

Some banking lawyers say they doubt the OCC will use that interpretation to allow real estate brokerage.

"Finder authority had been on the books for years, and that never was perceived or regarded as giving national banks authority to sell insurance as an agent or broker on an unrestricted basis," said Ken Ehrlich, a lawyer with Nutter McLennen & Fish LLP in Boston.

But real estate brokerage may be consistent with the business of banking, he said.

"National banks by virtue of the business they conduct every day are arguably fully equipped to get into the real estate brokerage business and do it well without raising any safety-and-soundness issues, significant consumer protection issues, and without a whole lot, if any state regulation," Mr. Ehrlich said.

An OCC spokesman would not discuss its plans, but in the past agency officials have said they are not contemplating the extension of real estate brokerage powers to national banks.

Realtors say they want certainty.

"Everything that they've said in testimony, everything that they've said publicly, we just want them to put in some sort of official format that we can rely on for the future of our industry," Ms. King said.

The threat is imminent, because banking companies "want to put real estate people in the bank or the operating subsidiary," she said. "They want to put them as close as they can to the loan, the mortgage transaction."

Doing so would be anticompetitive, Ms. King said. OCC preemption—which a Connecticut judge said last week extends to operating subsidiaries—would give the mortgage arms of large banks "a free pass on all these state laws and registrations and licensing," and "our members aren't going to be able to play in that field."

Banking lawyers took the opposite view.

"The Realtors' position is anticompetitive," said Melanie Fein, a lawyer at Goodwin Procter LLP in Washington. "Just like the securities industry, the insurance industry, the data processing industry, the courier industry, they all have fought against bank involvement."

The group is behaving "like Chicken Little," but "the sky is not going to fall—and if it does fall, it would be to the benefit of consumers," she said.

Realtors say they would stand down in this battle if the OCC were to write regulations keeping banks out of real estate brokerage. They also said that if the long-pending Fed-Treasury proposal disappeared, the Realtors' opposition to OCC preemption would disappear with it.

(The proposal has been on hold, because the Realtors have successfully lobbied for enactment of spending bills the last two years that have barred the Treasury from using its budget to finalize the proposal.)

"We almost view this thing as the Trojan horse at the gates," said Joseph Ventrone, the trade group's managing director of regulatory and industry relations. If the Fed and the Treasury were to drop their December 2000 proposal, "our vehemence on OCC" preemption "would not be as strong, would probably not be at all."

To some, that's evidence that the Realtors do not have a legitimate beef with the preemption rules.

The group "developed a strategy where they believe they can use the debate going on today about preemption to insulate themselves from competition from the national bank industry," said Howard Cayne, a lawyer with Arnold & Porter LLP in Washington. "But they don't have an inherent interest in preemption."

Perhaps not, but their stance on preemption has made for unusual politics.

The group is allied with state bank regulators against preemption, even though they continue to disagree about whether banks ought to have real estate brokerage powers. More than 30 states have said that banks may offer such services, but few banks have done so.

"We share some fundamental, common beliefs," including "that major changes in public policy should come from legislative bodies, and shifts in applicable state and federal law should be clearly intended by Congress," said John Ryan, an executive vice president at the Conference of State Bank Supervisors. "Our appeal is philosophical; theirs is dollars and sense," but regardless, "they are influential businessmen in their local communities, and they are influential in the political process."

Donald Lampe, a lawyer with Womble Carlyle Sandridge & Rice PLLC in Greensboro, N.C., said the emergence of the realty group on preemption "changes the dynamic" of the debate.

"That they have stood up and raised their hand over these rules is a significant event," he said. "That doesn't mean that I think they are correct, but the Realtors cannot ever be ignored in this town."

That banks and real estate agents will continue to spar seems certain.

Banks "have to continue to grow the portfolio; they need new lines of business," Ms. King said. "The best line of business right now and in the future is real estate. They already have insurance. They already have securities. Other than real estate, there's not a whole heck of a lot else out there."

TRIBUTE TO CAPTAIN SAMUEL G. BRYCE, USMC

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. HOUGHTON. Mr. Speaker, I rise today to recognize an exceptional officer of Marines, Captain Samuel G. Bryce. Captain Bryce will soon complete a highly successful two-year tour as the Marine Corps' Assistant Liaison Officer to the U.S. House of Representatives. It is truly a pleasure for me to recognize a few of his many outstanding achievements.

Captain Bryce entered our Corps as a private in January 1994 after graduating with honors from James Madison University in Harrisonburg, Virginia. After graduating Recruit Training at Parris Island, he went on to serve as an infantryman with the Marine Corps Security Force Company in Rodman, Panama where he participated in Operation Safe Haven, a humanitarian mission in support of Cuban migrants. He followed this tour with service as a Non Commissioned Officer with the illustrious Fleet Antiterrorism Security Team Company in Norfolk, Virginia. As a squad leader with F.A.S.T., then Corporal Bryce participated in Operation Fairwinds in Haiti, providing convoy and site security for U.S. supported nation-building projects. Shortly after returning from Haiti, his team was dispatched to Bahrain to establish security at U.S. Naval facilities in response to the Khobar Towers bombing. During his final months with F.A.S.T. he was promoted to Sergeant and selected for the Enlisted Commissioning Program.

