

particular, his background in service learning. Dr. Wood believes that every college needs a distinctive niche and for Defiance College it is the pervasiveness of service learning in its academic programs. He would tell you that it's a thread that is important to getting Defiance College known for the good, solid liberal arts education it offers.

Dr. Wood came to Defiance College from Elkins, W. Va, where he served as vice president for the College of Advancement the past three years at Davis and Elkins College. His responsibilities included raising money and developing a marketing strategy for the school. Prior to that, he was assistant dean of the chapel/assistant dean of student development from 1983–1995 at West Virginia Wesleyan College, Buckhannon, W. Va, where he jump-started the service learning concept and founded the Bonner Scholars Program at the school. He was honored as West Virginia Wesleyan College Outstanding Administrator/Faculty of the Year in 1986.

An avid reader on America's 16th President, Dr. Gerald E. Wood is aware of what it means to lead. He says that his reading about Abraham Lincoln has shown him the importance of facing challenges head on. Dr. Wood appreciates how Lincoln drew from his personal experience to be able to perform as he did while in office.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Dr. Gerald E. Wood. Our communities are served well by having such honorable and giving citizens, like Dr. Wood, who care about their well-being and stability. We wish him, his wife, Nancy, and their family all the best as we pay tribute to Defiance College's 17th President.

INTRODUCTION OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 2003

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. PICKERING. Mr. Speaker, I am pleased to introduce a bill today to help America's energy consumers by repealing an outdated law that serves as a barrier to competition in the energy marketplace. I am pleased to be joined by the Gentleman from New York, Mr. TOWNS in introducing this important legislation. This bill, which is nearly identical to legislation I introduced in the last Congress and very similar to legislation approved by the Senate in the last Congress, would repeal a New Deal Law, the Public Utility Holding Company Act of 1935 (PUHCA).

This legislation is a bipartisan initiative. The current Republican and previous Democratic Administrations have called for the repeal of PUHCA. Further, the bill would implement the recommendations of the Securities and Exchange Commission (SEC) made in 1995 following an extensive study by the SEC of the effects of this outdated law on today's energy markets.

PUHCA is a law that has long outlived its usefulness. It imposes unnecessary costs on consumers and directly undermines the intent of current federal and state policies designed to bring more competition to America's energy market.

PUHCA was enacted in 1935 to address abuses arising out of pyramid corporate structures at a time when electric utility regulation was just starting at both the federal and state level. PUHCA's primary purpose was to dismantle more than 100 complex utility holding company structures that, in many cases, took advantage of weak federal and state regulations to pursue inappropriate business practices. There are now 28 top electric and gas utility holding companies that are required by PUHCA to operate under arbitrary investment caps that preclude them from investing in areas of need. Other utility companies are exempt from PUHCA's caps, but must operate primarily within one state in order to maintain their exemptions. Our nation's gas and electric utility companies, therefore, must operate principally within certain geographic "boxes." This stifles innovation, hinders competition, and undermines the development of regional electricity markets. Moreover, such a circumstance inhibits the very competition that Congress has sought to foster in our national energy policy.

More specifically, PUHCA delays or, in some cases, prevents registered companies from offering new products and services to their consumers. As a barrier to entry for gas and electric utilities in all states, PUHCA limits investment and growth opportunities on a nationwide basis in the gas and electric industries. PUHCA also unnecessarily restricts the flow of capital into all states thereby inhibiting the development of new transmission and generation capacity. PUHCA stands in the way of the efforts by our nation's utility industry to serve consumers in a more competitive manner.

Interestingly enough, the financial collapse of Enron underscored the need to encourage—not discourage—the entry of stable, regulated, asset-backed energy companies into the marketplace. Ironically, it is just these types of companies that are effectively barred from investing in new markets by PUHCA. Enron was opposed to PUHCA repeal because its continued existence imposed competitive handicaps on well-established, asset-backed energy companies in emerging competitive markets.

The counterproductive restrictions that PUHCA places on the natural gas and electric power industries are based on historical assumptions that are no longer valid. The factors that existed when PUHCA was enacted in 1935 no longer exist today. Federal and state laws at that time were inadequate to protect consumers and investors. Today, federal and state regulations have become much more comprehensive and sensitive to market conditions. PUHCA, however, remains an economic drag on America's energy industry.

