

## EXTENSIONS OF REMARKS

HONORING FT. LEWIS COLLEGE  
GRADUATES

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor the Ft. Lewis College's Winter Graduating Class of 2004. I was unable to attend the ceremony and would like to enter some remarks into the record on behalf of the graduates.

I was asked to serve as the commencement speaker for the December 18th graduation ceremony in Durango, Colorado where Ft. Lewis College is located. Ft. Lewis College is a fine institution of higher learning in the West, and Durango happens to be one of my favorite places in Colorado. For my colleagues who have not had the opportunity to visit Durango, I can tell you that it embodies much of the majesty of the Rocky Mountains and the West. From the high country lakes to the red-rocked canyon lands to the breathtakingly rugged San Juan Mountains, Durango is truly awe-inspiring nature at its finest. I was very much looking forward to talking to these graduates in this beautiful part of our State.

Drawing on my experience as a climber and outdoorsman, I was going to talk to the graduates about the lessons they could learn from the natural world around them as they embarked upon their next journey. I hoped to remind them that they are surrounded by beauty and should take time to take note of the quality of air and light around them. Much like being atop our San Juan Mountains, they too were on the roof of the world. Not only can they look down with a sense of pride from the peak they have just climbed in earning their degree. From this new found height they can see the myriad peaks on the horizon for the first time because they have worked hard to better themselves through education. They can now see the boundless opportunities available to them. Among these opportunities are those involving public service.

A friend and man I admire, Senator JOHN MCCAIN, has said that military service gave him an opportunity to serve a cause bigger than personal self-interest. I could not say it any better, and I hope all graduates take this underlying message to heart whether they enter military service or not. Senator MCCAIN'S wisdom speaks to all of us.

I want to take this opportunity to recognize their hard work and the support of their families and congratulate them on their graduation. I ask my colleagues to join me in recognizing the Ft. Lewis College Winter Graduating Class of 2004. I know I join their friends and family in taking great pride in this laudable achievement.

IN RECOGNITION OF JONATHON  
DEAN SISTO UPON HIS ACHIEVE-  
MENT OF EAGLE SCOUT COURT  
OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Jonathan Dean Sisto of Eagle Scout troop #204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Jonathan Dean Sisto my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

SENIORS' HEALTH CARE FREEDOM  
ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PAUL. Mr. Speaker, I rise to introduce the Seniors' Health Care Freedom Act. This act protects seniors' fundamental right to make their own health care decisions by repealing federal laws that interfere with seniors' ability to form private contracts for medical services. This bill also repeals laws which force seniors into the Medicare program against their will. When Medicare was first established, seniors were promised that the program would be voluntary. In fact, the original Medicare legislation explicitly protected a senior's right to seek out other forms of medical insurance. However, the Balanced Budget Act of 1997 prohibits any physician who forms a private contract with a senior from filing any Medicare reimbursement claims for two years. As a practical matter, this means that seniors cannot form private contracts for health care services.

Seniors may wish to use their own resources to pay for procedures or treatments not covered by Medicare, or to simply avoid the bureaucracy and uncertainty that comes when seniors must wait for the judgment of a Center from Medicare and Medicaid Services (CMS) bureaucrat before finding out if a desired treatment is covered.

Seniors' right to control their own health care is also being denied due to the Social Security Administration's refusal to give seniors who object to enrolling for Medicare Part A Social Security benefits. This not only distorts the intent of the creators of the Medicare system; it also violates the promise represented by Social Security. Americans pay taxes into the Social Security Trust Fund their whole working lives and are promised that Social Security will be there for them when they retire. Yet, today, seniors are told that they cannot receive these benefits unless they agree to join an additional government program!

At a time when the fiscal solvency of Medicare is questionable, to say the least, it seems foolish to waste scarce Medicare funds on those who would prefer to do without Medicare. Allowing seniors who neither want nor need to participate in the program to refrain from doing so will also strengthen the Medicare program for those seniors who do wish to participate in it. Of course, my bill does not take away Medicare benefits from any senior. It simply allows each senior to choose voluntarily whether or not to accept Medicare benefits or to use his own resources to obtain health care.

Forcing seniors into government programs and restricting their ability to seek medical care free from government interference infringes on the freedom of seniors to control their own resources and make their own health care decisions. A woman who was forced into Medicare against her wishes summed it up best in a letter to my office, ". . . I should be able to choose the medical arrangements I prefer without suffering the penalty that is being imposed." I urge my colleagues to protect the right of seniors to make the medical arrangements that best suit their own needs by cosponsoring the Seniors' Health Care Freedom Act.

TRIBUTE TO ATTORNEY JERRY  
MILANO

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. JONES of Ohio. Mr. Speaker, Jerry Milano was one of Cleveland's most aggressive, flamboyant and skilled defense lawyers. He was equally respected by veteran trial lawyers and the young lawyers, who were "just learning the ropes." Attorney Kenneth Seminatore remembers being "educated" by the seasoned trial lawyer Milano.

"I learned a great deal about attitude and technique from him. In the courtroom, Milano was magic. He never used notes when talking to the jury. He had an uncanny ability to focus on the facts that were important, that would persuade a jury, and which appeared to be coming from his heart, not a script."

Seven years ago Milano's friends in the Cuyahoga County Defense Lawyers Association honored him with its Lifetime Achievement

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

award. They roasted him by sharing stories of his nearly fifty year career. According to a friend "Jerry had a terrific sense of humor. And that he just laughed and laughed."

Jerry Milano had a reputation of being a tough, thorough and always prepared advocate for his clients. He also had a reputation of being a kind and generous man who counted among his friends one-time adversaries. Many stories have been told over the years of his many generous acts on behalf of other lawyers, friends and persons he only knew as acquaintances.

Stories have been told about some of Jerry Milano's courtroom antics. Many of the stories describe humorous, good natured acts before the bench. Some of the stories, while humorous, led to the mischievous lawyer having his wrist slapped by the presiding judge. His comic behaviors, never mean spirited, showed his quick wit and light-hearted sense of humor.

Attorney Jerry Milano, a graduate of Kent State University and Cleveland Marshall College of Law, tried cases of great notoriety. His clients, his opposing counsel, the presiding judge and jury had an opportunity to witness a professional. He defended his clients aggressively, competently, and according to the Canons of Ethics. After more than fifty (50) years of practice in Ohio, Florida and Alabama, Attorney Jerry Milano retired because of illness.

As a young assistant county prosecutor, I watched in awe, and gained valuable insight, as Attorney Milano examined a prosecution witness. As a judge I enjoyed trying cases with Jerry. He made the prosecutors do their jobs. As friends, Jerry and Rita Milano have been with me through all of my ups and downs. Thank you for your friendship.

On behalf of the United States Congress and the citizens of the 11th Congressional District, Ohio, I extend condolences to Rita, Jay and Debbie Milano on the loss of a loving family man and friend. I join the Bar in celebrating the life and times of a legal superstar.

INTRODUCTION OF THE  
"REMEMBER 9/11 HEALTH ACT"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. MALONEY. Mr. Speaker, today I am introducing the "Remember 9/11 Health Act" with Representatives SHAYS, NADLER, OWENS, RON KIND, McDERMOTT, MCCARTHY, and HINCHEY.

During the days following September 11, 2001, tens of thousands of people rushed to the World Trade Center to assist in the rescue and recovery efforts. Their mission was clear—to help the people suffering from the attack. Now, more than 3 years after the attacks, rescue and recovery workers remain sick and out of work as a direct result of their exposure to Ground Zero. To make matters worse, many sick rescue and recovery workers no longer have health care insurance due to their long-term unemployment. Despite this public health emergency, there is still no one in charge, there is no money for treatment, there is no research into its cause, the monitoring program established by Congress can only screen a fraction of those exposed to

Ground Zero and it only has been funded for a 5-year period, not the 20 years suggested by the medical community.

To remedy this problem we are reintroducing the "Remember 9/11 Health Act" (H.R. 4059 in the 108th Congress).

The "Remember 9/11 Health Act" contains four main points: Treatment, Expanded Monitoring, Research and Coordination.

I. Providing Treatment.—Modeled after a program that provides health insurance for injured volunteer forest firefighters, this bill provides federal health insurance to individuals suffering injuries and/or health problem as a result of the September 11th Terrorist Attacks. Recipients do not pay for any health care expenses, including prescription drugs and copayments. This program also includes mental health coverage.

II. Expanding Health Monitoring.—Maintains current monitoring program that is screening a limited number of rescue and recovery workers, including the separate program for the Fire Department, while expanding it to a level recommended by the public health community.

III. Research.—Directs the National Institutes of Health to conduct or support diagnostic and treatment research for health conditions that are associated with the exposure to the terrorist attacks of September 11, 2001.

IV. Coordination.—Establishes the 9/11 Health Emergency Coordinating Council under the direction of the Department of Health and Human Services for the purpose of discussing, examining, and formulating recommendations for the adequacy and coordination of the Federal Government, State government and local governments response to the terrorist attacks of September 11, 2001.

Providing a coordinated federal response that includes not only monitoring, but treatment and research is the right thing to do. We need to send a message to rescue and recovery workers everywhere that if you are there for us when we need you, we will also be there when you need us. Anything short of that is unfair and could jeopardize the rescue and recovery response to future national emergency.

HONORING SUSAN KIRK

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor University of Colorado Regent Susan Kirk. Regent Kirk was elected to represent the First Congressional District in 1992 and was re-elected in 1998 by an overwhelming margin. She was elected chair of the board in 1997 where she provided leadership on the creation of a Women's Studies degree and the application for transfer and conveyance of the Fitzsimmons property. Susan had served the maximum 12 years allowed when her term ended in 2004.

Regent Kirk has been a tireless champion of women's and children's rights, equal opportunity and treatment, and expanding access to higher education. Her altruistic efforts in the community are legendary. She and her husband Dick established the Susan Kirk Scholarship for female students in the Graduate School of Public Affairs. She has also been a

contributor to and advocate for the Center for Women's Health Research. Susan Kirk is a key player in many, if not most, charitable endeavors in our community.

Susan held leadership roles at the University of Colorado during both triumphs and challenging times. She has always been more interested in staying true to friendships and looking for solutions than in stirring controversy and grabbing headlines. The strength and grace of her leadership has meant a great deal to our community and is something I personally admire.

I ask my colleagues to join me recognizing my friend, Susan Kirk for her immeasurable contribution to the University of Colorado. I wish her and her husband Dick much health and happiness in their future endeavors.

IN RECOGNITION OF JAMESON JOSEPH COLLINS UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Jameson Joseph Collins of Eagle Scout troop No. 204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Jameson Joseph Collins my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

CONGRATULATING THE 2004 FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION CLASS 4A STATE FOOTBALL CHAMPIONS

**HON. ADAM H. PUTNAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PUTNAM. Mr. Speaker, I want to congratulate the 2004 Florida High School Athletic Association, FHSAA, Class 4A State Football Champion Seffner Armwood High School Hawks from the 12th Congressional District of Florida.

The Hawks won their second straight State title after a hard fought victory over the Lake Gibson Braves also from 12th Congressional District. I also want to recognize the valiant efforts of the entire Lake Gibson football team, even though they came up short in this year's state championship game.

I commend the champion Seffner Armwood football team for a wonderful and magical run this year. The people of Florida and Hillsborough County are proud of you. You have all demonstrated that hard work, perseverance and unity are the foundation of success.

I applaud both Seffner Armwood and runner-ups Lake Gibson's football coaching staff for their commitment and dedication to their players and for proving that hard work, sportsmanship and determination pay off.

I salute the Seffner Armwood High School students, teachers, coaches and the entire football team on their achievement as once again victors of the Class 4A State championship football game.

#### THE OJITO WILDERNESS ACT

### HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to introduce the Ojito Wilderness Act. This bill designates the Ojito Wilderness Study Area, an area totaling approximately 11,000 acres, as a permanent wilderness area to be protected pursuant to the 1964 Wilderness Act. The bill also provides for the purchase and transfer of adjacent Bureau of Land Management, BLM, lands, contiguous to the established boundaries of the Pueblo of Zia, by the Pueblo. This land, an area totaling approximately 13,000, will then be taken into trust and held for the benefit for the Pueblo by the Secretary of the Interior, and would subsequently be managed by the Pueblo in perpetuity as wilderness.

This bipartisan, bicameral legislation is the result of true collaboration among many people in New Mexico. Very similar versions of this bill were introduced, deliberated on, and passed unanimously in both the House and the Senate during the 108th Congress. This is truly a compromise bill, and I look forward to its swift passage in the House. I am proud to say that in New Mexico most of the people I meet recognize how vitally important it is to protect natural areas, to encourage the sustainable use of our State's natural resources, and to honor the role of land in the lives of Native Americans. As this Ojito legislation demonstrates, with creativity and cooperation we can find mutually compatible solutions for all of these necessities.

This proposal has been under consideration for many years. In 1991, Manuel Lujan, the Secretary of the Interior in the former President Bush's cabinet, recommended the Ojito area to Congress for wilderness designation. The BLM has evaluated this area and found it qualifies for full wilderness status and protection.

The legislation has the explicit support of the Governor of New Mexico, the counties of Sandoval and Bernalillo, individual members of State government including our State Land Commissioner Patrick Lyons, the Pueblo of Zia and its members, the adjacent private land owners and individuals who graze their cattle on the land, numerous environmental groups, mineral extraction companies in the region, and business owners and private citizens living and working nearby.

The Ojito Wilderness Study Area is characterized by pristine and dramatic landforms and rock structures, and by several rare plant populations that are indigenous to the area. This area is also recognized for its high density of cultural and archeological sites, including sites that have religious significance to Pueblo Indians.

In particular, this legislation is important to the Pueblo of Zia. The Pueblo's reservation lands currently lie in two noncontiguous sections. Zia has made a concerted effort over many years to adjoin its reservation lands. This legislation will help make this long-standing goal a reality. The Pueblo has consistently and openly worked in cooperation with other interested parties to reach a mutually satisfactory arrangement for the protection of these important lands as undeveloped open space with continued public access. And, in an additional gesture of good faith, the Pueblo has waived its sovereign immunity from suit for matters arising under the provisions of this bill.

Considering the above, I believe this bill does the right thing by ensuring the preservation, protection, and public accessibility of this special area of New Mexico for future generations of Americans. Allow me to express a special thanks to my cosponsor in the House, Representative HEATHER WILSON, and to the members of the New Mexico delegation in the Senate.

#### ACADEMY NOMINEES FOR 2004 11TH CONGRESSIONAL DISTRICT OF NEW JERSEY

### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. FRELINGHUYSEN of New Jersey. Mr. Speaker, every year, more high school seniors from the 11th Congressional District trade in varsity jackets for navy pea coats, Air Force flight suits, and Army brass buckles than most other districts in the country. But this is nothing new—our area has repeatedly sent an above average portion of its sons and daughters to the nation's military academies for decades.

This fact should not come as a surprise. The educational excellence of area schools is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other extracurricular activities. This diverse upbringing makes military academy recruiters sit up and take note—indeed, many recruiters know our towns and schools by name.

Since the 1830s, Members of Congress have enjoyed meeting, talking with, and nominating these superb young people to our military academies. But how did this process evolve? In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. This was not an act of an imperial Congress bent on controlling every aspect of Government. Rather, the procedure still used today was, and is, a further check and balance in our democracy. It was originally designed to weaken

and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to unfettered nepotism and handicapped European armies.

In 1854, Representative Gerritt Smith of New York added a new component to the academy nomination process—the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and assist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of six local citizens who have shown exemplary service to New Jersey, to their communities, and to the continued excellence of education in our area—many are veterans. Though from diverse backgrounds and professions, they all share a common dedication that the best qualified and motivated graduates attend our academies. And, as true for most volunteer panels, their service goes largely unnoticed.

I would like to take a moment to recognize these men and women and thank them publicly for participating in this important panel. Being on the board requires hard work and an objective mind. Members have the responsibility of interviewing upwards of 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. High school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform my office of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In late November, our Academy Review Board interviews all of the applicants over the course of 2 days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

This year the board interviewed over 40 applicants. Nominations included 10 to the Naval Academy, 11 to the Military Academy, 4 to the Merchant Marine Academy and 4 to the Air Force Academy—the Coast Guard Academy does not use the congressional nomination process. The recommendations are then forwarded to the academies by January 31, where recruiters reviewed files and notified applicants and my office of their final decision on admission.

As these highly motivated and talented young men and women go through the academy nominating process, never let us forget the sacrifice they are preparing to make: to defend our country and protect our citizens. This holds especially true at a time when our nation is fighting the war against terrorism. Whether it is in Afghanistan, Iraq, or other hot spots around the world, no doubt we are constantly reminded that wars are fought by the young. And, while our military missions are both important and dangerous, it is reassuring to know that we continue to put America's best and brightest in command.

ACADEMY NOMINEES FOR 2004, 11TH  
CONGRESSIONAL DISTRICT, NEW JERSEY

AIR FORCE ACADEMY

Dennis N. Stenkamp, Sparta, Sparta H.S.  
Bryant J. Tomlin, Sparta, Sparta H.S.  
John P. Libretti, Pine Brook, Seton Hall  
Prep  
Benjamin A. Kalfas, Montville, Montville  
H.S.

MERCHANT MARINE

Matthew R. Brady, Chatham, Chatham H.S.  
Ryan T. Davidson, Randolph, Randolph H.S.  
Anthony J. Day, Flanders, Mt. Olive H.S.  
Ashley Lally, Sparta, Sparta H.S.

MILITARY ACADEMY

Anthony Arbolino, Netcong, Lenape Valley  
H.S.  
Brianna A. Beckman, Kinnelon, Kinnelon  
H.S.  
Kristen Cassarini, Rockaway, Morris Hills  
H.S.  
Christopher R. Elam, Oak Ridge, Jefferson  
H.S.  
Matthew J. Gnad, Kinnelon, Kinnelon H.S.  
John M. Kilcoyne, Essex Fells, West Essex  
H.S.  
Kristen Laraway, Long Valley, West Morris  
Central H.S.  
Shawn P. McKinstry, Bloomingdale, Trinity  
Christian School  
Michael A. Robinson, Brookside, West Morris  
Mendham H.S.  
Abigail E. Zoellner, Basking Ridge, Ridge  
H.S.  
Joshua A. Lospinoso, Florham Park, Han-  
over Park H.S.

NAVAL ACADEMY

Raymond F. Allen, Califon, West Morris Cen-  
tral H.S.  
Ashley Asdal, Chester, West Morris  
Mendham H.S.  
Sean K. Bergstrom, Mendham, Delbarton  
School  
Thomas D. Brenner, Jr., Livingston, Living-  
ston H.S.  
Michael Collett, Chester, Delbarton School  
Jonathan E. DeWitt, Mendham, West Morris  
Mendham H.S.  
Mark Infante, Chester, Delbarton School  
Patrick Leahey, Morris Plains, Morristown  
H.S.  
Ashwin Rajaram, Flanders, Mount Olive H.S.  
Brian Schoenig, Pompton Plains,  
Pequanock H.S.

