for rollcall votes Nos. 346, 347, 348, 349, 350, 351, 352 and, 353. Had I been present, I would have voted ''yea'' on Nos. 346, 352, and 353. I would have voted ''no'' on Nos. 347, 348, 349, 350, and 351.

INTRODUCTION OF LEGISLATION TO REFORM THE OCCUPATIONAL SAFETY AND HEALTH ACT: H.R. 2728, H.R. 2729, H.R. 2730, and H.R. 2731

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. NORWOOD. Mr. Speaker, I rise today to introduce four legislative proposals which were each formerly included in H.R. 1583, the ''Occupational Safety and Health Fairness Act of 2003.''

As was true of H.R. 1583 in its entirety, the goal of each of these individual proposals is to address a unique situation in our law where employers, and especially small employers, are denied fundamental fairness 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 issue.

Specifically, the ''Occupational Safety and Health Small Business Day in Court Act'' gives the Occupational Safety and Health Review Commission (OSHRC) additional flexibility to make exceptions to the arbitrary 15-day deadline for employers to file responses to OSHA citations when a small business inadvertently misses the deadline by mistake. The ''Occupational Safety and Health Review Commission Efficiency Act'' increases the membership of the OSHRC from three to five members to ensure that cases are reviewed in a timely fashion. The ''Occupational Safety and Health Small Employer Access to Justice Act'' permits the award of attorney's fees and costs to small business owners that prevail in court when contesting OSHA citations to ensure that the agency doesn't waste taxpayer resources on fruitless cases. And, the ''Occupational Safety and Health Independent Review of Citations Act'' restores independent review of citations issued by OSHA by clarifying that the OSHRC is an independent judicial entity that is given deference by courts reviewing OSHA issues.

With this in mind, Mr. Speaker, the Workforce Protections Subcommittee has conducted a hearing on the provisions contained in H.R. 1583, and we firmly believe that a record has been produced that very strongly supports the four individual proposals I introduce today. I have withheld the introduction of several provisions formerly contained in H.R. 1583 because unlike the four proposals I introduce today, I believe further research and discussion would be helpful in determining how to improve these proposals. I invite all Members and especially the Minority Members of this Congress to join in these discussions and help small business achieve the fairness they deserve.

But again, Mr. Speaker, the proposals I introduce today have withstood the inquiry of hearing, and I believe, stand ready for markup in their current form. Each 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, each of these proposals lends itself to bipartisan support, and I ask each of my colleagues on both sides to seriously consider such support.

BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2003

Mr. KUCINICH. Mr. Speaker, I rise in strong support of this bill.

The 45 million people of Burma have lived in virtual imprisonment for over 40 years, when Burma's military junta first came to power. It has only been in the past 15 years that people around the world have come to learn of this great country, its ruthless and brutal dictators, and its celebrated freedom fighter, Nobel Peace Laureate Daw Aung San Suu Kyi.

The Burmese military regime is notorious for its human rights practices. In 1988, the regime, known then as the State Law and Order Restoration Council (SLORC), brutally killed thousands of activists in a nonviolent cry for freedom and democracy. In 1990, when the people of Burma voted over 82 percent of the parliamentary seats to the National League for Democracy, Aung San Suu Kyi's party, the junta nullified the elections.

Earlier this year, the State Department condemned Burma's military for using rape as a weapon. Human Rights Watch has documented Burma as having the largest number of child soldiers than anywhere else in the world. The International Labor Organization has repeatedly condemned the military for using forced—or slave—labor.

Three years ago, U.N. Special Envoy Razali Ismail initiated negotiations for a power sharing settlement between the military junta and the NLD. These talks have since collapsed. Burma's military junta has instead shown absolute contempt for the NLD, Aung San Suu Kyi, and the negotiations process. On May 30, 2003, the regime staged a violent attack on Aung San Suu Kyi and her supporters as they traveled in Northern Burma. They have shut down NLD offices, detained dozens of activists, closed universities, and once again imprisoned Daw Suu.

The United States should not respond to Burma's military junta with appeasement, engagement, or tolerance. It is time for the United States to respond with action. The people of Burma have continually called for a nonviolent course of action in the form of stronger sanctions, which will directly affect the pockets of the dictators. An import ban, visa ban, and the freezing of assets will not only limit the money propping up the regime, but will also send a message to the people of Burma supporting their hopes for human rights and democracy. In a 1997 speech smuggled out of the country Aung San Suu Kyi said, ''Please use your liberty to promote ours.'' Let us do just that.

OHIO HISTORICAL SOCIETY MARKER TO COMMEMORATE NEW BREMEN AND MIAMI AND ERIE CANAL

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. OXLEY. Mr. Speaker, at noon today in New Bremen, Ohio, an Ohio Historical Society marker was dedicated to commemorate New Bremen and the Miami and Erie Canal. I am proud to send my best wishes to everyone celebrating this event.

