

for a January 6 rescue mission as part of Operation Iraqi Freedom.

The award was given on March 15, 2005. Spc. Bean was honored for his gallant actions during the rescue mission of an M2 Bradley that had received a devastating hit by an explosive device. The United States Army praised Bean saying he showed no regard for his own safety and placed the recovery of the M2 Bradley fighting vehicle before himself.

Mr. Bean has donated countless hours towards improving his community. He is hard working and dedicated. His leadership and generosity sets an example for us all. That is why, Mr. Speaker, I honor him today.

CONGRATULATING THE PRESIDENTIAL FREEDOM SCHOLARSHIP RECIPIENT ASHLEY K. THARAYIL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Ashley K. Tharayil, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Ashley is currently a junior at North Hills School and the organization matching her \$500 in Federal funds is the North Hills School—Volunteers in Partnership.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Ashley K. Tharayil for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING JOHN ROBERT MOHR FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John Robert Mohr, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the

many years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Project, John designed and built a wheeled oak cabinet for storing toys and a matching oak table custom built for small children for the daycare center at his local church, Saint James Catholic Church.

Mr. Speaker, I proudly ask you to join me in commending John Robert Mohr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING LAWRENCE COUNTY ECONOMIC DEVELOPMENT CORPORATION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Lawrence County Economic Development Corporation (LCEDC), on the 50th anniversary of the founding of the corporation.

Over the past 50 years the LCEDC has worked diligently to promote business growth and help foster ideal climates for commerce development. The corporation has also worked tirelessly with local business leaders and government officials throughout the community, to create jobs for the citizens of the greater Lawrence county region. I recognize the LCEDC for all of their hard work and dedication to cultivating small businesses which serve as the backbone of the American economy.

I ask my colleagues in the United States House of Representatives to join me in honoring the 50th anniversary of the LCEDC. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Lawrence County Economic Development Corporation.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. COSTELLO. Mr. Speaker, I want to take this opportunity to express my support for this critical funding to address the enormous needs that exist along the Gulf Coast following the devastation of Hurricane Katrina. I also want to express my heartfelt condolences to the victims, both living and dead, of this storm. While this country has encountered many natural disasters, few in memory have produced the scenes of destruction and human need that we are seeing daily from the region. This \$10 billion we are approving today is what I expect to be a very small portion of the actual cost of the rescue and evacuation efforts in

New Orleans and the gulf area, and is a first step in a process that could take years to complete. I commend Speaker HASTERT and Leader PELOSI for acting quickly to pass this legislation.

As we always do, the people of the United States are rallying to support their fellow citizens during this time of crisis. I want to thank all of the volunteers that are heading to the region and all of the people around the country that have reached into their pocketbooks or in some other way are sending aid. This help is essential and greatly appreciated.

While there are questions being asked about why it has taken so long to get food and water to those who are stranded, now is not the time to point fingers or assign blame. There will be plenty of time to assess the government's response after the rescue and evacuation process has been completed. Let's get the job done and then make the necessary assessment.

Another painful effect of the storm is the steep rise in gasoline prices. Increased prices are hammering working families with little to no relief in sight. The Federal Government can do very little other than releasing the oil from the Strategic Petroleum Reserve and prosecuting price gouging. It comes down to supply and demand. Demand remains high and the supply has been significantly reduced by Hurricane Katrina. We must continue to work diligently to repair the oil platforms and refineries that have been damaged, and Congress will—with the state attorneys general—keep a close eye on any potential price gouging.

Mr. Speaker, I again want to thank the leadership of the House for considering this legislation during this special session today. I know that we will continue to work on a bipartisan basis to fully address the needs of the communities that have been so horribly afflicted by Hurricane Katrina.

UNITED STATES TRADE RIGHTS ENFORCEMENT ACT

SPEECH OF

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 27, 2005

Mr. CARDIN. Mr. Speaker, I would like to address some of the comments made during the colloquy between the gentleman from Pennsylvania, Mr. ENGLISH, and the gentlemen from Utah, Mr. BISHOP, regarding H.R. 3283. In particular, I would like to respond to my colleagues' assertions concerning the application of section 3(b)(2) of the Act, which states that when applying the U.S. countervailing duty law to nonmarket economies, the Department of Commerce "shall ensure that . . . the application [of the law] is consistent with the international obligations of the United States." Mr. Speaker, despite my colleagues' efforts to provide reassurance about this provision, I remain deeply concerned following their exchange—and in some ways, even more so.