INTRODUCTION OF THE CLASS  
ACTION FAIRNESS ACT OF 2005

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. GOODLATTE. Mr. Speaker, I am pleased to introduce today, along with my good friend from Virginia, Mr. BOUCHER, the Class Action Fairness Act of 2005.

This much-needed bipartisan legislation corrects a serious flaw in our Federal jurisdiction statutes. At present, those statutes forbid our Federal courts from hearing most interstate class actions—the lawsuits that involve more money and touch more Americans than virtually any other type of litigation in our legal system.

The class action device is a necessary and important part of our legal system. It promotes efficiency by allowing plaintiffs with similar claims to adjudicate their cases in one proceeding. It also allows claims to be heard in cases where there are small harms to a large

number of people, which would otherwise go unaddressed because the cost to the individuals suing could far exceed the benefit to the individual. However, class actions are increasingly being used in ways that do not promote the interests they were intended to serve.

In recent years, State courts have been flooded with class actions. As a result of the adoption of different class action certification standards in the various States, the same class might be certifiable in one State and not another, or certifiable in State court but not in Federal court. This creates the potential for abuse of the class action device, particularly when the case involves parties from multiple States or requires the application of the laws of many States.

For example, some State courts routinely certify classes before the defendant is even served with a complaint and given a chance to defend itself. Other State courts employ very lax class certification criteria, rendering virtually any controversy subject to class action treatment. There are instances where a State court, in order to certify a class, has determined that the law of that State applies to all claims, including those of purported class members who live in other jurisdictions. This has the effect of making the law of that State applicable nationwide.

The existence of State courts that broadly apply class certification rules encourages plaintiffs to forum shop for the court that is most likely to certify a purported class. In addition to forum shopping, parties frequently exploit major loopholes in Federal jurisdiction statutes to block the removal of class actions that belong in Federal court. For example, plaintiffs' counsel may name parties that are not really relevant to the class claims in an effort to destroy diversity. In other cases, counsel may waive Federal law claims or shave the amount of damages claimed to ensure that the action will remain in State court.

Another problem created by the ability of State courts to certify class actions which adjudicate the rights of citizens of many States is that oftentimes more than one case involving the same class is certified at the same time. In the Federal court system, those cases involving common questions of fact may be transferred to one district for coordinated or consolidated pretrial proceedings.

When these class actions are pending in State courts, however, there is no corresponding mechanism for consolidating the competing suits. Instead, a settlement or judgment in any of the cases makes the other class actions moot. This creates an incentive for each class counsel to obtain a quick settlement of the case, and an opportunity for the defendant to play the various class counsels against each other and drive the settlement value down. The loser in this system is the class member whose claim is extinguished by the settlement, at the expense of counsel seeking to be the one entitled to recovery of fees.

Our bill is designed to prevent these abuses by allowing large interstate class action cases to be heard in Federal court. It would expand the statutory diversity jurisdiction of the Federal courts to allow class action cases to be brought in or removed to Federal court.

Article III of the Constitution empowers Congress to establish Federal jurisdiction over diversity cases—cases between citizens of different States. The grant of Federal diversity ju-

isdiction was premised on concerns that State courts might discriminate against out of State defendants. In a class action, only the citizenship of the named plaintiffs is considered for determining diversity, which means that Federal diversity jurisdiction will not exist if the named plaintiff is a citizen of the same State as the defendant, regardless of the citizenship of the rest of the class. Congress also imposes a monetary threshold—now \$75,000—for Federal diversity claims. However, the amount in controversy requirement is satisfied in a class action only if all of the class members are seeking damages in excess of the statutory minimum.

These jurisdictional statutes were originally enacted years ago, well before the modern class action arose, and they now lead to perverse results. For example, under current law, a citizen of one State may bring in Federal court a simple \$75,001 slip-and-fall claim against a party from another State. But if a class of 25 million product owners living in all 50 States brings claims collectively worth \$15 billion against the manufacturer, the lawsuit usually must be heard in State court.

This result is certainly not what the framers had in mind when they established Federal diversity jurisdiction. Our bill offers a solution by making it easier for plaintiff class members and defendants to remove class actions to Federal court, where cases involving multiple State laws are more appropriately heard. Under our bill, if a removed class action is found not to meet the requirements for proceeding on a class basis, the Federal court would dismiss the action without prejudice and the action could be refiled in State court.

In addition, the bill provides a number of new protections for plaintiff class members, including greater judicial scrutiny for settlements that provide class members only coupons as relief for their injuries. The bill also bars the approval of settlements in which class members suffer a net loss. In addition, the bill includes provisions that protect consumers from being disadvantaged by living far away from the courthouse. These additional consumer protections will ensure that class action lawsuits benefit the consumers they are intended to compensate.

This legislation does not limit the ability of anyone to file a class action lawsuit. It does not change anyone's right to recovery. Our legislation merely closes the loophole, allowing Federal courts to hear big lawsuits involving truly interstate issues, while ensuring that purely local controversies remain in State courts. This is exactly what the framers of the Constitution had in mind when they established Federal diversity jurisdiction.

I urge each of my colleagues to support this very important bipartisan legislation.

CONGRATULATING JUDD AND  
SUSAN SHOVAL AND GUARD IN-  
SURANCE GROUP UPON RECEIV-  
ING THE WILKES-BARRE 2005  
COMMUNITY LEADERSHIP  
AWARD

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the

House of Representatives to pay tribute to my very good friends Judd and Susan Shoval and their company, GUARD Insurance, who received the Wilkes-Barre 2005 Community Leadership Award at a ceremony on Friday at the Westmoreland Club in Wilkes-Barre, PA.

The foundation of GUARD was an entrepreneurial expansion for Judd and Susan and a move that showed their commitment to investing in the community. Prior to GUARD, they had founded a commercial property and casualty insurance agency called Shoval Associates. As their business grew, they established an independent insurance company specializing in workers' compensation insurance in 1983.

In 2004, A.M. Best Co. recognized GUARD Insurance as an e-Fusion Finalist. This is a national awards program that spotlights innovative usage of technology to address insurance business challenges. In 2001, GUARD was ranked second among the 50 best large places to work in Pennsylvania. Ernst and Young recognized Judd and Susan with the Regional Entrepreneur-of-the-Year Award in 2001.

Judd and Susan—always community minded—kept their home office in Wilkes-Barre. They operate seven field offices and have four subsidiaries. Their company employs 560 and insures 27,000 employers.

Judd and Susan are tremendously involved in the community. I have known Susan very well as a director of the Earth Conservancy, a non-profit organization I helped found dedicated to reclaiming and developing 16,000 acres of former coal mine lands. I will always be grateful for the time and leadership she devoted to this worthy cause.

Judd is also involved with the community, including service on the boards of local universities, the Jewish Community Center and the United Jewish Campaign. He is also the chairman of CityVest, a nonprofit organization I helped found to serve as a developer of last resort. CityVest has already renovated several classic old homes on South Franklin Street and is now embarking on perhaps Wilkes-Barre's premiere landmark, The Hotel Sterling.

Judd earned a law degree from the Hebrew University of Jerusalem. Originally from Austria, Judd had moved to America in the early 1970s. A native of Northeastern Pennsylvania, Susan graduated magna cum laude with an economics degree from Cornell University and with highest honors from the College of Insurance in New York City. Judd and Susan have four children: Ben, Deborah, Karyn, and Rebecca.

Mr. Speaker, please join me in congratulating these two entrepreneurs who have given so much to their community. They are most deserving of the Wilkes-Barre 2005 Community Leadership Award.

HONORING COLORADO SENATE  
PRESIDENT JOAN FITZ-GERALD

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor my good friend, Joan Fitz-Gerald. Senator Fitz-Gerald is the first woman to lead the Colorado State Senate and is the

only female Senate President in the entire country.

When you meet Joan, who stands at about 5'11", the first image that comes to mind is not necessarily that of a woman capable of breaking ceilings, glass or otherwise. Yet she has done just that since she first ran for Jefferson County Clerk and Recorder in 1990. At the time, many people thought that she had been recruited to run for County Clerk and Recorder as little more than a Democratic place holder on the ballot. No Democrat had won in a county-wide election in the previous 15 years and no woman had ever held the position of County Clerk and Recorder in the history of Jefferson County. But Joan has always been more interested in breaking glass ceilings than in being a place holder. She campaigned hard on a solid platform and won that election. She served in the Clerk and Recorder's office until 1998. In 2000, she ran for the Colorado Senate.

Again she waged an uphill battle in a district that was traditionally difficult for a Democrat and was once again successful against popular convention of the time. Her victory gave Democrats the one seat majority they needed to take back control of the Senate. When the Democrats lost their majority the following election cycle, Senator Fitz-Gerald again made history by become the first female Minority Leader of the Senate.

In this past election cycle, Joan was one of the key leaders to orchestrate a plan to take back the Senate for the Democrats. She did this while caring for her ailing mother and caring for her brother who was diagnosed with leukemia. She lost both within 11 days of one another after the election.

It is a sign of the sincerity and strength of one's character when friends and foes alike agree about another person's character. Anyone who knows her, friend or foe, will say that she is a fighter. More than that she is also a person interested in advancing the goals of community service. She may be on the verge of becoming Colorado's Harry Truman. But then again, maybe Harry Truman was Missouri's Joan Fitz-Gerald.

Senator Joan Fitz-Gerald is a strong, smart, savvy woman. I am proud that she is the Colorado State Senate President and even more proud that she is my friend. I ask my colleagues on both sides of the aisle to join me in honoring Joan Fitz-Gerald for her achievement.

IN RECOGNITION OF BRANDON MICHAEL RUNYON UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Brandon Michael Runyon of Eagle Scout troop #204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21

merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Brandon Michael Runyon my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

HARMFUL AND COUNTERPRODUCTIVE UNITED STATES EMBARGO ON CUBA

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PAUL. Mr. Speaker, I rise again this Congress to introduce a bill to lift the harmful and counterproductive United States Embargo on Cuba.

On June 29, 2001, the Texas State legislature adopted a resolution calling for an end to U.S. economic sanctions against Cuba. Lawmakers emphasized the failure of sanctions to remove Castro from power, and the unwillingness of other nations to respect the embargo. One Texas Representative stated: "We have a lot of rice and agricultural products, as well as high-tech products, that would be much cheaper for Cuba to purchase from Texas. All that could come through the ports of Houston and Corpus Christi." I wholeheartedly support this resolution, and I have introduced similar Federal legislation in past years to lift all trade, travel, and telecommunications restrictions with Cuba. I only wish Congress understood the simple wisdom expressed in Austin; so that we could end the harmful and ineffective trade sanctions that serve no national purpose.

I oppose economic sanctions for two very simple reasons. First, they don't work as effective foreign policy. Time after time, we have failed to unseat despotic leaders by refusing to trade with the people of those nations. If anything, the anti-American sentiment aroused by sanctions often strengthens the popularity of such leaders, who use America as a convenient scapegoat to divert attention from their own tyranny. So while sanctions may serve our patriotic fervor, they mostly harm innocent citizens and do nothing to displace the governments we claim as enemies.

Second, sanctions hurt American industries, particularly agriculture. Sanctions destroy American jobs. Every market we close to our Nation's farmers is a market exploited by foreign farmers. China, Russia, the Middle East, North Korea, and Cuba all represent huge markets for our farm products, yet many in Congress favor current or proposed trade restrictions that prevent our farmers from selling to the billions of people in these countries. Given our status as one of the world's largest agricultural producers, why would we ever choose to restrict our exports? The only beneficiaries of our sanctions policies are our foreign competitors.

I certainly understand the emotional feelings many Americans have toward nations such as

Cuba. Yet we must not let our emotions overwhelm our judgment in foreign policy matters, because ultimately human lives are at stake. Economic common sense, self-interested foreign policy goals, and humanitarian ideals all point to the same conclusion: Congress should work to end economic sanctions against all nations immediately.

The legislation I introduce today is representative of true free trade in that while it opens trade, it prohibits the U.S. Taxpayer from being compelled to subsidize the United States government, the Cuban government or individuals or entities that choose to trade with Cuban citizens.

---

TRIBUTE TO MAYOR PATRICIA S. MEARNS

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. JONES of Ohio. Mayor Patricia S. Mearns has distinguished herself in the Shaker Heights community, as a loyal public servant and volunteer for the numerous organizations she is a member of and causes that she actively works to support. For these reasons Mayor Patricia S. Mearns has been honored with the first Martin Luther King, Jr. Human Relations Award.

Mayor Patricia S. Mearns civic involvement in the Shaker Heights community began as President of the Malvern School PTA in the late 1970s and later climaxed as Mayor of Shaker Heights. Her dedication and complete belief in racial equality played a major role in her social and family policies.

Mayor Patricia S. Mearns has worked hard to strengthen neighborhood organizations by encouraging members of cultural and racial minority groups to become involved in all aspects of city life. As a member of the Shaker Family Center, Fund for the Future, Shaker Heights Meals on Wheels and Shaker Youth Center boards of trustees, she has led by example and has an outstanding reputation for accomplishing her goals. Two excellent examples of her effectiveness as a leader are the successful campaigns of the Shaker Heights Levy of 1981 and the more recent levy of the Shaker Heights Library.

Mayor Patricia S. Mearns continues her involvement in numerous organizations locally even after her tenure as the mayor of Shaker Heights concluded. Her public service, community service and organizational interest areas include: children, education, families, and race relations. Her involvement in the St. Luke's Foundation, Shaker Square Kiwanis Club, Housing Research and Advocacy Center, Cuyahoga County Task Force on Elder Friendly Communities and the Shaker Square Area Development Corporation, has and continues to positively affect the lives of Shaker Heights residents.

On behalf of the United States Congress and the citizens of the 11th Congressional District, Ohio, I extend my congratulations to an outstanding public servant, a fantastic and talented woman, the Honorable Mayor Patricia S. Mearns.

INTRODUCTION OF THE "VICTIMS COMPENSATION FUND EXTENSION ACT"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. MALONEY. Mr. Speaker, today I along with Representatives NADLER, BISHOP, OWENS, MCCARTHY and SERRANO are introducing the "Victims Compensation Fund Extension Act."

In the immediate aftermath of the September 11 terrorist attacks the Congress created the Victims Compensation Fund (VCF) to provide compensation for victims of 9/11. This fund provided aid to the families of 9/11 victims and to individuals who suffered personal injury. Among other things, aid from the fund pays for medical expenses and lost wages. In return for accepting these funds, recipients relinquished rights to any future litigation. The fund had a deadline for applicants of December 22, 2003.

At the deadline, close to 100 percent of the families who lost a loved one had filed with the fund, but many individuals who were injured as a direct result of 9/11 had not. After the filing, many of the injured were denied benefits, despite a clear need.

The main reasons for not filing applications included people who did not know they were eligible as well as others whose injuries were late-onset. There are literally hundreds of individuals who are now just developing career-ending injuries—such as pulmonary and respiratory ailments—but are not eligible to receive assistance because they developed their symptoms after the deadline.

Largely as a result of the VCF's restrictions on applicants, 1,755 of the 4,430 personal injury claims considered were denied. While there was some leeway, the rules required workers to have arrived at Ground Zero within 96 hours of the attack and would have needed to seek medical treatment within 72 hours. This is reasonable for rescue workers who suffered immediate injuries, but leaves no recourse for individuals with late-onset injuries or who arrived after September 15, 2001 to assist in the recovery effort and are now suffering from injuries.

In order to care for the individuals who are now just developing physical injuries and to provide an opportunity for injured individuals who did not know they were eligible, we are re-introducing the Victims Compensation Fund Extension Act (H.R. 5076 in the 108th Congress).

This bill would:

Amend eligibility rules so that responders to the 9/11 attacks who arrived later than the first 96 hours could be eligible if they experienced illness or injury from their work at the site.

Amend eligibility rules so that those who did not seek immediate medical verification for their illness or injury from the disaster, but who have since obtained medical evidence, would be eligible.

Extend the deadline for applications to allow those with either late-onset illness from the disaster or those who were never informed of their eligibility for the Victim Compensation Fund to consider applying.

HONORING THE SERVICE OF ELAINE T. VALENTE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge a good friend and a hard-working public servant, Ms. Elaine Valente. Elaine is retiring as a Commissioner for Adams County, Colorado after 16 years of dedicated service.

Commissioner Valente was born and raised in Adams County Colorado. She and her husband Larry own the successful Valente's Deli, are proud parents of two accomplished children, and are passionate community activists.

Elaine's interest in her community began long before assuming her role as County Commissioner. She served on the Adams County Planning Commission, the City of Westminster Urban Renewal Authority, the Westminster Planning Commission, the Citizen's Evaluation for Retention of Judges, and the School District 50 Superintendent's Parent Advisory Committee.

Her deep passion to give something back to her community and to help improve Colorado is what motivated her to run for County Commissioner in 1988. Elaine was victorious in that election and quickly became an outspoken advocate for Adams County's communities. As Chairman of the Board of County Commissioners she took an interest in many issues affecting her constituency, helping pave the way for future economic development, transportation improvements, air traffic investments and reform of county services. When I was elected to Congress in 1998 I knew that one of my first objectives was to learn as much as I could from Elaine, not only about one of Colorado's fastest growing communities, but also about effective public service.

Elaine is the kind of person who speaks her mind with a blend of honest bluntness and old-school graciousness. As a daughter of Italian-Americans she also established a reputation for leadership on behalf of ethnic minorities.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Elaine Valente and in wishing her success in all her future endeavors. It has been a true privilege to work with such a remarkable woman.

---

IN RECOGNITION OF NICHOLAS GEORGE RICHARDSON UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Nicholas George Richardson of Eagle Scout troop #204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and

planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Nicholas George Richardson my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

CONGRATULATING THE 2004 FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION CLASS 1A STATE FOOTBALL CHAMPIONS

**HON. ADAM H. PUTNAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PUTNAM. Mr. Speaker, I want to congratulate the 2004 Florida High School Athletic Association (FHSAA) Class 1A State Football Champion Fort Meade Middle-High School Fighting Miners from the 12th Congressional District of Florida.

This was an incredible season for the Fighting Miners as they finally became the best football program in Class 1A and one of the elite teams in Florida under Head Coach Michael Hayde.

I commend the champion Fort Meade Middle-High School football team for a wonderful and magical run this year. The people of Florida and all of Polk County are proud of you. You have all demonstrated that hard work, perseverance and unity are the foundation of success.

I applaud the entire Fort Meade football coaching staff for their commitment and dedication to their players and for proving that hard work, sportsmanship and determination pay off.

