlife Grants program, translates into greater protection of endangered species. In particular, 78 species in New Hampshire are threatened, endangered or classified as a "species of concern." These include the Karner Blue butterfly, Piping Plover, and Blanding's turtle. Through the State Wildlife Grant program, the New Hampshire Fish and Game Department is able to monitor viability and health. States that monitor wildlife in a comprehensive manner are able to identify and heal declining species that, unchecked, would require "emergency room" care to avoid their extinction. Clearly, preventive measures save the wildlife and also taxpayer dollars eventually required for heroic measures.

In 2000, when 315 of my House colleagues and I passed the Conservation and Reinvestment Act, we did not foresee the dramatic cuts to the State Wildlife Grants program. Today, we can and should commit more resources for national conservation efforts.

#### TRIBUTE TO RUTH WILLIAMS BUCE

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. ESHOO. Mr. Speaker, I rise to honor Ruth Williams Buce who died on January 20, 2003, after a brief illness at the age of eighty-two.

Ruth Williams Buce was born in Alexander City, Alabama, and was the first woman in her family to earn a college degree. She was a member of the "greatest generation," the generation that secured democracy and built America in the 20th century.

Ruth made friends everywhere she went in her unending pursuit of continuing education and personal growth. She lived a life of volunteerism and gave generously to many causes. She helped her parents prepare food and deliver it to those in need; she rolled bandages in World War II, and worked as a hospital aide. Most recently she volunteered at the Methodist Country House Health Center. Ruth was an avid participant and a leader in the Friends of the Concord Pike Library, the AAUW Landmarks Group and St. Paul's United Methodist Women.

She is survived by her husband of 60 years, William Austin Buce and her children, James A. Buce and his wife Judith, Robert E. Buce and his wife Barbara, and Janet Buce Cook. She also leaves two grandchildren, Julie and Brian Buce.

Mr. Speaker, I ask my colleagues to join me in honoring Ruth Williams Buce for her lifetime of extraordinary service to her community and her country and extending our deepest sympathy to her entire family.

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#### A TRIBUTE TO MISSION SPRINGS WATER DISTRICT FOR 50 YEARS OF SERVICE

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LEWIS of California. Mr. Speaker, I would like today to offer my congratulations to the board of directors and employees of the Mission Springs Water District for 50 years of high quality service to the residents of Desert Hot Springs, California and the surrounding desert communities.

As you can imagine, Mr. Speaker, water is one of the most important concerns to residents of a desert community. However, many of my colleagues from the watery East may not know that there are millions of gallons of some of the finest water to be found in the underground basins of the deserts of California.

Blessed with one such basin, the early residents of the community (later to become the city) of Desert Hot Springs established, by vote, a water district that was later to become Mission Springs Water District. That original district served one square mile when it was created in February 1953. Today, it covers 135 square miles of a rapidly growing desert area.

Since its inception, the district has committed itself to provide, protect and preserve

its high-quality drinking water. The district has gained widespread respect for its water conservation and attention to top quality materials in its distribution system.

Mr. Speaker, I know that it is common for members of Congress to speak proudly of the quality of their local products. But in this case, the product served by Mission Springs Water District has certified by experts as some of the best in the nation. The district has received one gold and two silver medals in the largest international water tasting competition held: the Berkeley Springs, West Virginia, International Water Tasting and Competition.

In 1998, the district sponsored state legislation to ensure protection of its award winning groundwater. The legislation amended Section 13281 of the Porter-Cologne Water Quality Act (the California Water Code), granting special protection to the Mission Creek and Desert Hot Springs Aquifers—the sources of the cities drinking water and world-renowned mineral water. The district has continued to support other legislation that protects water resources throughout California.

The district has also been a good corporate citizen. In 1999, the district created the Mission Springs Foundation, a 501(c)(3) dedicated to educating the community about water and human impact on water quality. It was instrumental in the formation of the Desert Hot Springs Groundwater Guardian Team in 1995. The Groundwater Guardian is committed to working in the community with the mission of "teaching the community to care for and about groundwater." In 2000, under the leadership of district and the Groundwater Guardian Team, the newly constructed Desert Hot Springs High School became the first Groundwater Guardian Campus in the Nation.

In 1995, the district sponsored the First Big Blood Drive on behalf of the Desert Hot Springs Chamber of Commerce and the Coachella Valley Blood Bank. The drive set records for net pints donated in a single day drive in subsequent years.

Mr. Speaker, it is clear that in its 50 years of existence, the Mission Springs Water District has not only provided the highest quality water in the nation to its customers, but has also served as an inspiration source of community pride for those who live in its service boundaries. Please join me in congratulating the board and employees, and wishing them well for the future.

