

RECOGNIZING THE NESHANNOCK HIGH SCHOOL BASEBALL TEAM AS THE 2004 CLASS 'A' PENNSYLVANIA STATE CHAMPS

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize the Neshannock High School baseball team, this years' Class A Pennsylvania State Champions. Head coach, Michael Kirkwood lead the Neshannock Lancers to the State Championship game, where they defeated the Muncy Indians by a score of 8-4. The Lancers ended the season with an impressive 23-1 record.

I am happy to see such spirit, dedication, and teamwork flourishing in the congressional district that I represent. I wish the members of 2004 Neshannock baseball team continued success.

I am proud to have such talented young athletes in the 4th Congressional District of Pennsylvania, and I ask that all of my colleagues in the House of Representatives join with me in recognizing their great achievement.

RECOGNIZING AND COMMENDING MR. SAMUEL JAMES "SANDY" KAHN

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. HUNTER. Mr. Speaker, I and my colleague, Congressman RANDY CUNNINGHAM, rise today to recognize and commend to the House a man who embodies the spirit of America and has worked tirelessly for his community. Mr. Samuel James ("Sandy") Kahn, a third generation Californian, has had both a distinguished business career and an unselfish record of community and philanthropic service.

Sandy received his undergraduate, graduate and law school education at the University of San Diego. He is Chairman and Chief Executive Officer of one of our country's largest privately owned real estate development companies that developed in excess of 25% of the developable land in the City of San Diego. Although a successful business owner and executive, Mr. Kahn has always been committed to public service. He became a member of the San Diego Sheriff's Department Reserve program. Sandy graduated first in his academy class and progressed through the ranks from Deputy to Sheriff's Captain retiring honorably in 1995 after 25 years. For his service he received the department's highest award for meritorious service.

He has given unselfishly of his time to his community, State and nation. He was selected by the Adjutant General of the State of California to serve on the Advisory Board for Homeland Security. The San Diego County Board of Supervisors appointed Sandy to its Board of Economic Advisors for two terms. He serves as the Chairman of the Board of Trust-

ees of the Thomas Jefferson School of Law and in October of 2001 he was appointed by the CEO of the San Francisco Federal Reserve bank to the "Beige Book" survey committee of leading economic indicators. He is a trustee of the Criminal Justice Legal Foundation which is committed to defending the interests of crime victims and law enforcement through both State and Federal appellate jurisdictions.

Mr. Speaker, Congressman DUKE CUNNINGHAM and I ask that the House commend Mr. Kahn for his accomplishments and his service to our Nation.

HONORING FERMI 2 POWER PLANT FOR EXCELLENCE IN HEALTH AND SAFETY PROGRAMS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. DINGELL. Mr. Speaker, I rise today to recognize the Fermi 2 Nuclear Power Plant located in Monroe County, Michigan. The Michigan Occupational Safety and Health Administration is awarding the Michigan Star to this DTE Energy Company plant for its accomplishments in health and safety.

The Michigan Star is the highest recognition awarded by the Michigan Occupational Safety and Health Administration and its Michigan Voluntary Protection Programs. The honor acknowledges exemplary programs in both the areas of health and safety for all employed in the power plant. This recognition is the most rigorous of the MVPP's awards, which is a true testament to the work done in this nuclear facility.

The Michigan Voluntary Protection Programs provides both employers and employees with very specific and distinct tools used to measure and evaluate the plant's programs. This award demonstrates that all of those working at the Fermi 2 Plant have worked together in achieving excellence beyond basic compliance with health and safety programs.

This power plant employs some 900 workers and provides electricity to an estimated one million residents of Southeastern Michigan. In a work environment that is so sensitive, the employers and employees of the Fermi 2 Plant have committed themselves to health and safety practices that will ensure a more productive plant for them and the community they serve.

Such accomplishments in our nuclear power plants are vital and commendable, setting an example for similar facilities. I ask my colleagues to rise and join me in recognizing DTE Energy, the Fermi 2 Nuclear Power Plant, and all of its employees on the occasion of receiving the Michigan Star.

TOW TRUCK OPERATORS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 2004

Mr. MORAN of Virginia. Mr. Speaker, I rise today to introduce federal legislation that will

help states and localities rein in rogue towing operations that continue to harass and take advantage of local residents.

In 1994, Congress enacted the Federal Aviation Administration Act which opened a loophole permitting tow truck operators to qualify as interstate carriers exempt from state and local regulation.

A year later in 1995, Congress passed another attempt to streamline the federal government in the form of a law eliminating the Interstate Commerce Commission (ICC). This legislation struck down the regulatory body that provided federal oversight of the tow truck industry, leaving the tow truck industry without proper federal, state or local regulation.

In the years since, a number of conflicting U.S. District court rulings between towing operators and localities have been issued, including a 2000 Supreme Court decision in the City of Columbus v. Ours Garage and Wrecker Service. While the Supreme Court found that both state and local governments have the ability to exercise, free from federal preemption, the "safety regulatory authority" provided in law, the Court unfortunately failed to address what specific types of regulation would qualify under this distinction. Subsequent federal court decisions have yielded little additional clarity and have probably confused the issue further.

Without a clear judicial precedent, states and localities have been confronted with a barrage of problems related to "non-consensual" or "trespass tows." It has been brought to my attention that in Arlington County, VA alone, over 280 complaints and inquiries with regard to trespass towing have been received in the past 2 years.

Due to a lack of clear guidance from the courts and the large number of cases which have been brought to my attention involving a group of small but very active predatory tow-ers in this region, I am here this morning to announce the introduction of legislation that will close the federal loophole, once and for all, that has prevented states and localities from having the full authority to regulate all aspects of "non consensual" towing.

Entitled the "State and Local Predatory Towing Enforcement Act of 2004," this legislation simply amends title 49 of the United States Code to give state and local governments the ability to enact common-sense, pro-consumer "trespass towing" protections for their residents.

Something is wrong when, in the absence of any federal regulatory oversight, local and state governments do not have the proper authority to protect their citizens against companies not conducting safe business practices.

Whether it be overcharging someone an arm and a leg for parking illegally in an area with no signs properly designating the space, to a lack of ATM machines at tow lots requiring cash only transactions to get your car out of impoundment, tow companies should be held accountable by state and local governments for non-consensual towing practices that do not take the consumer into account.

A solution to bring an end to this out of control problem is needed. The "State and Local Predatory Towing Enforcement Act" is that solution. It will correct a lack of regulatory oversight for an industry whose image is being tarnished by a few bad apples, and in doing so, will return power back to the people.