I pay tribute to Fort Meade Middle-High School students, teachers, coaches and the entire football team on their achievement as victors of the Class 1A state championship football game.

NATIVE AMERICAN VETERANS BURIAL FAIRNESS ACT OF 2005

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to introduce the Native American Veterans Cemetery Act of 2005. I first introduced this bill in the 108th Congress, and I am optimistic about its prospects during the 109th Congress.

The Native American Veterans Cemetery Act makes all Native American tribes eligible to apply for state cemetery grants. Under current law, only states are eligible for these grants. The bill would not give preference or special exceptions to Native American tribes that apply for the state cemetery grants. It would simply put tribes on equal footing with state governments—consistent with tribal sovereignty—by allowing them to apply for grants

to establish, expand or improve tribal veterans cemeteries. Moreover, if a Native American tribe were awarded a state cemetery grant, the cemetery would be open to all veterans.

Historically, Native Americans have the highest record of service per capita of any ethnic group. New Mexico is home to almost 9,800 Native American Veterans, making it one of the top five states in the country with regard to its Native American veteran population. I believe it is time that Native American veterans who have served our country so honorably are allowed to pursue a decent, dignified resting place on their tribal lands.

Last year, Secretary of Veterans Affairs Anthony Principi stated in writing that he strongly supported this bill's enactment, and because it does not extend any special exceptions or benefits to Native American tribes that apply for state cemetery grants, this bill is budget neutral. The bill is also supported by the Navajo Nation, the largest federally recognized tribe, as well as National American Indian Veterans, Inc (NAIV). In addition to a resolution adopted by the Navajo Nation Council, the New Mexico and Arizona state legislatures have both passed memorials urging Congress to adopt this measure. I have included with this statement support letters from the VA, Navajo Nation, and NAIV.

I would like to thank my colleague Representative TOM COLE of Oklahoma for his strong and early support of this bill, as well as the other 24 original cosponsors. I look forward to working with all of my colleagues to move this bill during the 109th Congress.

THE SECRETARY OF VETERANS AFFAIRS,  
*Washington, July 29, 2004.*

Hon. TOM UDALL,  
*Member, Committee on Veterans' Affairs, House of Representatives, Washington, DC.*

DEAR MR. UDALL: We are pleased to present our views on H.R. 2983, 108th Congress, a bill, "[t]o amend title 38, United States Code, to provide for eligibility of Indian tribal organizations for grants for the establishment of veterans cemeteries on trust lands." This bill would authorize the Secretary of Veterans Affairs to make grants to tribal organizations to assist them in establishing, expanding, or improving veterans' cemeteries in the same manner and under the same conditions as grants to states are made under 38 U.S.C. 2408.

The cemetery-grants program has proven to be an effective way of making the option of veterans-cemetery burials available in locations not conveniently served by our national cemeteries. H.R. 2983 would create another means of accommodating the burial needs of Native American veterans who wish to be buried in tribal lands, and we strongly support its enactment.

While we are unsure of the number of grant applications that may be prompted by the bill's enactment, we do not assume its passage would result in the appropriation of additional funds for the cemetery-grants program. Hence, we estimate its enactment would be budget neutral.

The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely yours,

ANTHONY J. PRINCIPI.

NATIONAL AMERICAN INDIAN VETERANS, INC.,

*Mitchell, SD, October 7, 2004.*

DEAR CONGRESSIONAL REPRESENTATIVE: The National American Indian Veterans, Inc. is writing to respectfully request your sup-

port of H.R. 2983, the Native American Veterans Cemetery Act of 2003 (Act). The Act will authorize the Secretary of Veterans Affairs to make grants available to tribal organizations for establishing, expanding, or improving Veterans cemeteries on trust land owned by, or held in trust for tribal organizations. The Act has been referred to the U.S. House of Representatives Committee on Veterans Affairs, Sub-Committee on Benefits.

Today, American Indian Veterans cemeteries in Indian Country are either non-existent or are filled to capacity. As a result, our deceased brothers and sisters in arms are either laid to rest in State Veterans Cemeteries far from their homelands and families, or in cemeteries without the identifying honor of distinguished service in defense of our great nation.

During his second inaugural address, President Abraham Lincoln spoke to the mission of the U.S. Department of Veterans Affairs to "care for him who shall have borne the battle and his widow and orphan." On a population per capita basis, no one has borne the battle more than the American Indian Veteran and their widows and orphans. American Indian Veterans have served in the defense of the United States in all its military conflicts throughout the 20th and 21st Century.

Your support of H.R. 2983, the Native American Veterans Cemetery Act of 2003, will honor American Indian Veterans by establishing Veterans Cemeteries in Indian Country.

DONALD E. LOUDNER,  
*National Commander.*  
ANDERSON MORGAN,  
*Junior Vice Chairman.*  
CASSANDRA MORGAN,  
*Treasurer.*  
MICHAEL PAVATEA,  
*Senior Vice Commander.*  
JOEY STRICKLAND,  
*Chief of Staff.*  
BRYCE IN THE WOODS,  
*Secretary.*

RESOLUTION OF THE INTERGOVERNMENTAL RELATIONS COMMITTEE OF THE NAVAJO NATION COUNCIL

APPROVING AND SUPPORTING THE NATIVE AMERICAN VETERANS CEMETERY ACT OF 2003 (H.R. 2983) INTRODUCED BY U.S. REPRESENTATIVE TOM UDALL OF NEW MEXICO THAT THE BILL WILL MAKE ALL TRIBES ELIGIBLE TO APPLY FOR STATE CEMETERY GRANTS FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS (VA)

Whereas:

1. Pursuant to 2 N.N.C. §§821 and 824(B)(5), the Intergovernmental Relations Committee is hereby established as a standing committee of the Navajo Nation Council and is to coordinate with all committees, chapters, branches and entities concerned with all Navajo appearances and testimony before Congressional committees, departments of the United States government, state legislatures and departments and county and local governments; and

2. Pursuant to 2 N.N.C. §§601 and 604(B)(1), (3) and (5), the Human Services Committee is established and continued as a standing committee of the Navajo Nation Council, and is empowered to promulgate regulations for the enforcement and implementation of the labor laws and policies of the Navajo Nation and laws relating to veterans services; to recommend legislation regarding employment, training, and veterans services; and to serve as the oversight authority for the Division of Human Resources, including the Department of Navajo Veterans Affairs (DNVA); and

3. The DNVA under the Division of Human Resources was established to foster the interests of Navajo veterans by advocating and providing administration oversight and coordination of veterans programs and services of federal, state and tribal governments and private agencies; and

4. Pursuant to Resolution GSCMY-40-03 of the Government Services Committee of the Navajo Nation Council, one of the purposes of the DNVA under the Division of Human Resources is to seek out and identify additional funding sources and make recommendations for the implementation, expansion and improvement of existing programs of the divisions and offices of the Navajo Nation to ensure that Navajo veterans receive the benefits and services they are entitled to; and

5. Although the federal State Cemetery Grants Program (SCGP) exists pursuant to 38 U.S.C. Section 2408 since 1978 for the benefit of all U.S. Armed Forces service members and veterans, Indian Tribes of the U.S. are ineligible to apply for program funding to establish, expand or improve a veterans cemetery on their reservations because eligibility requirements are limited to states only; and

6. The states of Arizona and New Mexico have passed legislations in support of an amendment to the law to allow Indian tribes' participation in the SCGP with funding to establish, expand or improve cemeteries on the reservation. The DNVA is planning to establish a new veterans cemetery to replace the old and full to capacity Ft. Defiance Veterans Cemetery within the four sacred mountains of the Navajo Nation to afford burial of Native American and non-native veterans and their eligible spouses and dependent children; and

7. By Resolution HSCN-39-03, the Human Services Committee of the Navajo Nation Council recommended the Intergovernmental Relations Committee of the Navajo Nation Council to approve and support the Native American Veterans Cemetery Act of 2003 (H.R. 2983) introduced by U.S. Representative Tom Udall of New Mexico, that the bill will make all tribes eligible to apply for State Cemetery Grants from the U.S. Department of Veterans Affairs (VA); and

8. By Resolution CJ-5-40, the Navajo Nation Council resolved that the Navajo People stood ready to aid and defend the United States Government and its institutions against all subversive and armed conflicts and pledged loyalty to the system which recognized minority rights and a way of life; and

9. Navajo veterans, since their return from various wars, continue to live in substandard and unsanitary living conditions and continue to face many problems from unemployment to health problems, mentally and physically, and as Native American veterans they have borne the scars of many battles at a proportionally higher cost than any other ethnic group; and

10. It is in the best interest of all Navajo veterans, and their spouses and dependent children, the need and benefit for final resting place be established within the four sacred mountains of the Navajo Nation.

*Now Therefore Be It Resolved That:*

1. The Intergovernmental Relations Committee of the Navajo Nation Council hereby approves and supports the Native American Veterans Cemetery Act of 2003 (H.R. 2983), attached hereto as Exhibit "A", introduced by U.S. Representative Tom Udall of New Mexico, that the bill make all tribes eligible to apply for State Cemetery Grants from the U.S. Department of Veterans Affairs (VA).

2. The Intergovernmental Relations Committee of the Navajo Nation Council requests the assistance of the Navajo Nation Washington Office in the tracking of the legisla-

tion and notify appropriate Navajo Nation committees regarding committee hearings on this legislation.

3. The Intergovernmental Relations Committee of the Navajo Nation Council further recommends that the Office of the President/Vice President of the Navajo Nation and the full Navajo Nation Council support and authorize this effort and initiative on behalf of the Navajo Nation veterans.

4. The Intergovernmental Relations Committee of the Navajo Nation Council furthermore urges all Indian nations of states to effect the purpose of the Act beneficial at most for Native American service members and veterans and their spouses and dependent children.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Intergovernmental Relations Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 8 in favor, 0 opposed, and 0 abstained, this 17th day of November, 2003.

LAWRENCE T. MORGAN,  
*Chairperson, Intergovernmental  
Relations Committee.*

RESOLUTION OF THE HUMAN SERVICES  
COMMITTEE OF THE NAVAJO NATION COUNCIL  
RECOMMENDING THE INTERGOVERNMENTAL  
RELATIONS COMMITTEE OF THE NAVAJO NATION  
COUNCIL TO APPROVE AND SUPPORT THE  
NATIVE AMERICAN VETERANS CEMETERY ACT OF  
2003 (H.R. 2983) INTRODUCED BY U.S. REP-  
RESENTATIVE TOM UDALL OF NEW MEXICO  
THAT THE BILL WILL MAKE ALL TRIBES ELIGI-  
BLE TO APPLY FOR STATE CEMETERY GRANTS  
FROM THE U.S. DEPARTMENT OF VETERANS  
AFFAIRS (VA)

Whereas:

1. Pursuant to 2 N.N.C. §§601 and 604(B) (1), (3), and (5), the Human Services Committee is established and continued as a standing committee of the Navajo Nation Council and is empowered to promulgate regulations for the enforcement and implementation of the labor laws and policies of the Navajo Nation and laws relating to veterans services; to recommend legislation regarding employment, training, and veterans services; and to serve as the oversight authority for the Division of Human Resources, including the Department of Navajo Veterans Affairs (DNVA); and

2. The DNVA under the Division of Human Resources was established to foster the interests of Navajo veterans by advocating and providing administration oversight and coordination of veterans programs and services of federal, state and tribal governments and private agencies; and

3. Pursuant to Resolution GSCMY-40-03 of the Government Services Committee of the Navajo Nation Council, one of the purposes of the DNVA is to seek out and identify additional funding sources and make recommendations for the implementation, expansion and improvement of existing programs of the divisions and offices of the Navajo Nation to ensure that Navajo veterans receive the benefits and services they are entitled to; and

4. Although the federal State Cemetery Grants Program (SCGP) exists pursuant to 38 U.S.C. Section 2408 since 1978 for the benefit of all U.S. Armed Forces service members and veterans, Indian Tribes of the U.S. are ineligible to apply for program funding to establish, expand or improve a veterans cemetery on their reservations because eligibility requirements are limited to states only; and

5. The legislators of Arizona and New Mexico in year 2003 sessions have passed legisla-

tions in support of an amendment to the law to allow Indian tribes' participation in the SCGP with funding to establish, expand or improve cemetery on the reservations. The DNVA is planning to establish a new veterans cemetery, to replace the old and full to capacity Ft. Defiance Veterans Cemetery, within the four sacred mountains of the Navajo Nation to afford burial of Native American and non-native veterans, and their eligible spouses and dependent children; and

6. By Resolution CJ-5-40, the Navajo Nation Council resolved that the Navajo People stood ready to aid and defend the United States Government and its institutions against all subversive and armed conflicts and pledged loyalty to the system which recognized minority rights and a way of life. This commitment continues to be exercised in all branches of service and involved at higher ratio than any ethnic group population; and

7. It is in the best interest of all Navajo veterans and their spouses and dependent children the need and benefit for final resting place be established within the four sacred mountains of the Navajo Nation.

*Now, Therefore, Be It Resolved That:*

1. The Human Services Committee of the Navajo Nation Council hereby recommends the Intergovernmental Relations Committee of the Navajo Nation Council to approve and support the Native American Veterans Cemetery Act of 2003 (H.R. 2983) introduced by U.S. Representative Tom Udall of New Mexico that the bill will make all tribes eligible to apply for State Cemetery Grants from the U.S. Department of Veterans Affairs (VA). This legislation is attached hereto as Exhibit "A".

2. The Human Services Committee of the Navajo Nation Council requests the Navajo Nation Washington office to assist by monitoring the progress of the legislation and inform Department of Navajo Veterans Affairs and Human Services Committee for appearances before congressional committees and testimonies.

3. The Human Services Committee of the Navajo Nation Council further recommends that the Office of the President/Vice President of the Navajo Nation and the full Navajo Nation Council support and authorize this effort and initiative on behalf of the Navajo Nation veterans and families.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Human Services Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 4 in favor, 0 opposed and 0 abstained, this 14th day of November, 2003.

LARRY ANDERSON,  
*Chairperson, Human Services Committee.*

#### HONORING 75 YEARS OF HISTORY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Kinnelon Fire Department, of the Borough of Kinnelon, in Morris County, New Jersey, a vibrant community I am proud to represent. On January 29, 2005, the good citizens of Kinnelon are celebrating the fire department's seventy-fifth anniversary.

For seventy-five years, members of the Kinnelon Fire Department have been protecting and serving the residents of their community. The fire department is made up of

ninety volunteers, led by Fire Chief Keith Paviak. Other dedicated members of the fire department include First Assistant Chief Alan Bresett and Second Assistant Chief Gail Bresett.

The Kinnelon Fire Department has a deep history that is evident in their desire to commemorate the department's 75 year anniversary. Volunteers, along with Mayor Sisco and other council members, will join to celebrate and recognize the volunteers and their predecessors.

From its charter members to its current roster, the membership of the Kinnelon Fire Department, has dedicated itself to the safety and welfare of Kinnelon's good citizens. Kinnelon's firefighters, dedicated public servants, past and present, are to be commended for a job well done.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the members of the Kinnelon Fire Department on the celebration of its seventy-five years protecting one of New Jersey's finest municipalities.

INTRODUCTION OF RESOLUTION  
HONORING THE JAMES MADISON  
UNIVERSITY FOOTBALL TEAM

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce a resolution congratulating the James Madison University football team, the "Dukes", for their outstanding and historic victory in the National Collegiate Athletic Association's Division One—Double-A Championship Game.

James Madison University is located in Virginia's 6th congressional district, in Harrisonburg, VA. JMU is one of the nearly twenty colleges or universities in my congressional district. The school was established in 1908 as the State Normal and Industrial School for Women, and remained a women's college until 1966.

The school's name was officially changed to honor our Nation's fourth president, one of eight Virginia presidents, James Madison, in 1977.

JMU is currently home to more than 15,000 students and more than 2,000 faculty members. In addition, the JMU athletic program has more than 500 student athletes who compete in eleven men's and thirteen women's sports.

Mr. Speaker, JMU received an at-large-bid to compete in the I-AA playoffs and defeated Lehigh, Furman, and the College of William and Mary (another wonderful Virginia school) to advance to the championship game.

JMU ultimately defeated the University of Montana Grizzlies with a final score of 31 to 21, before 16,771 fans and a national television audience, at the home field of the University of Tennessee-Chattanooga. The Dukes became the first team to win four straight road games in Division I-AA postseason history.

I would like to also congratulate the University of Montana Grizzlies, who were seeking their third national title in ten years. The Grizzlies finished the season with a wonderful record of twelve and three.

I was pleased to participate in a wonderful parade and community celebration a few

weeks ago in downtown Harrisonburg to honor the Dukes.

Again, congratulations to James Madison University and I am pleased to have the support of the entire Virginia delegation as I offer this resolution.

CONGRATULATING THE WILKES-  
BARRE COUNCIL 302 OF THE  
KNIGHTS OF COLUMBUS ON  
THEIR 107TH ANNIVERSARY AND  
HONORING RAYMOND J.  
LENAHAN FOR HIS SERVICE AS  
GRAND KNIGHT

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Wilkes-Barre Council 302 of the Knights of Columbus on their 107th Anniversary and to Raymond John Lenahan for his service as Grand Knight.

The Knights of Columbus are an outstanding example of how a fraternal group that seeks social and financial fellowship for its members is also committed to serving others. Council 302, in particular, deserves particular praise because it has the unique distinction of having organized a complete military unit in World War I. Called the Knights of Columbus Ambulance Company of Wilkes-Barre, PA, these men served in France, Belgium, Luxembourg and Germany. The men achieved national recognition for their service to our country.

The Knights of Columbus has always supported charitable work through monetary donations. In 1917, the council raised \$5,411 for the War Fund Committee. In 1920, St. Mary's Convent was destroyed by fire and Council 302 presented the Sisters of Mercy with a check for \$2,500, raised from voluntary donations.

Another example of the selflessness of the Knights of Columbus is their involvement in blood drives. They began a blood donor campaign with Mercy Hospital in March 1947 and Council 302 is still involved with donations to the local Red Cross.

Throughout the years, the Knights of Columbus have had fine men serve as Grand Knights. Raymond Lenahan has served in that position for the past two years, from 2002 through 2004.

Mr. Lenahan, a native of Hanover Township, is the son of the late Anthony J. and Luella Lenahan. He served as Grand Knight for the Knights of Columbus from 2002 to 2004. Mr. Lenahan resides with his wife Patricia in Forty Fort. The couple has four children and two grandchildren. They are members of St. Aloysius Parish in Wilkes-Barre.

Mr. Speaker, it is my privilege to represent an organization as worthy as the Knights of Columbus. Please join me in congratulating them as they celebrate their 107th Anniversary on Saturday.