First, the exchange between Mr. BISHOP and Mr. ENGLISH provides no comfort to those like me that have raised concerns that section 3(b)(2) of the Act will have a chilling effect on the application of U.S. countervailing duty law. The provision clearly creates a special burden on the U.S. Department of Commerce in

cases involving subsidies in nonmarket economy countries like China by requiring Commerce to make a determination about the WTO consistency of the law prior to applying it.

In every other trade remedy case, the Department of Commerce must apply U.S. law as enacted by Congress. The law is presumed to be consistent with WTO obligations unless the WTO finds otherwise.

Under Mr. ENGLISH's bill, Commerce could not apply countervailing duty laws to China and other nonmarket economies to the fullest extent authorized by Congress, but rather could apply the law only to the extent to which Commerce makes a separate determination that the law would pass muster in the WTO. As a result, it is likely that Commerce would not apply the law as intended by Congress, thereby denying American workers and businesses a remedy authorized by both WTO rules and U.S. law.

Second, and even more importantly, section 3(b)(2) of the English bill raises Constitutional issues. After the provision has been applied in a CVD investigation and were a WTO panel to rule against some aspect of the provision, the English bill would create the first directive under U.S. law that WTO decisions are to be self-implementing.

The English bill creates this self-implementing provision by directing Commerce to "ensure that the application [of the provision] is consistent" with WTO rules. In all other cases under U.S. AD/CVD law, the Uruguay Round Agreements Act of 1994 (section 129) creates a procedure for congressional consultation prior to Commerce or USTR taking any action to alter U.S. law, regulation or practice. While Congress technically would not have to approve a change to regulation or practice, in practice, neither the Clinton nor Bush administrations have ever even suggested that it would make such a change absent (bipartisan and bipartisan) congressional approval.

The inclusion language in the English bill authorizing, if not directing, Commerce to change regulation or practice even absent Congressional approval undermines the broader statutory scheme carefully established in 1994, shifts the balance of action for implementing WTO decisions that affect one provision of the AD/CVD laws toward the Administration, and erodes further congressional authority over the unfair trade laws.

In simple terms, section 3(b)(2) of the English bill authorizes Commerce to take action to align U.S. law with the decisions of a WTO panel or Appellate Body—without the assent of Congress as provided under existing U.S. law (in the case of Commerce, changes to regulation or practice).

Mr. Speaker, section 3(b)(2) of H.R. 3283 is bad policy and may be unconstitutional as a matter of law. By requiring the Department of Commerce to ensure WTO compliance before acting on Chinese subsidies, the bill would prevent the Administration from vigorously enforcing our trade laws. In addition, the provision violates traditional notions of separation of powers by specifically directing the Department of Commerce to take steps to alter the application of U.S. law without an act of Congress.

JAKE STOWERS' DEDICATION TO
PINELLAS COUNTY'S ENVIRONMENTAL
STEWARDSHIP

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. YOUNG of Florida. Mr. Speaker, Pinellas County, Florida, which I have the privilege to represent, is Florida's most densely populated county. You would not know it though because our county commissioners have done an outstanding job over the years in preserving park lands and greenways for our residents and visitors to enjoy Florida's natural beauty.

At the point of that effort has been Pinellas County's Assistant Administrator Jake Stowers, who has poured his life and soul for more than 30 years into giving our urban community an abundance of green spaces and outdoor recreational opportunities. As Jake said in a recent interview by the publication Bay Soundings, "I can have you in the woods in 15 minutes." And he's right.

The National Association of Counties and the Trust for Public Land recognized Pinellas County's efforts this spring by presenting it with the prestigious County Leadership in Conservation award at a national convention in our Nation's Capital.