In September of 1997 he attended Officer Candidate School. Upon graduation he was commissioned and then sent to the Basic Officer Course and the Infantry Officer Course. In November of 1998 he was assigned to the 1st Battalion, 5th Marine Regiment where he was given command of 3rd Platoon, Company C. In this capacity he deployed with his battalion as part of the 31st Marine Expeditionary Unit where he participated in Operation Stabilise in East Timor. Upon return he was assigned as commander of the 81 mm Mortar Platoon, which he led during a subsequent overseas tour with the 31st MEU. During his final year with the battalion, he served as the Executive Officer, and ultimately the Commanding Officer of Weapons Company.

Completing this tour in March 2002, Captain Bryce was assigned as the Marine Corps' Assistant Liaison Officer to the U.S. House of Representatives. For the past two years he has expertly represented the Marine Corps on Capitol Hill and contributed enormously to the success of the Liaison Office's mission. His skills and diligent attention to duty enabled him to successfully lead five Staff Delegations to every major Marine Corps facility in the United States, assisting Congressional staff in learning how the Marine Corps fights, trains, and lives. The reputation he earned on these evolutions was such that he was also given the task of leading several Congressional Delegations overseas, including my own to Malaysia and the first into Haiti after the new President took power.

The real strength or Captain Bryce's time on Capitol Hill was felt through his education and outreach activities. He organized monthly briefs for staff members to assist them in understanding the capabilities and program needs of the Corps, and was the driving force behind the Capitol Hill Running Club. Under his leadership the club grew to nearly 100 runners and has seen unprecedented success in preparing members for running the Marine Corps Marathon. As he leaves, there will be a large gap for the Marine Corps to fill on Capitol Hill. His initiative, leadership, and tireless efforts as the Assistant House Liaison Officer have had a lasting impact on improving the war fighting capabilities and the quality of life for Marines throughout the Marine Corps. Most importantly, he has epitomized all of those qualities that America has come to expect of her Marines—absolutely impeccable integrity, moral character and professionalism.

As he reports to his next assignment as a student at the Expeditionary Warfare School in Quantico, Virginia I want wish him, his lovely wife Stacey, and their new son Griffin continuing success. Fair winds and following seas, Marine.

CELEBRATING THE 50TH ANNIVERSARY OF FORT UNION NATIONAL MONUMENT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to recognize the upcoming 50th anniversary of the legislation that created Fort Union National Monument in my home state of

New Mexico. At Fort Union National Monument, visitors can learn about life at this frontier outpost during the early days of the American settlement of the West. As a key stopover point for travelers along the Old Santa Fe Trail, Fort Union was witness to countless expeditions, Indian raids, and commercial gatherings during its short but storied existence. Today, the venerable post is a shadow of its former grandeur, but even in ruins, it stands as an impressive memorial to the countless soldiers of the frontier army who passed through.

On June 28, 1954, President Dwight D. Eisenhower signed into law legislation authorizing the U.S. Department of Interior to acquire the site and remaining structures of Fort Union for national monument purposes. With strong backing from the New Mexico State Legislature and Governor Edwin Mechem, U.S. Representative John Dempsey and U.S. Senator Clinton P. Anderson introduced the bills that ultimately created the present day Fort Union National Monument. Their foresight and hard work all those decades ago are worth remembering today.

Few places today inspire imagination about the American frontier experience as does Fort Union National Monument. Located in the Mora Valley in northeastern New Mexico, the 720-acre National Park Service domain contains an array of cultural and natural resources. Its principal features—the ruts of the Santa Fe Trail, the ruins of the Fort Union military post, and the dazzling prairie scenery—daily attract travelers from around the world.

Fort Union was established in 1851 by Lieutenant Colonel Edwin V. Sumner as a guardian and protector of the Santa Fe Trail. During its forty-year history, three different forts were constructed close together. The third and final Fort Union was the largest in the American Southwest, and functioned as a military garrison, territorial arsenal, and military supply depot for the Southwest.

As a military post to protect travel and settlement for forty years, Fort Union played a key role in shaping the destiny of the Southwest. During the first decade of its existence, the fort stood as the guardian of the Santa Fe Trail. The fort acted as a federal presence in the Territory of New Mexico. The Civil War added to the fort's fame at the battle of Glorieta Pass, where Union soldiers stopped the invading Southern columns. Historian Robert Utley noted, "The ruins of Fort Union graphically commemorate the achievements of the men who won the West."

On February 21, 1891, singing "There's a Land that is Fairer than This," the Army marched out of Fort Union for good. The post lapsed into ruins in the following decades. Roofs collapsed, walls of buildings slowly crumbled under the onslaught of the elements, and grass grew high on the vast parade ground.