INTRODUCTION OF FEDERAL  
LANDS RESTORATION, ENHANCE-  
MENT, PUBLIC EDUCATION, AND  
INFORMATION RESOURCES ACT

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a bill to provide additional resources for use by the Federal land-managing agencies to restore lands damaged as a result of improper activities and to promote public education about the use of the Federal lands. My Colorado colleague, Representative TANCREDO, is cosponsoring the legislation. I greatly appreciate his support.

The bill is based on one part of a bill introduced by Representative TANCREDO that I cosponsored in the 108th Congress. The purpose of that bill was to improve the ability of the land-managing agencies—the Bureau of Land Management, National Park Service, and the Fish and Wildlife Service in the Interior Department as well as the Forest Service in the Agriculture Department—to adequately enforce the rules that apply to uses of the lands they manage.

In the Resources Committee, Mr. TANCREDO and I worked with Chairman POMBO, Ranking Member RAHALL, and other Members, to develop a substitute that included a number of improvements in the bill. The Resources Committee approved that substitute, which included provisions similar to those in the bill I am introducing today. However, after the Resources Committee completed its work, the measure was reviewed by the Judiciary Committee, which made further changes before the bill went to the House floor.

The most significant change was deletion of the provisions of the bill that allowed the agencies to retain fines paid for violations of land-use regulations and to use those funds for repairing damages to the lands and for public education. I regretted that change because in addition to more adequate authority to enforce regulations, the land-managing agencies need more resources—more money and more people—if we want them to do a better job.

The House passed the bill as revised by the Judiciary Committee, but the 108th Congress adjourned before the Senate could complete action on it. Accordingly, Mr. TANCREDO is reintroducing the House-passed bill and I am cosponsoring that measure. My bill is in effect a companion to his legislation.

As approved by the Resources Committee, the Tancredo-Udall bill of the 108th Congress would have helped with that by allowing the agencies to use money from fines to help pay for some of the restoration work caused by violations of regulations and for public education.

The bill I am introducing today is similar. It would allow agencies to use money collected as fines to be used for repairing damage caused by the actions that lead to the fines or by similar actions. It would also allow them to use the money to increase public awareness of regulations and other requirements regarding use of Federal lands. And it provides that any of the money not needed for those purposes would be credited to the Crime Victims Fund in the Treasury.

Mr. Speaker, this is a modest bill but an important one. I think it deserves the support of

our colleagues and I will do all I can to achieve its enactment into law.

IN RECOGNITION OF MICHAEL WILLIAM MOORE UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Michael William Moore of Eagle Scout troop No. 204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Michael William Moore my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

AYN RAND'S BIRTHDAY

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PAUL. Mr. Speaker, today, on the occasion of the 100th anniversary of the birth of Ayn Rand, these comments. Ayn Rand has long inspired advocates of personal liberty and economic freedom. These ideals of individual responsibility and limited constitutional government are urgently needed in our Nation today.

AYN RAND CENTENARY CELEBRATION

(By Don Ernsberger)

February 2nd marks the 100th Anniversary of the birth of philosopher and novelist Ayn Rand. The Russian born author of *Atlas Shrugged*, *Fountainhead* and a number of nonfiction works in economics and ethics became, in the twentieth century, a major influence on the intellectual culture of the United States. Her most famous work, *Atlas Shrugged* remains ranked by the Library of Congress Center for the Book as the second most influential books ever published.

Ayn Rand was a champion of capitalism and of individual liberty. She had experienced the impact of communism in her native Russia and was an outspoken opponent of both communism and of socialism. She advocated personal responsibility and an objective code of moral behavior. Ayn Rand's fictional and non-fictional works promoted the ideal of the self-reliant individual who values reason, production and self-esteem in their personal lives and rejects the enslavement of others to advance one's own personal goals. A proud immigrant, who chose America, she perceptively grasped the nature

of our Constitution: "The [U.S.] Constitution is a limitation on the government, not on private individuals . . . it does not prescribe the conduct of private individuals, only the conduct of government . . . it is not a charter for government power, but a charter of the citizen's protection against the government."

Today, February 2, 2005, we celebrate the birth of this influential philosopher and writer who inspired and continues to inspire so many individuals to live rationally, and respect the rights of others. So much of what has made American a great society is found in her writings.

THE CUYAHOGA COUNTY BAR FOUNDATION AND CUYAHOGA COUNTY BAR ASSOCIATION'S 59TH ANNUAL PUBLIC SERVANTS MERIT AWARDS

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. JONES of Ohio. Mr. Speaker, I rise today in recognition of the Cuyahoga County Bar Foundation and Cuyahoga County Bar Association's 59th annual Public Servants Merit Awards, which will be held on Friday, February 11, 2005, in Cleveland, OH. As a veteran of the Cuyahoga County judiciary, I am honored to congratulate these individuals who have offered decades of faithful service to the bench, bar and public of Cuyahoga County.

Kathleen Ann Beluschak, Cleveland Municipal Court Presiding and Administrative Judge Larry A. Jones' nominee, has spent more than 30 years with the Cleveland Municipal Court, and for almost 3 years, she has been the Court's Administrative Services Office Manager. A graduate of West Tech High School, the longtime Cleveland resident lives with her husband Joe near Hopkins Airport with their two dogs, both of which were rescued and brought into the family by Kathleen. She traces her commitment to public service through a number of generations. In fact, two of her grandparents worked for the municipal and federal governments, her mother and uncles were public employees, as is her husband, sister, and 25-year-old son. At the beginning of her career, she thought the recipients of the awards to be "really old," she has now determined to reconsider that opinion.

Pat Cain has been a Probate Court employee since 1981. Nominated by Presiding Judge John J. Donnelly, Pat has primarily worked as a cashier at the Probate Court. Pat worked at other public agencies before joining the Court. Now a resident in Parma with his wife, Jane Varga, an attorney, Pat's blended family includes four adult children and five grandchildren. An active volunteer in many state, county, and local campaigns, particularly judicial races, Pat enjoys time with his family, particularly at their summer home in Marblehead. He highly values wildlife and its protection, and he works hard to provide support at his home for many different species of birds.

Nominated by Juvenile Court Administrative, Judge Joseph F. Russo, Josephine E. Jackson is the Acting Superintendent of the Court's Juvenile Detention Center. After earlier duties in security at local department stores, Josephine has been employed by the court since

1984 in a number of positions in the management of the Detention Center. Josephine's education in the Cleveland Schools continued into a master's program at Cleveland State University. She is challenged daily by working with youths in a correction environment, including those that have mental illness and special needs. In all facets, she encourages her staff to try and provide positive reinforcement to help the children at the Detention Center excel positively in life. She and her husband of nearly 25 years, Bill, live in Moreland Hills. As a part of her efforts to make the Detention Center a positive experience, she organizes regular, seasonal activities, including holiday cookie parties and a summer festival which benefits the Children's Fund.

The nominee of Gerald Fuerst, County Clerk of Courts, Mark Lime has been a Clerk's Office employee since 1977. Starting as a docket clerk, Mark has worked his way up to his current position of Criminal Branch Manager. A Parma resident, he and his wife Deborah have raised four sons, the youngest of whom is a junior at Parma High School. Mark has lived in Parma for many years and attended Padua Franciscan High School and Cuyahoga Community College. Mark is a dedicated coach, active in golf, baseball, and soccer teams on which his four sons have played.

Since 1976, Mary Joyce Ruddy has been employed at the Common Pleas Court's General Division. Presiding and Administrative Judge Richard McMonagle's nominee, Mary Joyce has been Jury Bailiff since 1992. She is in charge of getting jurors to individual court rooms, ensuring jurors' compensation, helping keep all jurors as happy as possible, and most importantly, spearheading the public relations effort encouraging reluctant jurors to serve. A Lakewood resident and graduate of St. Augustine Academy, Mary is mother of Nora, a 14-year-old Magnificat freshman. Family is central to Mary's life, and in recent years, she has spent many hours assisting her parents in their final illnesses. She now spends her time with eight nieces and nephews, all of whom are under the age of 9, and with her siblings.

Cheryl Maureen Simon has been an employee of the U.S. Bankruptcy Court since 1981. Chief Judge Randolph Baxter's nominee, Cheryl is Administrative Manager of the Court's Administrative Department, where she has responsibility for budget, procurement, administrative services, personnel, and other functions. A resident of Moreland Hills with her husband, David, and son, Matt, Cheryl enjoys skiing and traveling.

For over 21 years, Gail F. Valerino has been a judicial secretary with Ohio's Eighth District Court of Appeals. Originally, she worked for retired Judge Joseph J. Nahra, and since early 1999, she has worked for Administrative Judge Michael J. Corrigan, who nominated her for this year's award. In addition to administering the chambers of her Judge in every respect, she has, during Judge Corrigan's year as Administrative Judge, acted as his liaison with the Court's Administrator with regards to the entire Court's organization. Educated in the Parma Schools, she lives in Parma Heights with her son and daughter, and is active in boys' and girls' softball and T-ball leagues. She is also a participant in her Church's volunteer activities. She relaxes by reading and spending time in Marblehead.

REINTRODUCTION OF SAMPLING  
LEGISLATION

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. MALONEY. Mr. Speaker, today, I introduce legislation that will ensure that future censuses truly reflect the demographic make-up of this Nation. This bill would clarify Section 195 of Title 13 U.S.C. to allow the most accurate numbers to be used for apportionment and all other purposes.

CONGRATULATING THE 2004 FLORIDA  
HIGH SCHOOL ATHLETIC ASSOCIATION CLASS 5A STATE  
FOOTBALL CHAMPIONS

**HON. ADAM H. PUTNAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PUTNAM. Mr. Speaker, I want to congratulate the 2004 Florida High School Athletic Association (FHSA) Class 5A State Football Champion Lakeland Senior High School Dreadnaughts from the 12th Congressional District of Florida.

The championship game victory capped an undefeated season for the Lakeland High Dreadnaughts as they finished 15–0 for the third time in the past nine seasons and won their fourth state championship under Coach Bill Castle.

I commend the champion Lakeland High School football team for a wonderful and magical run this year. The people of Florida and all of Polk County are proud of you. You have all demonstrated that hard work, perseverance and unity are the foundation of success.

I applaud Lakeland Head Coach Bill Castle for being awarded this year's Dairy Farmers Award as coach of the year of the Florida Athletic Coaches Association, but most importantly for his commitment to his players and stressing the important values of preparation, hard work, dedication, teamwork, and sportsmanship.

I pay tribute to Lakeland High School students, teachers, coaches and the entire football team on their outstanding achievement.

ACKNOWLEDGING THE SERVICE OF  
TED STRICKLAND

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge a significant leader in the Denver, Colorado metropolitan area. Mr. Ted Strickland, outgoing Commissioner for Adams County, will be leaving his post after eight years of diligent service.

Commissioner Strickland was born and raised in Austin, Texas. After serving in the military he came to Colorado and began a successful career in the oil and gas industry, becoming Vice President with the Petroleum Information company.

Drawn towards public service, Ted ran for election to the Colorado House of Representatives. He served two years in the House before being elected to the Colorado State Senate. His 24 years in the Senate, 12 of which he served as President of the Senate, were a notable accomplishment.

During that time, he and his wife, Luann, settled in Strasburg, Colorado, on the southern edge of Adams County. Ted's continued desire for public service then led him to seek and win election as an Adams County Commissioner in 1996. As a county commissioner, he continued his hard work for those he represented. He served on the E-470 Public Highway Authority Board, the Front Range Airport Authority Board, the Adams County Economic Development Board, the Adams County Water Quality Association, and on the Denver Regional Council of Governments. With such a wide scope of reach, Commissioner Strickland has left a mark as a valuable public servant.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. Ted Strickland and in wishing him success in all his future endeavors. Wherever his motivations should take him, I am sure success will follow.

IN RECOGNITION OF JOHN PATRICK  
MAHER UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT  
OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent John Patrick Maher of Eagle Scout troop No. 204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call John Patrick Maher my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

THE POEM, YOUR SON

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. SESSIONS. Mr. Speaker, we are all deeply saddened by the loss of life of our brave men and women serving in Iraq and Afghanistan. While we all understand the need to spread freedom and democracy throughout the world, words can barely express the emo-

tions and sorrow felt by the families of those who have given the ultimate sacrifice.

A constituent of mine recently brought to my attention a poem that was written in memory of Sgt. Byron Norwood, USMC, by Gene E. Blanton. While this poem is in memory of Sgt. Norwood, I believe that this poem is a fitting tribute to all servicemen and women who have fallen in combat. I would like to share this poem with my fellow colleagues:

YOUR SON

(By Gene E. Blanton)

To the Mothers and the Fathers  
Of United States Marines  
Who have fought and bled and died  
So that freedom's bell still rings  
From the Halls of Montezuma  
To the shores of Tripoli  
From the alleys of Fallujah  
To the frozen Yudam-ni  
From the sands of Iwo Jima  
To the hills around Khe Sanh  
From the smoky hell of Belleau Woods  
Your Son fought and won  
Your Son battled dictatorships  
Communism and tyranny  
God's Son died to make men holy  
Your Son died to make men free  
There is a debt we owe Your Son  
That we can never repay  
We owe Your Son more than platitudes  
Heard on Veterans or Memorial Day  
Your Son is a son of America  
One of the Proud and the Few  
Your Son volunteered to do the things  
Other men would not or could not do  
Your Son was Semper Fidelis  
Always Faithful to the end was he  
Your Son was a shining example  
Of what a man is supposed to be  
Now Your Son's been reassigned  
To stand guard on Heaven's streets  
And when my tour of duty is over  
I know that we will meet  
I'll thank Your Son for my freedom  
For keeping terror on a distant shore  
I'll thank Your Son for our way of life  
And sacrifice he bore  
So tonight when you cry out to God  
While praying on your knees  
Know that He's a loving God  
Who will listen to your pleas  
To lose Your Son for freedom's cause  
God truly understands  
God sent His Son to die for us  
So you can see Your Son again

May God continue to bless our soldiers who are currently in harm's way.

FREEDOM FOR ARTURO PÉREZ DE  
ALEJO RODRÍGUEZ

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Arturo Pérez de Alejo Rodríguez, a political prisoner in totalitarian Cuba.

Mr. Pérez de Alejo is the president of the Escambray Human Rights Front. Before he became a pro-freedom advocate in a country oppressed by a totalitarian tyrant, he work as a farmer. However, after he realized the true nature of Castro's despotic regime, he joined the pro-democracy movement and began to advocate for a free and democratic Cuba.

According to Amnesty International, Mr. Pérez de Alejo was detained in 2003 for handing out copies of the U.N. Declaration of Human Rights. Despite being detained, and knowing full well the brutal consequences that await those brave men and women that speak the truth under the nightmare that is the Castro regime, he continued to advocate for human rights for the people of Cuba.

Unfortunately, Mr. Pérez de Alejo was arrested on March 18, 2003, as part of Castro's heinous island wide crackdown on peaceful, pro-democracy activists. In a sham trial, he was sentenced to 20 years in the totalitarian gulag.

While confined in the inhuman squalor of the gulag, Amnesty International reports that Mr. Pérez de Alejo has not been able either to receive or to send correspondence in the same way as other prisoners. It has also been reported that he is suffering from several debilitating diseases in the totalitarian gulag. Let us be very clear, he is languishing in a hellish dungeon, unable to communicate with the outside world, because he peacefully advocates for liberty.

Mr. Speaker, it is unconscionable that, in the 21st century, brave men and women are chained to filth because of their belief in the inalienable nature of freedom, and the sanctity of human rights for every person. My colleagues, tonight the democratically elected leader of the United States of America will deliver the State of the Union address to a joint session of our freely elected Congress. As we listen to President Bush address our free Nation, let us also remember those who are suffering to secure their own liberties, in their own countries. We must demand the immediate release of Arturo Pérez de Alejo Rodríguez and every political prisoner locked in the dungeons of tyrants.

#### RIGHT TO LIFE ACT

### HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. HUNTER. Mr. Speaker, today, I am introducing legislation that, if passed, will once and for all protect our unborn children from harm. Over 1.3 million abortions are performed in the United States each year and over 38 million have been performed since abortion was legalized in 1973. This is a national tragedy. It is the duty of all Americans to protect our children—born and unborn. This bill, the Right to Life Act, would provide blanket protection to all unborn children from the moment of conception.

In 1973, the United States Supreme Court, in the landmark case of *Roe v. Wade*, refused to determine when human life begins and therefore found nothing to indicate that the unborn are persons protected by the Fourteenth Amendment. In the decision, however, the Court did concede that, "If the suggestion of personhood is established, the appellants' case, of course, collapses, for the fetus' right to life would be guaranteed specifically by the Amendment." Considering Congress has the constitutional authority to uphold the Fourteenth Amendment, coupled by the fact that the Court admitted that if personhood were to be established, the unborn would be pro-

ted, it can be concluded that we have the authority to determine when life begins.

The Right to Life Act does what the Supreme Court refused to do in *Roe v. Wade* and recognizes the personhood of the unborn for the purpose of enforcing four important provisions in the Constitution: (1) Sec. 1 of the Fourteenth Amendment prohibiting states from depriving any person of life; (2) Sec. 5 of the Fourteenth Amendment providing Congress the power to enforce, by appropriate legislation, the provision of this amendment; (3) the due process clause of the Fifth Amendment, which concurrently prohibits the Federal Government from depriving any person of life; and (4) Article I, Section 8, giving Congress the power to make laws necessary and proper to enforce all powers in the Constitution.

This legislation will protect millions of future children by prohibiting any State or Federal law that denies the personhood of the unborn, thereby effectively overturning *Roe v. Wade*. I firmly believe that life begins at conception and that the preborn child deserves all the rights and protections afforded an American citizen. This measure will recognize the unborn child as a human being and protect the fetus from harm. The Right to Life Act will finally put our unborn children on the same legal footing as all other persons. I hope my colleagues will join me in support of this important effort.

#### INTRODUCTION OF THE PRESCRIPTION DRUG AFFORDABILITY ACT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PAUL. Mr. Speaker, I rise to introduce the Prescription Drug Affordability Act. This legislation ensures that millions of Americans, including seniors, have access to affordable pharmaceutical products. My bill makes pharmaceuticals more affordable to seniors by reducing their taxes. It also removes needless government barriers to importing pharmaceuticals and it protects Internet pharmacies, which are making affordable prescription drugs available to millions of Americans, from being strangled by Federal regulation.

The first provision of my legislation provides seniors a tax credit equal to 80 percent of their prescription drug costs. While Congress did add a prescription drug benefit to Medicare in the last Congress, many seniors still have difficulty affording the prescription drugs they need in order to maintain an active and healthy lifestyle. One reason is because the new program creates a "doughnut hole," where seniors lose coverage once their prescription expenses reach a certain amount and must pay for their prescriptions above a certain amount out of their own pockets until their expenses reach a level where Medicare coverage resumes. This tax credit will help seniors cover the expenses provided by the doughnut hole. This bill will also help seniors obtain prescription medicines that may not be covered by the new Medicare prescription drug program.