Following my remarks, I would like to include for my colleagues a profile of Jake Stowers from the spring 2005 edition of Bay Soundings. It includes information about Pinellas County's unique commitment, under Jake's leadership, to preserving our county's environment. The county is home to a 47-mile urban trail called the Pinellas Trail, 4,200 acres of parkland, 14,000 acres of preserves including the recently completed 8,000-acre Booker Creek Preserve, and Fort DeSoto Park, which this year was ranked as our nation's most beautiful beach. Along with the members of the Pinellas County Board of County Commissioners, Jake has had a hand in every one of those projects.

Mr. Speaker, Jake Stowers is a case study of what love and passion for your job will yield, in this case for the greater good of an entire community. It has been a real pleasure to work with Jake on a number of projects over the years and I know the people of Pinellas County will greatly miss him when he retires next year. However, the legacy of his lifelong work will live on for generations of future Pinellas County residents and visitors.

[Bay Soundings, Spring 2005]

JAKE STOWERS: DESIGNING WITH NATURE

(By Mary Kelley Hoppe)

Jake Stowers has a passion for livable communities, places you can work and call home and still be able to get away from it all without leaving town.

He found his patch of paradise in Pinellas County, where he was born and raised near Safety Harbor. Home today is along an intercoastal waterway in Largo, where he lives with his wife, Jo, and two sons.

Just as a wellspring of environmental consciousness in the 1970s was sparking a wave of landmark federal clean water and air legislation, Stowers began his career with Pinellas County as an urban forester. His initial plans to study law were scrubbed after a wildlife biologist at the University of Florida fueled his appetite for field work. After

graduating with a degree in forestry, he went on to receive a masters degree in agriculture with a forestry focus.

On a summer internship with the Department of the Interior in Gainesville, Stowers studied ways to keep hungry migratory blackbirds out of crop farms. Following a short stint as Ft. Lauderdale's first urban forester, he headed back home to Pinellas County and a job that allowed him to pursue what has become a life-long passion, infusing a growth-hungry county with green spaces and corridors for wildlife and folks seeking escape from the urban jungle.

"I can have you in woods in 15 minutes," boasts Stowers, an avid angler and hunter whose dad taught him to flyfish. Indeed, Florida's most densely packed county harbors a remarkably rich number of natural getaways accessible within a quick drive. Along with a 47-mile urban trail that runs north and south, Pinellas County has 4,200 acres of parkland and 14,000 acres of preserves including the more than 8,000-acre Brooker Creek Preserve completed last year. Fort DeSoto Park at the county's southernmost tip is the top ranked beach in the continental U.S.

When Stowers retires next year as assistant county administrator, he'll leave an indelible mark as a catalyst and champion for environmental stewardship and balanced growth. While quick to credit county commissioners and residents who have repeatedly supported conservation efforts at the ballot box, he's lauded as the go-to person who has helped steer, nudge and implement numerous environmental initiatives and policies.

For the past 30-plus years, he has worked behind the scenes to facilitate conservation land purchases, establish an environmental trust fund that's leveraged millions of federal dollars, and craft smart growth policies—at the bidding of and, simultaneously influencing, the county commissioners he serves.

"Jake is such an incredible asset," says County Commissioner Susan Latvala, who recently returned from Washington, D.C. where Pinellas County's environmental initiatives were recognized with a prestigious award for County Leadership in Conservation from the Trust for Public Land and the National Association of Counties (NACo). "His knowledge, love and passion for the environment are contagious," she adds.

Almost everyone can recall a favorite book that had a major impact on their lives. For Stowers, it was "Design with Nature" by Ian McHarg, hailed as one of America's most influential landscape architects. McHarg's book, published in 1969, placed landscape architects at the center of an emerging environmental movement. Long before words like watersheds and impervious surface became important in planning cities and buildings, it was the first to discuss what we now call sprawl and advocate a means for sustainable urban development. The message was this, says Stowers: "Let the natural systems guide you in designing where to build on a property." McHarg's ideas made a lasting impression.

As an urban forester starting in 1974, Stowers worked to strengthen local ordinances that spelled out how sites should be developed. Once the county determined the land use, "our job was figuring out 'how do I build it in the best way,'" he said. "We'd literally go out and walk the woods, putting stakes in the ground," trying to steer builders clear of the wetland fringe. "Early on it was very contentious, but developers came to see it as part and parcel of developing wisely."

A county charette completed just before Stowers came on board earmarked environmentally sensitive lands for preservation.