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#### RECOGNIZING VIRGINIA RUE, AS- SISTANT SUPERINTENDENT OF THE NAPA VALLEY UNIFIED SCHOOL DISTRICT AT THE TIME OF HER RETIREMENT

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Virginia Rue, who is retiring after working for 27 years in the field of education. During the past nine years, Mrs. Rue has served as the Assistant Superintendent of the Napa Valley Unified School District.

Mrs. Rue has been dedicated to education throughout her life. Part of a new generation of women who refused to be denied a university education, she enrolled at Old Dominion

University, VA where she earned her Bachelors degree in American History. Even after completing her undergraduate education, Mrs. Rue's educational goals were not fulfilled. She continued studying and eventually earned her Doctoral degree in Educational Administration.

Mr. Speaker, it is most impressive that even with a doctorate in hand, Mrs. Rue felt that her educational goals could not be fulfilled without helping to educate others. As a high school teacher she motivated her History students to get involved in government and to appreciate our Nation's rich heritage. Later, as the Principal of Vintage High School in Napa, CA Mrs. Rue organized a dedicated staff, maintained a fiscally sound budget and spread an overall enthusiasm for education that was, quite simply, contagious.

During her time as Assistant Superintendent, Mrs. Rue has supervised 21 elementary schools, 4 middle schools, 2 comprehensive high schools, a technology school, one adult school and a continuation school. As Assistant Superintendent, she has also expanded services to Limited English Proficient students, incorporated a senior citizen tutoring program, secured substance abuse grants and implemented new reading programs. The improvements Mrs. Rue has made in the Napa Valley Unified School District have been enormous.

Mr. Speaker, Mrs. Rue is a shining example of dedication to education. The knowledge, concepts and programs that her students have benefited from during her tenure are a permanent reminder of how significant her educational contributions have been. For these reasons and countless others, it is most appropriate that we honor Mrs. Virginia Rue's educational career and extend our best wishes to her in her retirement.

HONORING THE LIFE OF DAVID  
ALAN POWELL

**HON. LINDA T. SÁNCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Ms. LINDA SÁNCHEZ of California. On November 30, 2002 David Alan Powell, a true hero and proud father was taken from us in the line-of-duty.

That night, an Artesia residence was fired on by armed gang members. A fleeing suspect forced his way into an occupied home. Deputy David Powell, doing one of the things he loved to do, risked his life to save the life of another. Within a matter of seconds, Deputy David Powell was taken from us. The lives, hopes and dreams of his family were changed forever.

David's heart was filled with love and his whole purpose in life was to make a difference. David entered the sheriffs academy, Class 221, on January 19, 1984. After graduating from the academy he was assigned to custody for three years where he worked both Men's Central Jail and Pitchess Detention Center. In 1987, he was assigned to Firestone Station. In 1988, he transferred to Lakewood Station, and he earned the reputation of being dedicated and hard working. In the communities where David worked, everyone knew him. Children would wave to him and call his name. He loved children and he loved helping people.

In November 2000, David was presented the Valor Award by the City of Lakewood for saving the life of an elderly male who was attempting suicide. In 2002, he was one of several law enforcement officers who tried to save the lives of three individuals that had crashed their car following a pursuit. As a result of the

crash, the car erupted into flames and for several long minutes, David fought back flames as he and others tried desperately to remove the critically injured passengers from the car. His heroic efforts resulted in his nomination for another valor award. Unfortunately, he won't be here to receive it.

David was a Christian and attended the Lawndale Christian Church his entire life. His love for his family and faith were evident everywhere. David applied his values to all that he did, and he believed in God's plan for him. David and his wife met at church and married in January 1990. Although Emma had three children from a previous marriage, David loved and cared for them as though he was their father. As their daughter Alicia shared, "He was my Daddy . . . the only dad I knew. He was the happiest man. He always had a smile on his face."

He also was a loyal man who loved his job. Just this past Thanksgiving, David shared with his family that with his seniority, he could easily ask to leave patrol and be assigned to a desk. However, he loved his car, Unit 134T1, so much so, he couldn't bear the thought of transferring inside and leaving the patrol car, and the job that brought him so much fulfillment and satisfaction in helping others.

Shortly after leaving the hospital on the day of her father's death, seven-year-old Brianna Powell wrote a note to her dad: "I love you dad. I know you will always be in my heart. I wish you were still down here with all my family. I will never forget you. I wish you were still alive."

I commend David Powell for his valor and service to his country.

Born: May 27, 1960.

Entered Department: January 18, 1994.

Killed in the Line of Duty: November 30, 2002.