In addition to making prescription medications more affordable for seniors, my bill lowers the price for prescription medicines by reducing barriers to the importation of FDA-ap-

proved pharmaceuticals. Under my bill, anyone wishing to import a drug simply submits an application to the FDA, which then must approve the drug unless the FDA finds the drug is either not approved for use in the United States or is adulterated or misbranded. This process will make safe and affordable imported medicines affordable to millions of Americans. Mr. Speaker, letting the free market work is the best means of lowering the cost of prescription drugs.

I need not remind my colleagues that many senior citizens and other Americans impacted by the high costs of prescription medicine have demanded Congress reduce the barriers which prevent American consumers from purchasing imported pharmaceuticals. Congress has responded to these demands by repeatedly passing legislation liberalizing the rules governing the importation of pharmaceuticals. However, implementation of this provision has been blocked by the Federal bureaucracy. It is time Congress stood up for the American consumer and removed all unnecessary regulations on importing pharmaceuticals.

The Prescription Drug Affordability Act also protects consumers' access to affordable medicine by forbidding the Federal Government from regulating any Internet sales of FDA-approved pharmaceuticals by State-licensed pharmacists.

As I am sure my colleagues are aware, the Internet makes pharmaceuticals and other products more affordable and accessible for millions of Americans. However, the Federal Government has threatened to destroy this option by imposing unnecessary and unconstitutional regulations on web sites that sell pharmaceuticals. Any Federal regulations would inevitably drive up prices of pharmaceuticals, thus depriving many consumers of access to affordable prescription medications.

In conclusion, Mr. Speaker, I urge my colleagues to make pharmaceuticals more affordable and accessible by lowering taxes on senior citizens, removing barriers to the importation of pharmaceuticals and protecting legitimate Internet pharmacies from needless regulation by cosponsoring the Prescription Drug Affordability Act.

#### RECOGNIZING THE FAIRFAX COUNTY HEALTH DEPARTMENT ADULT DAY HEALTH CARE PROGRAM UPON ITS 25 YEAR ANNIVERSARY

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to pay tribute to the Fairfax County Health Department Adult Day Health Care Program as it prepares to celebrate its 25th anniversary.

The Fairfax County Adult Day Health Care centers provide a safe, fun and therapeutic environment for the frail, the elderly and adults who need supervision during the day due to cognitive and/or physical impairments. Each center has a registered nurse who monitors the health status of each participant; a therapeutic recreation specialist who designs daily activities to enhance cognitive and physical function and to offer opportunities for socialization; and several program assistants who

lead the daily activities and provide personal care to the participants. In addition, the program is designed to provide respite, education, and support to family caregivers.

The first Fairfax County Adult Day Health Care Program center opened its doors in Annandale on January 3, 1980. The Annandale center was the first public nonprofit elderly daycare facility in Fairfax County. This program was an exemplary example of inter-agency collaboration, a visionary approach to providing long-term care services, and innovative use of county resources. Over the next 22 years, four additional centers were opened including: the Lewinsville Adult Day Health Care center in June 1985, the Lincolnia Adult Day Health Care center in January 1990, the Mount Vernon Adult Day Health Care center in July 1990 and finally the Herndon Harbor Adult Day Health Care center in June 2000. In 2006 the county is planning to open a sixth adult day health care center in Fairfax City.

In 1986, the Annandale and Lewinsville Adult Day Health Care centers were the recipients of the National Achievement Award given by the National Association of Counties. The centers were recognized for their new and innovative programs.

Mr. Speaker, in closing, I would like to thank the Fairfax County Health Department Adult Day Health Care Program for the immeasurable contributions they have made to the community by taking care of the sick and elderly. I congratulate the program on its successes over the last 25 years and wish for continued success in the future. I ask that my colleagues join me in applauding this outstanding and distinguished institution.

HONORING THE RETIREMENT OF  
STATE POLICE CAPTAIN KATHY  
STEFANI

**HON. WILLIAM D. DELAHUNT**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. DELAHUNT. Mr. Speaker, I rise today to pay tribute to a woman who has dedicated the better part of her life to ensuring the public safety of our community. She is a pioneer in law enforcement, and a role-model for all who choose to wear the uniform. Dedicated, visionary, and compassionate, she has left a lasting legacy on the Massachusetts State Police, the troopers under her command, and the public she serves.

I'm talking of Capt. Kathy Stefani.

Where I'm from, it's not uncommon for children to want to follow in their parents' professional footsteps. No where is this more so than with the police department. So it was with a special pride that Kathy's father, Gerry Coletta, a good friend and my chief administrative assistant from my tenure as Norfolk district attorney, encouraged her pursuit of a law enforcement career.

Joining the ranks of the Massachusetts State Police force in 1978, she was one of only three women on the job. It was clear from the beginning that her career was going to be special.

In 1995, when she was elevated to the rank of lieutenant, she became the first State Police officer to run the Commonwealth's crime Lab. During her tenure there, she successfully se-

cured a \$1 million grant to develop the first DNA testing facilities in Massachusetts.

And, in 1999, when Kathy was promoted again she made more history as the first woman ever to hold the rank of captain. Law enforcement has always been a family affair, and at her promotion ceremony she proudly accepted her husband Michael's badge as her own.

During her 26 years on the force, Captain Stefani has been involved with some of the most important public events in recent memory. Long before we talked about homeland security, she used her position as Troop H commander to push for a more integrated approach for securing large events—including the 2000 Presidential Debate held at UMASS-Boston, the annual Sail Boston events, the July 4th celebrations on the Esplanade.

During her long career she's been recognized with the Superintendent's Commendation, the Distinguished Service Award for Forensic Science and the prestigious State Police Medal of Merit.

But perhaps the greatest compliments come from those who don't know her personally, but benefit from her forward-thinking plan for the State crime lab during the 1990's. Long before television shows like CSI made forensic science popular, Captain Stefani recognized the role that DNA testing could play in bringing criminals, especially rapists, to justice. Her perseverance in advocating for this technology has brought solace and comfort to victims and their families.

As Captain Stefani prepares to enter into a well-deserved retirement, I doubt very much that she'll be working on her tennis game. My guess is that she'll continue to be involved professionally—inspiring the next generation in the classroom; being a role-model to those who continue to wear the uniform, like her brother Chip; being an involved mom to her two kids, and a loving wife to Michael; and a devoted daughter to Gerry and Marge.

I'm honored to add my voice to the chorus of friends, family and colleagues who wish her well as she embarks on her retirement. Job well done.

PERSONAL EXPLANATION

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. GRAVES. Mr. Speaker, on Thursday, January 6, 2005, I was unavoidably detained and thus missed rollcall vote No. 7. Had I been present, I would have voted "nay" on rollcall No. 7.

On Tuesday, January 25, 2005, I was unavoidably detained and thus missed rollcall votes Nos. 8 and 9. Had I been present, I would have voted "yea" on both votes.

On Wednesday, January 26, 2005, I was unavoidably detained and thus missed rollcall votes Nos. 10–13. Had I been present, I would have voted "nay" on rollcall Nos. 10, 11, and 12, and "yea" on rollcall No. 13.

CONGRATULATIONS TO 11TH  
GRADUATING CLASS OF INDIANA  
UNIVERSITY NORTHWEST'S  
LEADERSHIP DEVELOPMENT  
PROGRAM

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and admiration that I offer congratulations to many of Northwest Indiana's most talented, dedicated, and hardworking individuals. On Friday, February 4, 2005, Indiana University Northwest's Leadership Development Program will honor their 11th graduating class.

The Institute for Innovative Leadership is a partnership between Indiana University Northwest and Northwest Indiana's community and business leadership throughout all sectors. The Institute is designed to create a binding link between educational experience and leadership practice. The Leadership Development Program is the core of the Institute. Various resources are utilized to help ensure that students of every level acquire the skills, knowledge, values, motivation and vision needed for success in careers and as citizens.

The Institute for Innovative Leadership will be recognizing and honoring the following 2004 Graduates: Bobbi Atzhorn, Sandra Bowie, Alice Carter, Gail Coleman, Larry Hayden, Crystal Jelks, Brock Lloyd, Ryan Mistarz, Melissa Murdock, Damian Perkins, Mary Louise Rieger, Cora Robinson, Jennifer Stewart, Gabriela Tirado, and Reginald Williams.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating these hardworking individuals. I am very proud to honor them in Washington, DC.

ON THE 12TH ANNIVERSARY OF  
THE FAMILY AND MEDICAL  
LEAVE ACT

**HON. JUDY BIGGERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. BIGGERT. Mr. Speaker, this Saturday, February 5, 2005, will mark the 12th anniversary of legislation that has made an enormous difference in the lives of millions of working Americans since its enactment in 1993. I speak of course of the Family and Medical Leave Act, FMLA.

I count myself among the Family and Medical Leave Act's strongest supporters. Since its enactment, this law has brought peace of mind and job security during critical times to millions of American workers and their families. The FMLA allows qualified employees to take unpaid leave from their employer for the birth or adoption of a child, to attend to the serious health crisis of a family member, or attend to their own serious medical issue. The law makes clear that no American should have to choose between caring for a gravely ill family member and losing his or her job.

Since its enactment in 1993, millions of Americans have used the FMLA to take time to care for a newborn, to attend to an adult parent or child's serious illness, or perhaps to

attend to their own critical medical needs. They have done so knowing that their job remained safe and secure. Indeed, many employers have gone far beyond the requirements of the FMLA, providing their employees with leave benefits beyond those required under state or federal law.

In congressional hearings on the FMLA, in town meetings, and in speaking with both employers and employees in our districts, we hear that so much of the FMLA works the way Congress intended. As all of us who serve in this body know, however, actions we take here in Congress with the best of intentions often end up going in a direction we don't expect.

In particular, with respect to the FMLA, we have heard that the "family" part of Family and Medical Leave has worked well, providing employees a much-needed benefit and the time to care for a newborn or adopted child, while enabling employers to manage and maintain the productivity of their workforce.

It appears that implementation of "medical" leave has been less successful. It is plain that Congress intended FMLA to serve as a safety net for employees to meet serious and unforeseen medical needs. The Act was not intended to be—nor dare I say would it have been enacted if it were—a national "sick leave" policy. When medical leave is used for those serious health conditions for which it is intended, we hear from employers that morale and productivity are unaffected—indeed, that employees often rally to the aid of a colleague. In contrast, where medical leave is abused, or used beyond its intended purpose, morale and productivity suffer, employers are unable to manage their workplace, and resentment grows in co-workers who are forced to pick up chronic slack.

Similarly, we have heard repeatedly that recordkeeping and notice requirements under the Act are not in tune with the realities of today's workplace, and serve as a barrier to both employers and employees in knowing and exercising their rights. Concerns about misapplying the FMLA have often discouraged employers from providing more generous leave policies to their workers. Research also has shown that confusion surrounding FMLA regulatory requirements has actually served to hurt those it was supposed to help—workers.

Employers and employees alike have expressed concerns that the effectiveness of the law is being hampered by the way the Act has been implemented by regulatory agencies and interpreted by the courts. This is troubling and has, unfortunately, led to charges that the FMLA is a bad law. As a supporter of the FMLA, I would be the first to say that is not true: the FMLA is a good law, although with the benefit of 12 years of experience, perhaps a law in need of fine-tuning. Without action to clarify the law, we will surely see an increasing number of lawsuits challenging FMLA regulations—litigation that costs employees, employers, unions and the courts valuable time, effort and money.

On the anniversary of its enactment, I look forward to working with a wide array of members of Congress on both sides of the aisle and in both chambers of Congress, to keep the best parts of the FMLA intact, while targeting common-sense, necessary improvements where the Act has failed to meet Congressional expectations.

Many issues in Congress are polarized, but restoring the Congressional intent of this law

needn't be. I am confident that good minds can and will agree so that we can work to preserve the protections offered to workers by the FMLA, address failings in the Act that serve the interests of neither employers nor employees, and ensure that the benefits afforded to millions of working Americans in the last 12 years will be afforded to millions more in the years to come.

---

### HONORING CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

**HON. MICHAEL R. TURNER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 1, 2005*

Mr. TURNER. Mr. Speaker, I am pleased to join with my colleagues in recognition of Catholic Schools Week.

My district is home to over 30 Catholic schools, serving a whole generation of young people and their families. My district is also home to the University of Dayton, one of the nation's ten largest Catholic universities and the largest private university in the state of Ohio. I am a proud alumnus of the University of Dayton, where I earned my MBA.

Catholic schools have enriched the lives of generations of students. These schools have attained a well-earned reputation for academic excellence, and it is appropriate that Congress pay tribute to their contributions to our country. Catholic schools welcome children from a variety of social and economic backgrounds, and many non-Catholic parents have turned to these schools to educate their children. The theme of this year's week is: "Faith in Every Student." I strongly support the sound, values-based education Catholic schools provide.

I am proud to join my colleagues in support of H. Res. 23, honoring the contributions of Catholic schools in America and thank my colleague, Representative MARK KENNEDY of Minnesota, for bringing this resolution to the attention of the House.

---

### IN HONOR AND REMEMBRANCE OF ANDREW M. KYOVSKY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Andrew M. Kyovsky, beloved son, brother, uncle, colleague and friend to many. His steady and spirited presence radiated warmth and light along the granite walkways of Cleveland City Hall, and his kind and gentle spirit will be deeply missed.

Mr. Kyovsky's 41 year legacy as the key staffer in the mail department of Cleveland City Hall was framed by loyalty, dependability, integrity and concern for others. He rarely missed a day of work, and his love for his job and for the people he worked with reflected daily within the smiles and laughter he enticed from others—from the first-floor receptionist to seven of Cleveland's mayors—including me.

Despite life-long medical challenges, Mr. Kyovsky's spirited demeanor, generous heart

and zest for life was never dimmed. His quick smile and kind words served to disarm even the most guarded employee or visitor to City Hall. Whether presenting a rose to a charmed female colleague or offering a kind word to a visitor, Mr. Kyovsky did so with grace, dignity and humanity. His personal difficulties never prevented him from helping others, and he did so daily. Mr. Kyovsky's life was a lesson in humanity, showing us the power of kindness and giving—universal truths infinitely more supreme than any lofty municipal project or political agenda.

Mr. Speaker and colleagues, please join me in honor and remembrance of Andrew M. Kyovsky, whose exceptional work in the mail room at Cleveland City Hall is eclipsed only by the brilliant legacy of his gentle and courageous heart. I offer my deep condolences to his mother, Ann Kyovsky; his sister and brother-in-law, Margaret and Joseph Dzurma; his nieces, Anne Marie and Paula; and also to his extended family and many friends. His friendship, perseverance and unyielding loyalty will forever light the hearts of all whom knew and loved him well.

---

### ACKNOWLEDGING THE SERVICE OF ELAINE T. VALENTE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge an important leader in the Denver, Colorado metropolitan area. Ms. Elaine Valente, outgoing Commissioner for Adams County, will be leaving her post after 16 years of dedicated service.

Commissioner Valente was born and raised in Adams County. She and her husband Larry own the successful Valente's Deli, are proud parents of two accomplished children, and are passionate community activists.

Elaine's interest in her community began long before assuming her role as County Commissioner. She severed on the Adams County Planning Commission, the City of Westminster Urban Renewal Authority, the Westminster Planning Commission, the Citizen's Evaluation for Retention of Judges, and the School District 50 Superintendent's Parent Advisory Committee.

That deep passion to give something back and to help improve the community in which she lives motivated her to run and win election as a County Commissioner in 1988. After her election, Elaine began a noteworthy career as a public official. Serving as Chairman of the commissioners, she took an interest in many issues affecting her constituency, helping pave the way for future county development and responsible economic achievement. Elaine's heartfelt desire for progress in the county she knew from birth allowed us all to bask in the results of her accomplished career.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Elaine Valente and in wishing her success in all her future endeavors. It has been a true privilege to work with such a remarkable public servant.

IN RECOGNITION OF KYLE RICHARD KELSON UPON ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Kyle Richard Kelson of Eagle Scout troop #204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Kyle Richard Kelson my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

INTRODUCTION OF FREE FLOW OF INFORMATION ACT OF 2005

**HON. RICK BOUCHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. BOUCHER. Mr. Speaker, I am pleased today to join with my colleague from Indiana, Mr. PENCE, in introducing the Free Flow of Information Act, legislation which will advance the public's right of access to information of broad public interest.

Our measure addresses an increasingly common problem. Last year, 12 reporters were threatened with jail sentences in federal courts for refusing to reveal confidential news sources. Reporters rely on the ability to assure confidentiality to sources in order to deliver news to the public. The ability of news reporters to assure confidentiality to sources is fundamental to their ability to deliver news on highly contentious matters of broad public interest. Without the promise of confidentiality, many sources would not provide information to reporters, and the public would suffer from the resulting lack of information.

Thirty-one states and Washington, DC, currently have statutes protecting reporters from compelled disclosure of sources of information. It is time to provide similar protections in the federal courts.

I have long believed that the Freedom of the Press provision of the first amendment should be interpreted by the courts to empower reporters to refrain from revealing their sources. Since the courts have not found this privilege to attend the first amendment, a statutory grant of the privilege has become necessary.

In deciding to introduce this measure, I have concluded that the public's right to know should outweigh the more narrow interest in

the administration of justice in a particular federal case. In fact, in many instances the critical information which first alerts federal prosecutors to conduct justifying a criminal proceeding or first alerts civil litigants to facts giving rise to a private cause of action is contained in a news story which could only have been reported upon assurance of anonymity to the news source.

I commend my colleague Mr. PENCE for his leadership on this measure and look forward to working with him to obtain rapid approval of the bill in the House.

ON THE DEATH OF  
LONGSHOREMAN MATT PETRASICH

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Ms. HARMAN. Mr. Speaker, a tragedy occurred Monday at the Port of Los Angeles when longshoreman Matt Petrasich—a 40-year veteran of the docks—was killed as he supervised workers unloading cargo from a ship. The entire port community is stunned by this unexpected loss.

Mr. Petrasich was something of a Pied Piper at the port, a hatch boss beloved by younger workers who vied to work on his shifts and respected by his peers for his years of hard work, sparkling sense of humor and big heart. Just ask Danny Miranda, president of ILWU Local 94, who said, "Everybody on this waterfront is grieving. He was loved by a lot of people. . . . He was the life of the party. Just a wonderful person."

Work on the waterfront is often fraught with danger. The men and women who toil on the docks know the risks better than anyone else. But their around-the-clock contribution keeps Americans in work, business inventories full and our seaports more secure.

As best we understand the fatal accident, Mr. Petrasich was crushed by a container about 9:30 in the morning as he worked aboard the Panamanian-flagged Ever Deluxe ship. It was a crane operator who first spotted his body and notified port authorities.