One hundred seventy years ago, work commenced on a connector between the Miami Canal in Dayton and the Wabash and Erie Canal in Junction. This connector, dubbed the Miami Extension, was completed in June of 1845. In that month, the packet boat *Banner* became the first vessel to travel the canal from Cincinnati to Toledo, taking three days for the journey.

In 1849, the Ohio General Assembly gave the name ''Miami and Erie Canal'' to the entire system. Even as railroad track was laid throughout western Ohio in the decades to follow, the canal remained an important commercial and military transport route. The Great Flood of 1913, however, washed out many major sections of the Miami and Erie Canal, rendering it impassable and leading to its abandonment.

The Village of New Bremen in my congressional district was founded in 1833, the same year the Miami Extension was started. Many of New Bremen's founders, mostly Hanoverian German Protestants, came to Ohio via the National Road and the Ohio River, landing in Cincinnati. There, they formed the City of Bremen Society and agreed to purchase 80 acres of land in Ohio to found a Protestant community. First called ''Bremen,'' the village's plat was officially recorded on June 11, 1833. New Bremen, the midpoint on the Cincinnati-Toledo segment of the Miami and Erie Canal, is celebrating its 170th birthday this year.

Mr. Speaker, I applaud the New Bremen Historic Association and the New Bremen-New Knoxville Rotary Club for their efforts in securing this historical marker from the State of Ohio. I also thank Doug Harrod and Darrin Klinger for their research on New Bremen's history and the importance of the Miami and Erie in our state's past.

TRIBUTE TO WILLIAM HORNBY

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Ms. DEGETTE. Mr. Speaker, I would like to recognize the notable accomplishments of an extraordinary gentleman in the 1st Congressional District of Colorado. It is both fitting and proper that we recognize this individual for his exceptional record of civic leadership and invaluable service. It is to commend this outstanding citizen that I rise to honor William Hornby on the occasion of his 80th birthday.

Bill Hornby has devoted much of his time, skill and energy to making Denver and the West a better place. Born in Kalispell, Montana on July 14, 1923, he attended the public

schools and went on to receive a degree in humanities from Stanford University and a master's degree in journalism. After serving in the United States Army as a language expert in the Signal Corps, he worked in public relations on the Marshall Plan in Europe from 1948 to 1952. Bill Hornby came to Denver in 1957 as a copyreader for the Denver Post and over the past 40 years, has served as managing editor, editor-in-chief and as a columnist on civic affairs and Western regional history. He has been a powerful advocate for a free press and has been placed on the American Society of Newspaper Editors' freedom of information honor role.

His interest in Colorado and our Western heritage led him to the Colorado Historical Society where he has served as a trustee and a board member of the associated Colorado Historical Foundation. He is an emeritus trustee for the Buffalo Bill Historical Association and he has written books concerning the history of the Denver Post and Rotarians International, where he served as District Governor.

Bill continues to live in Denver with his wife, Barbara Sudler Hornby, and their dog, Benji. He is chairman of the Denver Planning Board and Chairman of the Education Foundation for the Colorado Community College and Occupational Education System. He has served on the Western Interstate Commission on Higher Education and on the State Board for Community Colleges and Occupational Education. Bill has also been a director of the Clayton Foundation, which is primarily focused on early childhood education. He is a trustee emeritus of the University of Montana Foundation and is a former President of the American Society of Newspaper Editors.

It comes as no surprise that Mr. Hornby has received several awards and honors during his lengthy career as an editor, journalist and educator. In 1990, the Center for the American West presented him with the Wallace Stenger Award, which is given to persons who have made as sustained contribution to the cultural identity of the West. He received the Dana Crawford Award of Colorado Preservation, Inc., in 2000 for his considerable contribution to historic preservation. And in 2001, he received the Unsung Heroes Award from the City & County of Denver.

Please join me in commending William Hornby, a distinguished citizen. It is the strong leadership he exhibits on a daily basis that continually enhances our lives and builds a better future for all Americans.

INTRODUCTION OF THE INDIAN CHILD WELFARE ACT AMENDMENTS OF 2003

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation with my colleagues, Congressman J.D. HAYWORTH of Arizona, Congressman DALE KILDEE of Michigan, and Congressman NEIL ABERCROMBIE of Hawaii to amend the Indian Child Welfare Act (ICWA) of 1978. It is now a quarter century since enactment of the ICWA. The Act has been vital to the existence of Indian tribes and their families. Yet, because certain ICWA provisions have not been adequately implemented Congress's promise to protect the integrity of Indian families and tribes remains partially unfulfilled. This bill clarifies Congress's intent with regard to the ICWA in a way that would achieve full compliance with this intent.