The ability of State commissions to regulate holding company systems and, together with the development of regulation under the Federal Power Act of 1935 and the Natural Gas Act of 1938, have eliminated the regulatory "gaps" that existed in 1935 with respect to wholesale transactions in interstate commerce. The expanded ability of State commissions and the FERC to regulate inter-affiliate transactions have further rendered the 1935 Act unnecessary. In addition, important market power issues will continue to be reviewed by FERC, DoJ and the FTC.

This legislation would reform the regulation of utility holding companies by repealing the

uplicative SEC-related provisions of the Public Utility Holding Company Act of 1935, while assuring that the SEC retains all of its non-PUCHA jurisdiction of securities and securities markets in order to protect investors. The bill would put gas and electric power companies on an equal competitive footing, allowing them to take advantage of market opportunities that benefit investors and utility companies.

Registered companies will continue to be subject to all government regulation intended to protect investors to which other industry participants are subject. SEC authority under the Securities Act, Exchange Act, Investment Advisers Act, and Trust Indenture Act will all remain in place. The State securities commissions will also have available to them the various State Blue-Sky laws. The bill will enhance the ability of FERC and the State utility commissions to access the books and records of utilities and their subsidiaries in order to improve customer protection. This would be in addition to the ongoing authority of state and federal regulators to oversee rates charged by regulated utilities in retail and wholesale markets.

In the new environment confronting the utility industry, PUHCA has become nothing more than a bottleneck that constrains the ability of our nation's natural gas and electric power industries to serve consumers. PUHCA is an anachronism that burdens utility systems with costs and restrictions that impair their competitiveness and prevent them from adapting to the new and more competitive environment. PUHCA is no longer a solution because the problems of the 1930's have been replaced by effective state and federal legislation and by the realities of today's marketplace. Simply put, America no longer can afford the Public Utility Holding Company Act of 1935. It is time for Congress to act on the recommendations of the SEC and to enact this legislation.

INTRODUCTION OF UNITED STATES FORCES KOREA QUALITY OF LIFE ACT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KNOLLENBERG. Mr. Speaker, as the attention of the country is focused on the men and women of our armed forces who are fighting to liberate Iraq, we must not forget about those who are serving elsewhere around the world. That's why I am introducing today the "United States Forces Korea Quality of Life Act." I, as well as my original co-sponsors, believe this bill is essential in providing much needed relief to our military personnel in Korea.

As Chairman of the House Appropriations Subcommittee on Military Construction, improving the quality of life for our military is one of my foremost goals. No place needs improvement more than our facilities in Korea. Simply put, the conditions our troops in Korea must currently endure are unacceptable.

But you don't have to take my word for it. In recent testimony before Congress, Admiral Thomas Fargo, Commander, United States Pacific Command and General Leon LaPorte, Commander United States Forces Korea, testified that conditions on the Korean Peninsula

for U.S. service personnel are "the worst in the Department of Defense."

My bill provides members of the U.S. armed forces, the benefit of a tax exclusion to help offset the high cost of living and the poor quality of life while serving in South Korea and applies to personnel who execute permanent change of station orders or orders for temporary duty exceeding 30 days. Service members will be provided with an immediate boost in their quality of life as they keep more of the money they earn.

Why should we provide this benefit to our soldiers in Korea?

An unusual hardship of family separation for more than a year is borne by 94 percent of the 37,000 plus personnel who serve in Korea. Conditions are so poor for personnel that one third of those authorized to bring family members choose voluntary family separation before subjecting their families to the conditions on the peninsula.

Seoul is the third most expensive city in the world to live according to a recent United Nations survey. Despite this, our service men and women receive no cost of living allowance, COLA, for being stationed there. That means they receive no additional compensation to help offset higher costs in Korea. Working and living facilities in Korea, as well as living conditions for our service personnel are sub-standard by any measure.

Even the living quarters on post are smaller than typical military installations, and all our soldiers must live in an environmentally degraded region. Beyond cost and comfort, let's not forget that these soldiers live under the threat from an unpredictable North Korea.

It's no wonder then that those who are allowed to bring their families to Korea rarely do so and that those who are given the opportunity to command forces in Korea decline at a rate five times the normal Army wide rate.

There are many uncertainties about the future of our forces abroad as we re-examine our overseas basing and force structure. Unfortunately, discussion of overseas re-alignment may lead to further neglect of the critical quality of life and infrastructure requirements of our forces in Korea.

As we work to rectify the inequities in pay/benefits for those stationed in Korea, I believe it is so important to give our soldiers there an extra boost now. The United States Forces Korea Quality of Life Act won't fix all the hardships that our service members face in Korea, but it will give them a chance to make their life there a little better and their time there more agreeable.