It was also a crane operator, John Rivera of ILWU Local 13, who 3 weeks ago, on a Saturday night, noticed something strange. While moving cargo off a ship, he spotted from his perch high above the docks three people crawling out of a hole in the side of a container. Port inspectors opened the container and found inside 28 men and 4 male teenagers from China—illegal stowaways who had hidden themselves 10 days earlier at the Chinese port city of Shekou. The container manifest listed the contents simply as "clothing."

Mr. Speaker, in an era of terrorism and WMD proliferation, the threats against America emanate from the shadows, from underground black markets, from sleeper cells, and even from cargo containers in the Port of Los Angeles innocently labeled "clothing."

If not for Mr. Rivera, that container would almost certainly have made its way past port inspectors and into Greater Los Angeles. That cargo could have been a 32-man terrorist cell—13 more than the 19 terrorists who attacked us on 9/11. As ILWU Local 13 president Dave Arian rightly notes, "We are the eyes and ears of the port."

So as we mourn the sudden and shocking loss of Matt Petrasich, we should also celebrate the vigilance and dedication of the men and women who work day and night at the port—the supervisors, the crane operators, the shift workers and, of course, hatch bosses like Matt.

I offer my deepest condolences to Cathie Bjazevich Petrasich, his wife of 24 years, and to his family, his friends and co-workers. The Port of Los Angeles has lost a special man.

IN RECOGNITION OF LAZAR AND  
FRANCIA PIRO

**HON. DENNIS A. CARDOZA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. CARDOZA. Mr. Speaker, it is with the greatest pleasure that I rise today to honor Lazar and Francia Piro on the occasion of their 40th Wedding Anniversary.

Lazar Piro and Francia Yacou met in Beirut, Lebanon in the early 1960's and married soon after on January 31, 1965. They began a family in 1966 with the birth of their daughter Caroline. Their family quickly grew with the births of their two sons, George in 1967, and Serj in 1968. Ten years later, in July 1979, the Piros left Lebanon for Turlock, California where Lazar's brother and Francia's sisters resided. Shortly after arriving in the United States, the family moved again as Lazar took a job with a dental company in Des Moines, Iowa in 1980. The family resided in Iowa until 1985, at which time Lazar decided to start his own business and return to California. Twenty years later, Piro Trading International remains a thriving family business in Stanislaus County.

In addition to creating and maintaining a successful family business, Lazar and Francia raised three successful children. All three of their children obtained college educations, each having attended California State University, Stanislaus. Caroline, who now works with her father in the family business, currently resides in Turlock with her husband Sam and their 12-year-old son George. Serj also resides in Turlock, where he is a Territory Manager for a pharmaceutical company. George, a FBI agent, now lives in Herndon, Virginia with his wife Mona and their two sons Lazar, 12 and Marcus, 9.

Throughout the years, the Piros have been admired for their strong relationship, and respected for their commitment to the community. Francia has dedicated her life to her husband and family, as a devoted wife and mother of three. With her support and companionship, Lazar remains deeply involved in the community. Since settling down in Turlock, he has dedicated himself to the Assyrian community having founded an organization aimed at providing aid to those in need. He currently participates in many committees and boards throughout the County, including the Assyrian National Council of Stanislaus County.

It is my honor and privilege to join Lazar and Francia's family and friends in recognizing the very special and momentous occasion of their 40th Wedding Anniversary. Our community benefits greatly from the splendid example they have set. Marriages such as theirs form a sound foundation for our country, and contribute greatly toward making this a better

world in which we live. I ask all of my colleagues to join me in offering Mr. and Mrs. Lazar and Francia Piro best wishes for continued happiness.

INTRODUCTION OF THE WIND CAVE NATIONAL PARK BOUNDARY REVISION ACT OF 2005

**HON. STEPHANIE HERSETH**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Ms. HERSETH. Mr. Speaker, I rise today to introduce the Wind Cave National Park Boundary Revision Act of 2005.

South Dakota's Wind Cave National Park was one of our nation's first national parks and is one of the jewels in our national park system. President Theodore Roosevelt signed the legislation creating Wind Cave National Park on January 9, 1903. With that act, Wind Cave became the first cave in the world to be designated as a national park.

The cave itself, after which the park is named, is one of the world's oldest, longest and most complex cave systems, with more than 114 miles of mapped tunnels. To this day, cave enthusiasts continue to explore the cave and map new passages. In fact, Wind Cave has very recently become recognized as the fifth-longest cave in the world. It is well known for its exceptional display of boxwork, a rare, honeycomb-shaped formation that protrudes from the cave's ceilings and walls.

While the cave is the focal point of the park, the land above the cave is equally impressive, with more than 28,000 acres of grasslands, forests, and streams. The park is one of the few remaining mixed-grass prairie ecosystems in the country, and is a National Game Preserve that provides a home for abundant wildlife such as bison, deer, elk and birds.

The Wind Cave National Park Boundary Revision Act will help expand the park by approximately 20 percent in the southern "keyhole" region. The current landowners are willing sellers that would like to see it protected from development and preserved for future generations. The land is a natural extension of the park, and boasts the mixed-grass prairie and ponderosa pine forests, including a dramatic river canyon. The addition of this land will enhance recreation for hikers who come for the solitude of the park's back country. It will also protect archaeological sites, such as a dramatic buffalo jump, over which early Native Americans once drove the bison they hunted.

This plan to expand the park has strong support in the surrounding community. Most South Dakotans recognize the value in expanding the park, not only to encourage additional tourism in the Black Hills, but to permanently protect these extraordinary lands for future generations of Americans to enjoy.

Governor Michael Rounds has expressed his support for the park expansion and both Senators in South Dakota's delegation, TIM JOHNSON and JOHN THUNE, are introducing companion legislation in the Senate to expand the park boundaries.

I believe that this expansion can be achieved without a reduction in the acreage accessible to the public for hunting, and without a loss of tax revenue to county govern-

ments. Also, I would look to the National Parks Service to tackle issues like chronic wasting disease and deal with them effectively. These are reasonable concerns that should be met as this process moves forward.

Wind Cave National Park has been a valued American treasure for more than 100 years. We have an opportunity with this legislation to expand the park and enhance its value to the public so that visitors will enjoy it forever. It is my hope that my colleagues will support this expansion of the park and pass this legislation in the near future..

INTRODUCTION OF MAGLITE PATENT EXTENSION

**HON. JOE BACA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. BACA. Mr. Speaker, while many manufacturers have been cutting costs by relocating overseas or contracting to foreign companies, one small flashlight manufacturer has decided to stay put in the U.S.A.

Right now that company is in danger and needs our help.

Mag Instrument, maker of the Maglite flashlight, filed for a reissue patent in 1990 but was not approved until 2003—13 years later. The delay in that 2-year extension led to countless foreign manufacturers copying the design, flooding foreign markets with their knock-offs ever since.

The Maglite patent expires this year. If we let that happen we can expect a flood of knock-offs here in the U.S.A., jeopardizing 900 American jobs and a great American product.

Today, I am proud to introduce legislation to extend the patent for the Maglite flashlight for an additional 2 years.

The Maglite flashlight is not some fancy medicine or artificial heart, but nonetheless represents American innovation and the ability of one man to turn a great idea into "the American dream."

The Maglite is a beloved tool of police officers, firefighters, and E.M.T.'s nationwide. Military units often replace their service issue flashlights with Maglites. Engineers at the USS *Cole* credited this flashlight with helping them to save lives and to keep the ship from sinking.

That is why I am proud to introduce this legislation today along with 10 of my colleagues, and the support of the National Association of Police Organizations, its 52 affiliates and my hometown police organization, the San Bernardino County Safety Employees' Association.

Mr. Speaker, I urge my colleagues to join me by cosponsoring this bill. We need to make sure our police officers and first responders have this nearly indestructible American-made steel flashlight instead of a fragile foreign knock-off flashlight made of aluminum or plastic.

We need to keep the seal "Made in the U.S.A." on this great all-American flashlight.

ON BEHALF OF DR. CHARLES HAMILTON

**HON. CHARLES W. BOUSTANY, JR.**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. BOUSTANY. Mr. Speaker, I rise today and recognize the achievements and accomplishments of a great and beloved physician from Lafayette, Louisiana. Dr. Charles Hamilton passed away on Friday, October 22, 2004 after a battle with cancer of the esophagus. On his retirement, Dr. Hamilton was asked, "What are the most memorable events of your medical career?" His response was simple, "Practicing in Lafayette."

From 1954 to 1988, Dr. Hamilton practiced pediatrics as a partner in the Hamilton Medical Group. Dr. Hamilton worked as a physician field representative for the Joint Commission on the Accreditation of Healthcare Organization from 1989 to his retirement in 2003. Dr. Hamilton's special interest remained in the delivery of high quality medical care and it is toward that end that he pursued further education and practice in the field of healthcare administration. Dr. Hamilton was acutely aware of the treatment of children because he was the parent of a chronically ill child. His son, Charles Hamilton, was born with the blood-clotting disorder, Hemophilia.

Dr. Hamilton was special for many reasons but one reason was his embrace and protection of the hemophilia community. Dr. Hamilton developed a reputation for his diligence, sensitivity, and resourcefulness in treating children with hemophilia; these characteristics are often missing in hemophilia treatment. In fact, one single parent brought her son with hemophilia to see him after moving to Lafayette. Dr. Hamilton later married that single mother, Janice Hamilton and adopted her young son, Charles. In a community where fathers often abandon children with hemophilia, or otherwise are not involved with treatment, Dr. Hamilton embraced a family with this dreaded disorder. Sadly, Dr. and Mrs. Hamilton lost their son Charles in 1979 due to complications from a bleed.

Because of their son's illness and untimely death, Dr. Hamilton worked side by side with his wife in her determination to improve the quality of life for people with hemophilia and their families in the United States. For their efforts Dr. and Mrs. Hamilton were given the inaugural Charles Stanley Hamilton Legacy Award for Lifetime Achievement from the Hemophilia Federation of America.

Dr. Hamilton served numerous local, state and national organizations because community service was an important aspect of his overall beliefs. Dr. Hamilton worked with the Louisiana Epilepsy Association, Louisiana Chapter of the National Hemophilia Foundation, which he served as President, the National Hemophilia Foundation, and the Hemophilia Federation of America. His wife, Janice Hamilton, and three surviving children and 5 grandchildren survive Dr. Hamilton. Louisiana has lost a great public servant with no equal.

IN RECOGNITION OF RON  
STEWART

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize Ron Stewart for his many years of public service and the many contributions he has made to the people of Colorado. I want to thank him on behalf of all Boulder citizens for the depth and diversity of contributions he has made to ensure that Boulder County remains a very special place to live.

A lifelong resident of Longmont, Ron has been active in Colorado politics for over 30 years. During college he organized the Young Democrats in Longmont for several years and was elected Chair of the Boulder Democratic Party at the age of 21. He graduated with a Bachelor of Arts degree in Political Science from the University of Colorado and did graduate work at the University of Colorado in Denver in Public Administration. He served as Executive Director of the Colorado State Party from 1972 through 1975 and was elected to the Colorado Senate in 1976 where he served two terms, retiring as Senate Minority Leader.

Before being elected as Boulder County Commissioner in 1984, Ron was a member of the Mile High United Way Board of Directors and Chairman for the Political Action for Conservation. From 1977–1982 he served on the Boulder County Parks and Open Space Advisory Committee, and he was a member of the Colorado Environment Lobby Board of Directors from 1985–1986.

He has earned several honors, including "Outstanding Senator" in 1984 from the Colorado Social Legislation Committee and "Friend of Education Award" from the Colorado Education Association in 1986, and has received awards from PLAN Boulder County, Boulder County Audubon, and the Colorado Chapter of Trout Unlimited. He also has been recognized nationally for his work on intergovernmental cooperation. This year, the American Planning Association bestowed upon him the very prestigious Distinguished Elected Official Award.

As a county commissioner, Ron has served with distinction from 1985–2005. He has been a visionary in the development of Boulder County's Open Space Program, leading the effort to protect the county's natural beauty and preserve its agricultural heritage. Commissioner Stewart has gained nationwide respect and admiration for his commitment to orderly land use planning that is built on cooperation and consensus, particularly through the Super-IGA. In presiding over an era of de-centralization of services, Commissioner Stewart has been a vigorous advocate for improving county government accessibility. In developing new ways to involve stakeholders in the county's policy making process, he has done much to make government more understandable to its constituents. In trying to find ways to lessen the impacts of policy changes on those constituents least able to adjust to them, he has shown his compassion for the less fortunate.

I am particularly appreciative of the work Commissioner Stewart has done to invigorate the Boulder County social services delivery system, by fostering collaboration in program development and management, leading the way to innovative problem-solving, the most

notable examples being the Genesis and IMPACT programs. Commissioner Stewart's advocacy for enhanced funding of social programs has made all the difference in a number of ballot questions, notably the Worthy Cause Tax, and as a result, Boulder County's nonprofit human service agencies get the support they need.

Commissioner Stewart has been a careful custodian of the taxpayers' dollars, managing the county's budget with restraint and according to the highest ethical standards. He has consistently represented the Office of County Commissioner with grace and dignity.

On a personal level, I know Ron to be a remarkable leader, a dependable colleague, and a kind person with an infectious laugh. It is my sincere hope that his retirement from the office of County Commissioner will open the door to a future of rewarding experiences. Mr. Speaker, I ask my colleagues to join with me in thanking Ron Stewart for all of the good and important work he has done for Boulder County and Colorado.

IN RECOGNITION OF SAMUEL STEPHEN DRUCKER UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Samuel Stephen Drucker of Eagle Scout troop No. 204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Samuel Stephen Drucker my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

MEDICAL INNOVATION PRIZE  
FUND

**HON. BERNARD SANDERS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. SANDERS. Mr. Speaker, I wanted to share with you a summary of H.R. 417, legislation I recently introduced that would change the paradigm for financing medical R&D and pricing prescription drugs in the United States.

Rather than rely on high drug prices as the incentive for R&D, the bill would directly reward developers of medicines, on the basis of a drug's incremental therapeutic benefit to

consumers, through a new Medical Innovation Prize Fund. Prices for prescription drugs to consumers would be at low generic prices immediately upon entry to the market.

By breaking the link between drug prices and R&D, we can provide more equitable access to medicine, end rationing and restrictive formularies, and manage overall R&D incentives through a separate mechanism that can be increased or decreased, depending on society's willingness to pay for medical R&D. The bill, by rewarding only truly innovative products that provide new therapeutic benefits to consumers, would also dramatically reduce wasteful expenditures such as those on research, development and marketing of "me-too" medicines.

SUMMARY OF THE MEDICAL INNOVATION PRIZE FUND

The current system for financing research and development of new medicines is broken. High prices are a barrier to access. Companies invest too much in non-innovative "me-too" products and too little on truly innovative medicines. Massive expenditures on marketing of products consume too many resources with very little if any net social benefits.

My legislation, H.R. 417, creating the Medical Innovation Prize Fund is an attempt to fundamentally restructure this system. It presents a new paradigm for R&D of new medicines. This is how it would work:

The legislation would separate the markets for products from the markets for innovation. Products would become generics immediately after FDA approval.

The innovators would be rewarded from a massive Medical Innovation Prize Fund, MIPF.

The MIPF would make awards to developers of medicines, based upon the incremental therapeutic benefits of new treatments.

The MIPF would also have minimum levels of funding for priority healthcare needs such as: (1) Global infectious diseases; (2) diseases that qualify under the U.S. Orphan Drug Act; (3) neglected diseases primarily affecting the poor in developing countries.

These pay-outs would take place over the first ten years of use of a medicine. The payments from the MIPF would always go to the developer of the new medicine, regardless of who actually sells the product to consumers.

The legislation proposes to set the MIPF pay-outs at .5 percent of the national income of the United States (as measured by GDP).

An independent Board of Trustees would manage the MIPF. Trustees would include key government officials, as well as persons from the private sector, representing industry, patient groups and medical researchers.

Inventors would be free to obtain patents, and to use patents normally, until the FDA approves a new medicine. At that point, the patent owner would be remunerated from the MIPF, rather than from royalties on high drug prices.

TRIBUTE TO U.S. MARINE CORPORAL CHRISTOPHER L. WEAVER

**HON. JOHN LINDER**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. LINDER. Mr. Speaker, this morning, I was informed by one of my staff that a childhood acquaintance of his, U.S. Marine Corporal Christopher L. Weaver, was killed in action in Iraq just last week.

His death is a reminder that this current war on terror has affected American families and their friends every day since September 11, 2001, in Afghanistan, Iraq, and across the globe. In this case, Corporal Weaver grew up in the city of Fredericksburg, Virginia. This quiet but intelligent and energetic young man was a lifelong Boy Scout who eventually attained the rank of Eagle Scout. He was also a graduate of Virginia Tech University, where he became a Reservist for the United States Marine Corps. After serving for 6 years in the Marine Reserves, Corporal Weaver was asked to serve his country by going to Iraq. It was there, in the Al Anbar Province of Iraq, that Corporal Weaver was killed on January 26, 2005.

I do not pretend to believe that all will share the same views of our presence in Iraq, and while I am encouraged by the acts of democracy playing out over the nation's countryside this past weekend, only history can tell whether our means will inevitably lead to their intended ends. Nevertheless, while we may not all agree on the substance or rationale behind this war, we can agree that this war has had a profound effect on all Americans.

History immortalizes those whose selfless acts and deeds of bravery were made in the hopes of bringing a greater good not just for their country, but for humanity as a whole. We know them as heroes. I am proud of the service and the sacrifice made by those troops who have given their lives so that people can live in freedom. Corporal Weaver and those across the nation that we have lost may not have considered themselves to be heroes. America, however, should. And though these heroes may no longer be in this world, their families and their fellow citizens should know that they continue to live on in our minds, in our hearts, and in our prayers now and forever.

THE SMALL BUSINESS HEALTH  
FAIRNESS ACT OF 2005

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to introduce the "Small Business Health Fairness Act of 2005."

Our Nation's small businesses are the backbone of our economy, and unfortunately, the cost of health care is placing an unbearable burden on many of them.

Sixty percent—over 24 million—of uninsured Americans work in small businesses. Some of these people are offered insurance and turn it down because they can't pick up their part of the tab.

This bill allows small businesses to band together to form Association Health Plans, AHPs. These AHPs will lower the cost of health care for small businesses and thereby significantly expand access to health coverage for uninsured Americans by, among other things: (1) Increasing small businesses' bargaining power with health care providers, and (2) giving employers freedom from costly state-mandated benefit packages.

Basically, the legislation puts small businesses on equal footing with large employers and unions when it comes to buying health

care. That's why AHPs will increase the number of insured Americans by up to 8 million people.

The cost-saving benefits of AHPs would help the small employers of Main Street access coverage at a more affordable price.

AHPs aren't the only solution to the number of uninsured in America, but they certainly take a large step in the right direction.