Many of this bill's provisions are included in direct response to tribal comments on H.R. 4733, an ICWA bill I introduced last year in response to tribal concerns. This bill was drafted with the input of the Association of American Indian Affairs, Tanana Chiefs Conference, National Indian Child Welfare Association, National Congress of American Indians, various tribes and other concerned organizations. The changes that the present bill make to H.R. 4733 also reflect input from each of these named organizations. The primary goal in drafting these amendments was to improve permanency outcomes for Indian children who are placed in substitute care at a rate higher than any other group of children in America.

It has been my policy to have all affected parties participate in the legislative process to help finalize a bill for passage. With this in mind, it is my intent to later include in the legislative process other groups that are working to improve permanency outcomes for Indian children. In 2003, we still have numbers of American Indian and Alaska Native children being adopted out of their families, tribal communities and States even when qualified members of their families are available for placement. We continue to have this problem in Alaska and I have been asked to introduce amendments to further clarify the ICWA. The amendments include, among others, provisions that would:

Clarify that the ICWA applies to all Indian children involved in ''child custody proceedings'' (as defined in the ICWA) and define the minimum efforts that must be undertaken to prevent the breakup of an Indian child's family through involuntary out-of-home placement.

Require detailed notice to Indian tribes in all voluntary child custody proceedings, to parents in voluntary adoption proceedings, and to parents and tribes in all involuntary proceedings.

Clarify the right of Indian tribes to intervene in all voluntary State court child custody proceedings, provided that the tribes file a notice of intent to intervene or a written objection within 45 days of receiving notice of a voluntary termination of parental rights or within 100 days of receiving notice of a particular adoptive placement, and certifies that a child is a member, eligible for membership, or is the child of a member.

Require notice to extended family members and recognize their right to intervene in State child custody proceedings.

Require attorneys, public and private agencies to provide detailed information to Indian parents of their rights under ICWA.

Limit parents' rights to withdraw consent to an adoption to 6 months after relinquishment of the child or 30 days after the filing of an adoption petition, whichever is later.

Clarify tribal jurisdiction in Alaska.

Facilitate the ability of tribes without reservations, including tribes in Alaska and Oklahoma, or with disestablished reservations, to assume jurisdiction over child custody proceedings.

Narrow the grounds upon which State courts can refuse to transfer cases to tribal courts.

Clarify tribal court authority over children transferred to tribal court jurisdiction.

Define the circumstances under which State ICWA violations may be reviewed by Federal courts and provide for Federal review of State ICWA compliance.

Provides for criminal sanctions for anyone who assists a person to lie about their Indian ancestry for the purpose of avoiding application of the ICWA.

Allow State courts to enter enforceable orders providing for visitation or contact between tribes, natural parents, extended family and an adopted child.

Extend ICWA (in some cases) to cover children of State-recognized and Canadian Indian tribes and children who reside or are domiciled on a reservation and are the child of a member, but who are not eligible for tribal membership.

Make it easier for Indian adoptees to gain access to their birth records.

Establish that foster and adoptive homes licensed or approved by Indian tribes in compliance with the Indian Child Protection and Family Violence Prevention Act shall satisfy the requirements for foster and adoptive home licensing under any other Federal law.

Clarifies that the terms of tribal-State agreements regarding the care and custody of and jurisdiction over Indian children shall be controlling even when another Federal law may have different requirements.

I think it is appropriate that Congress further clarifies the ICWA to ensure that American Indian and Alaska Native children are not snatched from their families or tribal communities without cause. In July 2001, the Child Welfare League of America offered American Indians something they have longed to hear for more than three decades: an apology for taking American Indian children.

''It was genuinely believed that Indian children were better off in white homes,'' said Terry Cross, Executive Director of the National Indian Child Welfare Association. (San Antonio Express News, Sunday, July 1, 2001 Article.)

That changed in 1978 when Congress passed the Indian Child Welfare Act. Even now, Cross cites problems. ''Sometimes social workers are not properly trained to identify children as Indian. Or agencies fail to notify tribes of adoptions.'' (San Antonio Express News, Sunday, July 1, 2001 Article.)

I believe these FY 2003 ICWA amendments to be acceptable legislation which will protect the interests of prospective adoptive parents, American Indian and Alaska Natives extended families, and most importantly, American Indian and Alaska Native children.

We will seek additional input from the Department of Justice, the Department of the Interior and the Department of Health and Human Services. I am hopeful that these agencies will again embrace this legislation so that we can affirm this country's commitment to protect Native American families and promote the best interest of Native children.

I urge and welcome support from my colleagues in further clarifying the ICWA to ensure no more American Indian or Alaska Native children are lost.