After World War II, people in New Mexico revived an earlier campaign to create the Fort Union National Monument. New Mexicans had learned that the previous efforts failed because of the lack of local interest in the project. This time local citizens and interest groups decided to lead the movement to ultimate success. Fort Union, now in private hands, was scheduled to be demolished. With a strong will to save the historic site, local citizens took the issue to the Las Vegas-San Miguel Chamber of Commerce. On June 20,

1949, board members of the Chamber voted to seek aid from the federal government and the State of New Mexico to preserve Fort Union for all time. The Chamber's action was instrumental in creating the present-day Fort Union National Monument. We continue to be grateful for their efforts.

Mr. Speaker, Fort Union National Monument is open to the public throughout the year. Interpretive programs are offered with living history talks and demonstrations on summer weekends, giving visitors the flavor of life in a frontier fort. The visitor center has displays of military equipment and clothing, a bookstore, Santa Fe Trail information and films. Using this abandoned military post, the National Park Service has established a dialogue between the past and the present. The place has been serving society as a museum of the past, a classroom of the present, and a model for the future, and it deserves the honor of a national treasure.

PAYING TRIBUTE TO DORALYN GENOVA

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Doralyn Genova and thank her for her dedication to Colorado as a Mesa County Commissioner. Her dedication and tireless efforts have done much to ensure a promising future for her constituents. As Doralyn celebrates her retirement, let it be known that she leaves behind a terrific legacy of commitment to the people of Mesa County and the State of Colorado.

A third generation Mesa County native, Doralyn graduated from Mesa State College, and ran her own business, Data Supplies. When Doralyn was elected to serve as Mesa County Commissioner in 1988, she was only the second woman elected to the position of county commissioner in Mesa County's history. She serves on Club 20's board of directors, the Governor's Interregional Council on Smart Growth, the Colorado Emergency Planning Commission, Headstart Grand Valley Regional Transportation Committee, and the Mesa County Economic Development Council for Sustainable Agriculture. She also served as president of 16 Western District Counties, and was chairperson for the Land Use Committee for Colorado Counties Incorporated and serves currently as the Secretary. Doralyn's community involvement also includes membership in the Grand Junction Area Chamber of Commerce, Mesa County Women's Network, Mesa County Historical Society, Mesa County Cattleman's Association, and Mesa County League of Women Voters.

Doralyn's dedication to her community has garnered her numerous awards and recognition over the years. She was "Westpeoples" Woman of the Year in 1986 and was the first recipient of Club 20's Dan Noble Award. She has also received awards from the Colorado Division Disaster Emergency Services, Glade Park Volunteer Fire Department, Governor's Conference on Library and Information Services, and Mesa County Friends of 4-H. Most importantly, Doralyn is dedicated to her husband Mike, and sons Anthony, Nicholas, and Dominic.

Mr. Speaker, I am honored to pay tribute to Commissioner Doralyn Genova before this body of Congress and this nation, and to congratulate her on an outstanding career of public service. Her selfless dedication to her community and the people of Colorado as a Mesa County Commissioner is truly remarkable. I wish her all the best in her future endeavors.

CONGRATULATING ROBERT J. RIDENOUR

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Robert J. Ridenour on receiving the 2004 Citizen of the Year award from the Bedford Rotary Club of Bedford, Pennsylvania. His efforts to preserve the history and culture of my home town of Everett have positively impacted our community and well beyond.

For most people, after a lifetime of working, the well deserved rest and relaxation that comes with retirement is usually cherished and savored. However, Robert Ridenour decided on a different path and instead chose to spend his retirement working to improve his community in any way possible.

It has been said that wisdom comes with age, and in the case of Robert Ridenour this old cliché proves to be true. In recent years he has had the foresight to dedicate his energy to preserving history, which will ground and educate younger generations while guiding them towards future progress. His tireless efforts to promote Pennsylvania's history will benefit his community for countless years to come.

Mr. Ridenour is the personification of the Bedford Rotary's motto of "Service Above Self." He has demonstrated enthusiasm and care for the county which he has served, and his spirit and dedication have infiltrated his every action. The legacy he has made is one that every American should emulate.

As a pillar of strength within his community of Bedford County, Mr. Ridenour has been a role model and leader who is admired by many. For his incomparable generosity and commitment to excellence, Robert Ridenour deserves the highest recognition.

IN HONOR OF EDIE KARAS,
COMMUNITY STALWART

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2004

Mr. FARR. Mr. Speaker, I rise today in honor of my dear friend Edie Karas, one of the most dedicated and energetic community members in my Central California district, and indeed the nation and the world. A life-long resident of the Monterey Peninsula, Edie has played an active and vital role in countless civic organizations. Along with her late husband of more than 50 years, the former Monterey County Supervisor Sam Karas, Edie made up half a dynamic duo of public service. Since Sam passed away in 2003, Edie has carried on with that tradition of service to both her neighbors next door and her neighbors around the world.