It is the least Congress can do to ensure that the American people will receive better health care at a more reasonable price.

I urge my colleagues to cosponsor this important legislation.

INTRODUCTION OF THE KEEP OUR  
PROMISE TO AMERICA'S MILITARY  
RETIREES ACT IN THE  
109TH CONGRESS

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. VAN HOLLEN. Mr. Speaker, I rise to inform my colleagues that today I have introduced the "Keep Our Promise to America's Military Retirees Act" in the 109th Congress along with Representatives CHET EDWARDS of Texas, JEFF MILLER of Florida, and DUKE CUNNINGHAM of California. This bipartisan bill addresses recent developments and offers meaningful remedies to the "broken promise" of health care for military retirees.

We have sent thousands of troops to do battle in Iraq and Afghanistan. We are creating a new generation of veterans who have been willing to make the ultimate sacrifice for our country. Our government must be accountable for the promises it makes to young men and women who are asked to serve our country in this way.

For generations, recruits for military service were promised by their own government that if they served a career of 20 years in uniform, then they and their dependants would receive health care upon retirement. But while these career soldiers put their lives on the line for our country, the government did not keep its end of the contract.

The Courts have laid to rest the question of who is responsible for making good on promises of lifetime health care that were made to young men and women who joined the service during World War II and the Korean eras. In June of 2003 the U.S. Supreme Court decided not to consider an appeal to a November 18, 2002 Federal Appeals Court ruling in a suit filed against the government of the United States on behalf of World War II and Korean era military retirees. Retired Air Force Colonel George "Bud" Day, a highly decorated Congressional Medal of Honor recipient, filed a breach of contract suit on behalf of two retired colonels who contended they had been recruited into military service as young men with the promise of lifetime health care upon retirement after serving at least 20 years in uniform.

In 1956, long after Col. Day's clients signed up for military duty, Congress enacted the first laws that defined, and began to limit, the level of health care that would be provided to military retirees. These laws, which took effect on December 7, 1956, made health care available at military facilities conditioned on space availability—in other words, military retirees

had to go to the end of the line and wait for health care. Subsequent laws removed them entirely from the military health care system when they became eligible for Medicare, resulting in a dramatic reduction in health care benefits.

The Appeals Court ruled against the plaintiffs on a technicality, arguing that promises by recruiters were invalid because only Congress could authorize military health care, which Congress had not done when the plaintiffs entered the service. But although the retired colonels lost their case on that technicality, I believe they won their moral battle on principle because the Court acknowledged the injustice of their case. As the Court said:

We cannot readily imagine more sympathetic plaintiffs than the retired officers of the World War II and Korean War era involved in this case. They served their country for at least 20 years with the understanding that when they retired they and their dependants would receive full free health care for life. The promise of such health care was made in good faith and relied upon. . . . Perhaps Congress will consider using its legal power to address the moral claims raised by Schism and Reinlie on their own behalf, and indirectly for other affected retirees.

It is ironic, Mr. Speaker, that American soldiers are fighting—and dying—for freedom in Iraq while American veterans and military retirees have to fight for health care to which they are rightfully entitled. Military retirees are understandably outraged by comments made by Dr. David Chu, Under Secretary of Defense for Personnel and Readiness, that demonstrate a callous disregard for their past service and sacrifice. In a January 25, 2005 article in the Wall Street Journal, Dr. Chu, discussing federal dollars obligated to health care for our veterans and military retirees, was quoted as saying, "The amounts have gotten to the point where they are hurtful. They are taking away from the nation's ability to defend itself."

Dr. Chu was quoted again on February 1 in an Associated Press story about proposed increases in benefits to survivors of soldiers killed in battle. This is directly from that story:

Chu said he was concerned that in recent years Congress had gone too far in expanding military retiree benefits, but he said the proposed increase in survivor benefits was well justified.

Bigger military benefits that apply mainly to retirees and their families are making it harder for the Pentagon to afford financial incentives targeted at maintaining today's military, Chu said.

"They are starting to crowd out two things: first, our ability to reward the person who is bearing the burden right now in Iraq or Afghanistan," Chu said. "(Second), we are undercutting our ability to finance the new gear that is going to make that military person successful five, ten, 15 years from now."

I do not think Dr. Chu meant to imply that it is wrong that we provide earned and promised health care benefits to our military retirees, veterans and their families; at least I hope that Dr. Chu was implying that Congress needs to address the dilemma within the federal budget where the needs of ongoing military operations and active duty personnel are forced to compete with the needs of military retirees and veterans. But the implications of Dr. Chu's words are undeniable—that keeping the promises our country made to our military veterans and retirees simply is not a priority.

Military retirees and their families, who have been misled by empty promises in the past,

see the root of the dilemma in Dr. Chu's words: that they have served their purpose to America and are no longer needed, that they—who served a career in uniform to protect our freedoms—are now looked upon as a burden on society, that they have been used up and thrown away like an old worn out paper bag.

That is why our offices have received thousands of brown paper bags in the mail, with messages written on them urging this body to pass the Keep Our Promise to America's Military Retirees Act. I am told that, as of today, military retirees and their families and supporters have sent over 20,000 paper bags to Congress and that more are arriving every day.

The Keep Our Promise to America's Military Retirees Act was originally introduced in 1999 to acknowledge the promises made in good faith to America's military retirees. That version of the bill led to the enactment of Tricare for Life, TFL, which went a long way to restore health care to military retirees over age 65. But more needs to be done to keep our promises to that elderly group of retirees and to make sure that younger retirees receive the level of health care to which they are entitled.

Our new bill offers more meaningful restitution for broken promises by waiving the premium that World War II and Korean era military retirees must pay to enroll in Medicare Part B, a requirement of TFL. The new bill also addresses broken promises made to military retirees who joined the service after 1956. Even though laws were on the books beginning in 1956 that defined and limited military retiree health care, the sad truth is that the empty promise of lifetime health care was used as a recruiting tool for many years beyond the scope of the Col. Day's case, to those who entered the military after 1956. This is documented in recruiting literature well into the 1990s. We must keep our promises to them, too.

These retirees, mainly from the Vietnam and Persian Gulf eras, qualify for the military health care program known generally as Tricare. Tricare works well for many military retirees but fails to deliver quality health care for others. Some retirees cannot receive care at military bases due to lack of space availability. Base closures have cut off access for many retirees, and too many of them cannot find private doctors who will put up with bureaucratic inefficiencies or low reimbursements they have encountered with Tricare.

I believe strongly that military retirees who are not well served by Tricare deserve an alternative. The Keep Our Promise Act has offered these retirees the option of enrolling in the Federal Employees Health Benefits Program, FEHBP; the bill improves this benefit for military retirees by reimbursing them for expenses they incur under FEHBP that they would not have incurred under Tricare and makes certain improvements to the military pharmacy benefit.

The Courts have ruled. It is up to Congress to make good on the promises that were made—and broken—to our military retirees. They are not asking for handouts—they ask only for what was promised to them and what they earned. We need to do right by our military retirees, and to show our future military retirees that their government will live up to the promises it makes to them. We need to

enact into law the important provisions of the Keep Our Promise to America's Military Retirees Act.

#### KAZAKHSTAN PROMOTES RELIGIOUS TOLERANCE

### HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. CHANDLER. Mr. Speaker, this week nearly 4,000 people will attend the National Prayer Breakfast, including 1,500 representing 170 nations from all continents of the world. What began in 1952 as a small gathering, led by President Eisenhower and Senator Frank Carlson of Kansas, has evolved over time to being a much larger ecumenical event, particularly as it relates to international participation. As my colleagues know, the Senate and House prayer groups are official sponsors of the National Prayer Breakfast.

While many of the major faiths are represented, with a special emphasis this year on involving leaders from Israel and Palestine, the purpose has not changed: to emphasize the principles and teachings of Jesus of Nazareth as the best means of achieving reconciliation and peace in a troubled world.

Our Nation is challenged as never before to deal with religious extremism and the increasing militarism of certain faiths occurring in many countries around the world. That is why I appreciate the example of Kazakhstan, whose president, Nursultan Nazarbayev, is making a considerable effort to deal with religious diversity in his country and in the region. In fact, all of the world's great religions—Islam, Christianity, Judaism, and Buddhism, are present and thriving in Kazakhstan, thanks to a climate of tolerance and openness in that country.

Kazakhstan today is a model of religious diversity. One half of the country's 15 million people are Muslim and roughly one-half are Orthodox Christian, with 40 other religions and 100 ethnic minorities among its citizens. Leaders of the major religious sects, including Russian Orthodox and other Christian as well as Jewish leaders, all say there is full freedom of religion in Kazakhstan.

Pope John Paul II, on a visit to Kazakhstan, called it an "example of harmony between men and women of different origins and beliefs." Kazakhstan is emerging as an example of regional stability given its positive atmosphere regarding religious expression and lack of interethnic and inter-religious conflicts.

In September 2003, Kazakhstan hosted the first ever congress of leaders of world and traditional religions. Upon conclusion of the congress, 120 religious leaders from 18 different religions unanimously adopted a declaration renouncing terrorism and promoting the true values of all religions—tolerance, truth, justice and love of one another as the basic tenets of all religious teachings. The delegates pledged to combat violence by propagating the peaceful values of their different faiths.

Mr. Speaker, I was pleased to learn that Mr. Nurtai Abikayev, who is Speaker of the Upper House and chairman of Kazakhstan's National Security Council, will be attending this year's National Prayer Breakfast and a featured speaker at the International Luncheon. It dem-

onstrates not only President Nazarbayev and Speaker Abikayev's personal commitment to the idea of religious tolerance in their country and throughout Central Asia, but to also learn more about our country's tradition and beliefs and how America's religious and ethnic diversity has also become a source of strength in our Nation.

As one who sits on the House International Relations Committee, I have come to appreciate the difficulty and challenge these countries face in making the transition to Western-style democracies where freedom and free markets are new experiences. It has been uneven, to be sure, and there is plenty of room for criticism. But I do applaud Kazakhstan's leadership and example in insuring that religious freedom will be a cornerstone of building a freer society in that country.

Mr. Speaker, I would like to conclude by inserting into the RECORD the Declaration of the Participants of the First Congress of Leaders of World and Traditional Religions.

#### ARTHRITIS PREVENTION, CONTROL AND CURE ACT OF 2005

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Ms. ESHOO. Mr. Speaker, I'm very pleased to join my colleague Representative PICKERING in introducing the Arthritis Prevention, Control and Cure Act of 2005, which authorizes programs and funding that will allow the Federal Government to better coordinate and increase our investment in efforts to prevent, treat, and care for persons with arthritis and related diseases. The bill represents the most significant Federal effort to address arthritis since the passage of the National Arthritis Act a generation ago. The Arthritis Prevention, Control and Cure Act of 2005 addresses this important issue by:

Enhancing the National Arthritis Action Plan by providing additional support to federal, state, and private efforts to prevent and manage arthritis;

Developing a National Arthritis Education and Outreach Campaign to educate the healthcare profession and the public on successful self-management strategies for controlling arthritis;

Organizing a National Arthritis and Rheumatic Diseases Summit to look at challenges and opportunities related to basic, clinical and translational research and development efforts;

Providing greater attention to the area of juvenile arthritis research through the creation of planning grants for innovative research specific to juvenile arthritis, as well as the prioritization of epidemiological activities focused on better understanding the prevalence, incidence, and outcomes associated with juvenile arthritis; and

Creating incentives to encourage health professionals to enter the field of pediatric rheumatology through the establishment of an education loan repayment and career development award programs.

Arthritis is the leading cause of disability in the United States with 70 million Americans living with a form of the disease. With the

aging of the baby boomers, the Centers for Disease Control and Prevention, CDC, predicts the number of people over 65 with arthritis or chronic joint symptoms will double by 2030. Nearly 300,000 children in the United States are living with a form of juvenile arthritis. Arthritis is a painful and debilitating chronic disease affecting men, women and children alike.

Currently, the Federal investment in juvenile arthritis research is only \$23 per affected child. The CDC estimates that the annual cost of medical care for arthritis is \$51 billion, and the annual total costs, including lost productivity, exceed \$86 billion. Early diagnosis, treatment, and appropriate management of arthritis are critical in controlling symptoms and improving quality of life.

In 1975, nearly 30 years ago, Senator Alan Cranston of California introduced the last major piece of arthritis legislation. It was signed into law by President Gerald Ford. The bill, the National Arthritis Act, set our Nation on an important path in the fight against arthritis. It led to the creation of an institute at NIH focused on arthritis, and laid the foundation for a national arthritis public health strategy.

Today, arthritis is still claiming the lives of millions of Americans and we must reinvigorate our research and education efforts to offer individuals with arthritis more hope for a better life and eventually a cure. I believe the Arthritis Prevention, Control and Cure Act of 2005 will do just that.

#### TRIBUTE TO CARMINE CARRO

### HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. WEINER. Mr. Speaker, when residents of Marine Park were being threatened by the New York City Department of Transportation because Parks Department trees were tearing up their sidewalks, Carmine Carro confronted city hall.

When two women from Marine Park broke the gender barrier by competing in a Citywide bocce tournament, Carmine Carro cheered them on.

When vandals sprayed racist graffiti on PS 207 in Marine Park, Carmine Carro donated all the paint and supplies the students needed to whitewash the wall.

When Carmine passed away earlier this week, New York lost a classic. Carmine was an old school New Yorker, devoted to his community, Marine Park, and a dogged advocate for his neighbors.

Carmine moved to Marine Park in the 1960s, and rose to become president of the Marine Park Civic Association—one of the oldest civic associations in New York City. Under Carmine, the MPCA built on its long tradition of making Marine Park one of the most vibrant neighborhoods in Brooklyn.

Carmine worked every year to organize a Halloween walk attended by as many as 20,000 community members. He served as Park Warden for Marine Park for five years. He was a member of the local school board and vice-chairman of Community Board 18.

Carmine Carro was the Mayor of Marine Park. He represented the best of what New York can be. He will be sorely missed.

IN RECOGNITION OF PAUL DANISH

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor Paul Danish for his decades of exemplary public service to Colorado. Paul is one of Boulder's outstanding political and journalistic figures, and I want to thank him on behalf of all Boulder's citizens for his fine service as County Commissioner for the past twelve years. He has shared his skills, experience, humor, and passions with us, and he is much treasured in turn by his community.

Born in Chicago, Paul moved with his family to Colorado in the 1940s and attended the University of Colorado in 1960. He received a bachelor's degree in history from CU and did graduate work in political science. To put his student period in perspective, he was instrumental during his years at CU in the transformation of the University Memorial Center cafeteria from the Indian Grill to the interim Roaring Fork to the lasting Alfred Packer Grill.

Paul Danish's journalism career began with the student newspaper, Silver and Gold, which later changed its name to the Colorado Daily. He has been a reporter for the United Press International, the San Francisco Chronicle, and Boulder's Town and Country Review. He was technical editor for the Joint Institute of Astrophysics in Boulder and the Negev Institute for Arid Zone Research in Beer Sheva, Israel. His work experience includes being a special assistant to the late University of Colorado President Roland Rautenstrauss and editor for Talmey-Drake Research in Boulder.

He served as a Boulder City Council member from 1976 to 1982. In the early 1970s, Boulder residents were seriously concerned about the adverse impact of unplanned growth on the area's environment. Paul authored Boulder's original growth management plan which was passed by the voters in 1976. The Danish Plan limited population growth by restricting the number of building permits that could be issued each year for residential subdivisions. After the expiration of the Danish Plan in 1982, Boulder has continued to successfully manage growth based on his original strategies.

Paul has never hesitated before political rough and tumbles, and in 1995, he won a well-fought four-way campaign to fill the vacancy for Boulder County Commissioner. Who among the 300-some vacancy committee members will ever forget the speech-of-a-lifetime he gave the day of that vote? He has never been 'short' on the free give and take of ideas, or on his irresistible tendency to be honest and forthright, or on time for coffee with a friend.

As a county commissioner, Paul has been very involved in the cleanup and future use of the Rocky Flats site. He has been an effective advocate for an aggressive cleanup, protecting worker safety, and ensuring that former workers are compensated for any adverse health effects they may have encountered while working there. He has also worked tirelessly for sound land-use and sensible growth throughout the county. Citizens of Boulder will miss his tenacious commitment to policies that serve the environment and the education and health of people.

For many years, Paul wrote columns for the Colorado Daily after it became privately owned, and he was a contributing editor to the Soldier of Fortune magazine. His writings are always alive and kicking with subjects ranging from prairie dogs and Greek agoras to national politics and international issues. In person, he combines a distinguished intellect with a genial sense of fun. A volunteer on the way to work for his early campaigns could always find his headquarters by the peals of laughter emanating from his gardens and front door. And he continues to throw great celebration parties in Boulder's finest tradition.

Paul Danish has made important contributions to the protection and preservation of the quality of life in Boulder County, as well as to the diversity of views in our communities. I ask my colleagues to join me in thanking Paul Danish for the courageous stands he has taken for the people of Boulder and his unswerving dedication to principles of free expression. I wish him congratulations on his accomplishments and good health and happiness to him and his family in the future.

IN RECOGNITION OF BRETT ALEXANDER SISTO UPON HIS ACHIEVEMENT OF EAGLE SCOUT COURT OF HONOR

### HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Brett Alexander Sisto of Eagle Scout troop No. 204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Brett Alexander Sisto my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

INTRODUCTION OF THE EMPLOYEE CHANGING ROOM PRIVACY ACT

### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PETRI. Mr. Speaker, today, with my colleague, Congressman ROB ANDREWS, I am introducing the Employee Changing Room Privacy Act.

This legislation would prohibit the video or audio monitoring of an employee in any area on an employer's premises where an employee changes clothing.

Unfortunately, there have been a number of cases where employers have been caught engaging in secret surveillance via video or audio equipment of their employees in these situations on the job site.

For example, the Wall Street Journal reported that 19 locomotive engineers sued their employer in Oakland County (Michigan) Circuit Court, charging that their employer had hidden a camera in a locker-room exit sign. A worker at a State college was shocked to discover that her employer had secretly videotaped her changing her clothes in her office after work. A waitress at a restaurant was spied on in the employee changing room when she got dressed for work.

Mr. Speaker, these are just a few examples of the conduct that the legislation Congressman ANDREWS and I are introducing today is intended to prevent. The Employee Changing Room Privacy Act would help ensure that workers can go to work without wondering whether their employer has hidden a video camera in the bathroom or a microphone in the office ceiling.

Under the Employee Changing Room Privacy Act, an employer who violates the prohibition against video or audio monitoring of any area on an employer's premises where workers change clothing would be liable to the U.S. Government for a civil penalty of up to \$10,000 for each violation.

The bill also authorizes the Secretary of Labor to seek injunctive relief against an employer so as to stop future violations of the prohibitions contained in the legislation.