I encourage all my colleagues to join me in giving our soldiers in Korea the additional assistance they need and deserve.

PERSONAL EXPLANATION

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, this afternoon I was inadvertently detained in the Senate while attending to duties associated with my role as Chairwoman of the Civil Service Subcommittee. If I had been present, I would have voted "yes" to H.R. 743, the Social Security Protection Act of 2003.

Mr. Speaker, H.R. 743 makes necessary changes to existing Social Security law to ensure the protection of recipients and the Social Security system. The provisions included in this bill aim to promote the accountability of the Social Security program by closing the present government pension offset (GPO) loophole. I feel that the clarifying corrections addressed in this bill will result in the improvement of the Social Security program.

THE OCCUPATIONAL SAFETY AND HEALTH FAIRNESS ACT OF 2003

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. NORWOOD. Mr. Speaker, I rise today with the support of several of my colleagues on the Workforce Protections Subcommittee to introduce legislation designed to correct matters of fundamental unfairness in the area of workplace safety and health. Our goal is to address situations where employers, and especially small employers, are being denied fundamental fairness and/or equitable results in their efforts to defend themselves against citations issued by the Occupational Safety and Health Administration, OSHA, for alleged violations with which, in good faith, they take genuine issue.

This matter of fundamental fairness is achieved through several key amendments to the Occupational Safety and Health Act of 1970. This proposal targets only those situations when an employer must defend against heavy-handed or arbitrary enforcement of health and safety laws. This measure is especially targeted to help small employers who do not have the means to defend themselves against the substantial resources and formidable power of the Federal Government.

With this in mind, Mr. Speaker, the amendments we propose are designed to level the playing field so that these employers are: (1) Not deprived of their day in court due to legal technicalities; (2) not forced into settlement when they believe OSHA is wrong, just because it is the most cost-effective option available; (3) aware of the legal standards under which they will be judged; and (4) extended legal consideration for their unique situations and good-faith efforts to comply with the law.

Each reform in this proposed legislation is designed to make what I believe is a narrow, precise, and sensible adjustment for an omission regrettably not caught by Congress at the time of original passage of the Occupational Safety and Health Act of 1970. In my mind, Mr. Speaker, all of the provisions in this legislation lend themselves to bipartisan support, and I ask each of my colleagues to support this proposal.

A CELEBRATION OF YOUTH IN HONOR OF FRANCES DIANE SMITH

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of my

grandchild, Frances Smith, born on November 4, 1998. My wife, Bonnie, and I join with Frances' other grandparents, Neville and Jennifer Monteith from Kitchener, ON, in celebrating this young life.

Three days after Frances was born, John Glenn returned from his second trip into space at 76 years of age. Medical futurists predict that a person born in 1998 may very well live to an age of 110 or even 120 years old.

The system of free enterprise in our country makes it possible for Frances Smith, and all our children and grandchildren, to make dreams a reality.

As we stand in this chamber each day we must remember the potential of our youth and the strength of the free enterprise system. Those two things, bonded together, will continue the tradition of prosperity we have so long enjoyed.

It is my hope that Frances Smith, the daughter of Brad and Diane, will never forget the achievements possible through the free enterprise system that can take us much further than John Glenn ever dreamed we could go.

REVISED COST ESTIMATE FOR H.R. 21, THE UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OXLEY. Mr. Speaker, I am submitting a revised cost estimate from the Congressional Budget Office for H.R. 21, the Unlawful Internet Gambling Funding Prohibition Act. This revised estimate, dated April 2, 2003, describes the private-sector mandate that would be imposed by the legislation. The CBO's estimate of its impact on the Federal budget and on State and local governments is unchanged.

The original estimate was included in the Committee's report on H.R. 21 (H. Rept. 108-51, Part I) and was dated March 27, 2003.

APRIL 2, 2003.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for H.R. 21, the Unlawful Internet Gambling Funding Prohibition Act. This cost estimate supersedes the previous estimate. The cost estimate provided to the committee on March 27, 2003, did not identify or describe the private-sector mandate that would be imposed by H.R. 21. Our estimate of the bill's impact on the federal budget and on state and local governments is unchanged.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Mark Hadley (for federal costs), and Cecil McPherson (for the impact on the private sector).

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 21—Unlawful Internet Gambling Funding Prohibition Act

Summary: H.R. 21 would prohibit gambling businesses from accepting credit cards,