Enactment of the Employee Changing Room Privacy Act would strengthen the right to privacy at a time when the growing use of surveillance technologies at the workplace has endangered this most fundamental of American values.

CONGRATULATING THE U.S.  
HOUSE OF REPRESENTATIVES  
PAGE SCHOOL

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. SHIMKUS. Mr. Speaker, as Chairman of the U.S. House of Representatives Page Board, it gives me great pleasure and pride to rise to congratulate our own House Page School for ranking first in the Nation among small-size schools in Advanced Placement U.S. History, based upon 2004 AP test scores.

The school of 72 students, all enrolled in a junior-year high school curriculum, had the highest percentage in its category of its total student population scoring three or higher out of a total five on the AP U.S. History examination, as reported in the College Board's 2005 Advanced Placement Report to the Nation.

This is a notable achievement for our Page Program. Because of the high demands of the Pages' work schedule, traditional AP courses are not offered at the school and Pages must therefore prepare for the AP exam on their own, assisted by an enhanced honors program with an emphasis on AP exam preparation. We should be justifiably proud of our House Pages who rise to attend classes at 6:45 a.m., after which they report to the House floor for a day's work helping the House of

Representatives. For most all of them, this experience is their first long excursion away from home, family, and friends. That they have brought distinction to themselves and to their school is testament to their scholarly abilities, hard work, and dedication of their teachers.

I would like, Mr. Speaker, to recognize the Page School principal, Linda Miranda, our Government/U.S. History instructor, Ron Weitzel, the other school faculty, the Page Residence Hall staff, and the Chief Pages for creating and fostering a total learning environment that helped to make this achievement possible. A 200-year program, the Page Program is a venerable congressional institution that has grown and matured with the Congress. This achievement confirms that the Page Program is helping the young people who pass through it to meet the challenges of life ahead. We remain committed in the Program to not only provide a unique work experience, but continue the pursuit of academic excellence.

TRIBUTE TO DOTTY DELASSUS OF  
WEBSTER GROVES

**HON. RUSS CARNAHAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. CARNAHAN. Mr. Speaker, my remarks today are to pay tribute to the life of a valued public servant, Ms. Dorothy "Doty" Delassus, of Webster Groves, MO.

Ms. Delassus has long been active in public service to her community. Since 1996, she has served as a Webster Groves City Councilwoman where she represented the citizens of Webster to several Commissions, including the Green Space Advisory and Parks and Recreation Commissions.

In addition to her service on the City Council, Ms. Delassus was involved in many civic organizations. She co-chaired Make-A-Difference Day and was a member of the National League of Cities, Missouri Municipal League, the Webster University Collaborative, Unite 2000 Advisory Council, and the St. Louis County Municipal League.

Mr. Speaker, the outpouring of support by friends, family, and the community made it evident to all what an extraordinary person and public servant Ms. Delassus was. Her husband and two children are a great testament to her life, and her vision and love of people will live on through them. My prayers are with her family, friends, and community today, as we honor her life.

IN HONOR OF CONGRESSWOMEN  
CAPITO AND SLAUGHTER

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Ms. SOLIS. Mr. Speaker, today Ms. BROWN-WAITE of Florida and I rise on behalf of the Congressional Caucus for Women's Issues to honor the achievements of two outstanding women. Congresswomen SHELLEY MOORE CAPITO and LOUISE M. SLAUGHTER proudly and capably served as the Co-Chairs of the bipartisan Women's Caucus in the 108th Congress.

The Women's Caucus has a proud history, which began on April 19, 1977, when fifteen Congresswomen held the first meeting of the Congresswomen's Caucus. They were drawn together in the spirit of bipartisanship with the common goal of improving the lives of women across the country. This tradition has been carried on for three decades.

Congresswoman CAPITO, the Republican leader of the caucus, has lent her expertise in financial services to promote financial literacy among women. She also spearheaded the passage of a House resolution honoring the important contributions of working women in World War II. The "Rosie the Riveter" resolution had the unprecedented sponsorship of every woman Member in the House. For these contributions and many more, the membership of the Women's Caucus honors her service.

Congresswoman SLAUGHTER, the Democratic leader of the caucus, has a long history of fighting for women's rights. She played a major role in the passage of the Violence Against Women Act of 1994 and has continued to lead the caucus in the fight against sexual assault in the military and the promotion of equal opportunity under Title IX. We are grateful for her commitment and dedication to improving the lives of women nationally and internationally.

On behalf of the Congressional Caucus for Women's Issues, we are proud to build on the momentum established by the dedicated leadership of Congresswomen SLAUGHTER and CAPITO. Their invaluable perseverance on behalf of women has set an important legacy that the Caucus will build upon for years to come. Thank you for your outstanding service as Co-Chairs of the Women's Caucus.

SALUTING THE LEO COUNCIL 957  
OF THE KNIGHTS OF COLUMBUS  
OF FINDLAY, OHIO

**HON. MICHAEL G. OXLEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. OXLEY. Mr. Speaker, it is my honor today to salute the Leo Council 957 of the Knights of Columbus of Findlay, Ohio as they celebrate their centennial year jubilee.

The Knights of Columbus of Findlay have sustained a rich tradition built upon the foundations of faith and philanthropic service. Leo Council 957 was started by a small group of Catholic men with the assistance of State Deputy John O'Dwyer of Toledo in the fall and winter of 1903-1904. Their hopes were to organize a fraternal organization to support their church and serve their community. After tireless work and recruiting, 75 new members joined from Findlay, Carey, North Baltimore, Cygnet and Bowling Green. The Supreme Council issued the original charter for the newly established Leo Council 957 on January 26, 1905, which was signed by 86 people.

Since its founding 100 years ago, Leo Council has grown to nearly 500 members. Through the dedication and efforts of the members of Leo Council, the Knights of Columbus has become a positive influence in the church and community.

The spirit of volunteerism and service of the Knights of Columbus is encouraging to all of us. Since their founding, they have provided

support though a variety of charitable works both domestically as well as internationally. For the past century, the Knights have provided an insurance program for widows and orphans of its deceased members. Additionally, the Knights have raised substantial funds to assist mentally challenged and disabled individuals. Most recently, they have worked along with Catholic Relief Services to raise funds for the victims of the devastating tsunami that hit Southeast Asia in December.

The patriotism and positive influence of the Knights is recognized every morning by students reciting the Pledge of Allegiance in classrooms across the Nation. In 1954, it was the Knights of Columbus who petitioned President Eisenhower and Congress to add the words "under God" to the Pledge of Allegiance.

Today, I would like to remember those committed men who organized Leo Council 100 years ago and those who have strived to maintain its membership's vigor and progress. I am proud to congratulate the members, their spouses and families on this momentous occasion.

---

HONORING CONTRIBUTIONS OF  
CATHOLIC SCHOOLS

---

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of House Resolution 23, honoring the contributions and academic excellence of Catholic schools. The week of January 30–February 5 has been designated "Catholic Schools Week" by the National Catholic Educational Association and the United States Conference of Catholic Bishops, to honor the educators, administrators, and over 2.5 million students at Catholic schools across the country for their continued dedication to the educational process.

Catholic Schools Week began in 1974, and has annually promoted a different theme to guide its message. The theme for this year's Catholic Schools Week is "Faith in Every Student," which demonstrates parochial educators' commitment to melding the invaluable process of learning with the guiding principles of Catholicism. And as important as the intellectual development is, it pales in comparison to the lessons of compassion and service to others.

As a beneficiary of a Catholic education, I deeply appreciate the role that the schools play. My Catholic educational experience gave me the desire to learn, the willingness to adapt, and the moral compass by which to lead. This education gave me the basis for the beliefs that continue to guide me today. Children in Catholic schools receive a good education from highly-qualified teachers and strengthen it with a daily commitment to faith, both in school and after the final bell rings.

I wish our nation's Catholic schools continued success, and pledge my support as they continue their ongoing commitment to quality education.

THE MILITARY FAMILIES  
FINANCIAL SECURITY ACT OF 2005

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Military Families Financial Security Act of 2005. This bill will ensure the brave men and women who serve our country will not have to worry about losing critical services their dependent children need.

The men and women who serve in our Armed Forces are everyday heroes. I know about the valor of military families from my own experience as a military wife when my husband was stationed in Japan during the Vietnam War. As a wife and mother in a foreign country with two young children, I observed that many servicemembers were also mothers and fathers and were making the same sacrifices I was. Just as these brave men and women are working to protect our nation, we must likewise protect them and their loved ones through the laws and policies we enact.

In San Diego and around the country, some military families rely on the Supplemental Security Income program (SSI) for means-tested financial assistance. This safety net program is designed to protect qualifying families from poverty and provides access to valuable social services such as Medicaid. Without SSI, some special-needs families would not be able to cover their medical expenses.

Current regulations threaten some military families' eligibility. They face a unique risk of losing benefits due to the way military pay is treated under SSI rules. The Social Security Administration (SSA) considers anything outside basic pay as "unearned income." This method hurts servicemembers and their families since there are more than 30 types of military pay in addition to basic pay. These different pays, considered unearned income, result in higher countable income and affect eligibility. Just a few dollars can make all the difference in the world to these military families.

My legislation would change how the SSA calculates income for SSI eligibility by treating most military compensation as earned income. This simple change will keep families eligible for SSI benefits and simplify the administration of this program.

Last year, in testimony before the Human Resources Subcommittee of the Ways and Means Committee, Social Security Commissioner JoAnne Barnhart stated her support for such a proposal, which was part of the President's FY05 budget.

As Commissioner Barnhart stated, "The provision would treat cash military compensation and civilian wages alike, and thus eliminate the present unfair and disadvantageous treatment of cash military compensation other than basic pay under SSI. The proposal would increase SSI benefits for most military families with disabled children, which are currently about 3,000 families. It would be a significant program simplification in these cases and would have a relatively small program cost of only \$2 million over 10 years."

She also mentioned how "determining the difference in the types of military pay is time consuming and error prone, and the guidelines for making such determinations covers 14 pages in SSA's operating instructions."

As a proud member of the House Armed Services Committee, I am committed to improving the quality of life of the men and women who serve our country. This legislation is fair, overdue and demonstrates our nation's appreciation. This legislation will give servicemembers peace of mind from knowing that their duties will not jeopardize their families' eligibility for SSI benefits and related services.

I urge you, Mr. Speaker, and all of my colleagues to pass this critical legislation into law.

---

CONGRATULATING DAVID E.  
HAYES ON HIS ELECTION AS  
CHAIRMAN OF THE INDEPENDENT  
COMMUNITY BANKERS  
OF AMERICA

**HON. JOHN S. TANNER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. TANNER. Mr. Speaker, I rise today to recognize the accomplishments of David E. Hayes, an outstanding leader in our community and the new chairman of the Independent Community Bankers of America, a group that represents almost 5,000 community bank members.

He is also the President and Chief Executive Officer of Security Bank in Dyersburg, Tennessee. A native of West Tennessee, Mr. Hayes began his banking career in Memphis in 1967, and since then, he has amassed an impressive résumé that includes leadership roles in many community and state level banking organizations.

David has demonstrated his commitment to West Tennessee not only through his professional career, but also through his enthusiastic involvement in the local community. He has served as the chairman of the Dyersburg Chamber of Commerce, chairman of the Dyer County United Way, and president of the Dyer County Heart Association. He has also been an active member of the Dyer County Industrial Development Board and the Executive Committee of the Dyersburg State Community College Foundation Board. He and his wife of 37 years, Sara, have two children, David Jr. and Amy, and two young grandchildren, Joanna and David.

Mr. Speaker, I ask you to please join me in congratulating Mr. Hayes on his election to the chairmanship of the Independent Community Bankers of America. We in West Tennessee are very proud of his outstanding achievement.

---

A TRIBUTE TO BILL PRICE ON THE  
OCCASION OF HIS 90TH BIRTHDAY

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. LANTOS. Mr. Speaker, it is with great pleasure that I invite my colleagues to join me in paying tribute to Mr. Bill Price, a lifelong supporter of the labor movement, a strong advocate for the rights of senior citizens, and a founding member of both the Senior Action Network and the California Alliance for Retired

Americans. Mr. Price will be honored for his truly exceptional contributions to his community at his 90th birthday celebration on February 24, 2005.

Since his early years working in the hotel industry in Seattle, Mr. Price has been a dedicated union leader. In 1937, he helped to organize employees who voted to join the Building Service Employees, Local 6. After serving for two years in the U.S. Navy, Mr. Price moved to San Francisco in 1947 to work in his father's grocery store. There, he joined the Retail Clerks Local 648 and was an active member. By the early 1960s, Mr. Price was elected to the Executive Board of Local 648, in which he served first as Vice President, then Organizer, and eventually Business Agent until his retirement.

Mr. Speaker, after retiring, Mr. Price has been busy working to better the quality of life for seniors, families, and working people. A founding member of both the Senior Action Network (SAN) and the California Alliance for Retired Americans (CARA), Mr. Price currently serves as the President of SAN and as Vice President of CARA. Both of these organizations value his leadership, enthusiasm, and persistent efforts on behalf of senior citizens in the Bay Area. True to his selfless nature, Mr. Price asked that his birthday present be celebrated through the continued support of these two organizations that he has worked so hard to create and develop.

In addition to his commitment to the labor movement and the welfare of senior citizens, Mr. Price is also an avid sports fan. A season ticket holder for both the San Francisco 49ers and the Giants, he continues to find time to root for the local teams.

Mr. Speaker, as Mr. Price celebrates his 90th birthday, I urge my colleagues to join me in honoring his outstanding achievements and remarkable dedication to the well-being of his community. I look forward to celebrating many more milestones with Mr. Price in the future.

IN MEMORY OF K. PATRICK  
OKURA

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. HONDA. Mr. Speaker, I rise today to remember and honor the life of K. Patrick Okura. Pat, as he was known to all who were fortunate enough to know him, led a long and accomplished career in the field of mental health and civil rights advocacy. My condolences go out to, Lily, his wife and life long partner who stood at Pat's side for more than 60 years.

Pat's own life spanned more than ninety years and was certainly intertwined with the historic events of those years.

Pat went to UCLA where he earned his a degree in psychology in the early 1930s. At UCLA he also played varsity baseball, which was unheard of for an Asian American at that time. He faced harsh protest from his teammates the entire two years he played at UCLA, but he became the first Asian American to play and letter in a major sport at a West Coast college or university.

Pat and his wife Lily had been married for just two months in December, 1941 when our

government gave them just four days to pack only what they could carry and sent them to live in an internment camp.

While in an assembly center at the Santa Anita race track, Pat and Lily were able to avoid going to an internment camp when Father Flanagan of Boys' Town convinced federal officials that his orphanage in Nebraska needed someone with Pat's psychology background. Pat worked at Boys' Town for 18 years, providing counseling and administering psychological tests.

After Boys' Town, Pat was appointed chief probation officer of the Douglas County Juvenile Court and helped establish a separate juvenile court system for the state of Nebraska. The Nebraska Psychiatric Institute later recruited Okura to head up the Community Psychiatric Services division, where he became the state planner for mental health and launched five successful mental health centers in the state.

In 1970, Pat's work in Nebraska prompted then-National Institute of Mental Health, NIMH, Director Bertram Brown, to recruit Pat to become his executive assistant in Washington, DC. Pat saw this position as giving him an opportunity to help minorities and children and address delinquency. Pat worked at NIMH for 17 years, retiring in 1985.

In 1988, when the U.S. government paid the Okuras and all other former internment camp prisoners \$20,000 each, Pat and Lily used that money along with personal savings to start the Okura Mental Health Leadership Foundation, which helps Asian Pacific Americans overcome racial, language and other barriers.

Pat's lifetime involvement with the Japanese American Citizens League, JACL, was filled with major accomplishments as well.

After joining the JACL at the age of 25, Pat moved up through the leadership ranks, gradually assuming greater and greater responsibility in this civil rights organization. In 1937, at the age of 26, he served as the Executive Director of the Los Angeles JACL Office. Pat founded the Omaha JACL Chapter in 1947.

By 1962 he became JACL National President and remained in office for three years. As JACL national president, Pat had the JACL march with Martin Luther King, Jr. in 1963, resisting opposition from some JACL members, who did not want to get involved.

Even into his 90s, Pat was an active member of the Washington, DC chapter of the JACL.

Mr. Speaker, I have only touched on the eventful and accomplished life of K. Patrick Okura, but clearly this was a man whose life represented a large part of our collective history.

IN HONOR OF RALPH B. THOMAS  
ON THE OCCASION OF HIS RE-  
TIREMENT

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. DAVIS of California. Mr. Speaker, it is with great pleasure that I rise today to congratulate Ralph B. Thomas of the San Diego Border Patrol Sector. Mr. Thomas celebrates his retirement after 28 years of service in im-

migration policy and operations. I am honored to have this opportunity to pay tribute to an exceptional public servant.

In 1960, after a long day of campaigning for the presidency, John F. Kennedy arrived at the University of Michigan in Ann Arbor to find thousands of students waiting to hear him speak. He challenged the assembled students with the following immortal statement: "Ask not what America will do for you, but what together we can do for the freedom of man." These fateful words launched the Peace Corps.

A twenty-something Ralph Thomas learned of this challenge and answered it. In 1961, he joined the newly established international volunteer organization and traveled to the Philippines. He taught English as a Second Language in an elementary school and gave support to 35 volunteers in education and community development assignments as a volunteer leader.

Ralph Thomas completed his doctoral studies in Asian history and culture at the University of Pennsylvania in 1971, and taught Asian and American history at the University of Pennsylvania and Adrian College in Michigan.

His deep interest in urban and ethnic issues led to positions as Director of Black/White Curricula for the Education Development Center in Cambridge, Massachusetts, and as a process observer for the Detroit Education Task Force.

His involvement in immigration matters resulted from his friend and fellow Peace Corps/Philippines volunteer Leonel Castillo being named Commissioner of the Immigration and Naturalization Service in 1977. After working as a Special Assistant to the Commissioner for two years, Ralph became Deputy Director of the Select Commission on Immigration and Refugee Policy. The Select Commission recommended a number of the policy changes enacted as part of 1986 and 1990 immigration reform legislation. Ralph returned to the INS as a special assistant and consultant for the first two years of the Reagan Administration.

In September 1983, Ralph was selected as an appellate examiner for the new Administrative Appeals Unit. In 1984, he was transferred to an inspector position in the Office of Refugees, Asylum and Parole. From 1986 to 1991, he served as Deputy Assistant Commissioner. Ralph spent six more years in the INS Office of Congressional and Public Affairs before coming to the San Diego Sector.

Ralph's career spans the arenas of international development, education, immigration policy and border management. His sincerity, modest demeanor and community involvement make him a true public servant. For example, when impassable road conditions at Border Field State Park threaten to cancel a mass organized in memory of those who lost their lives crossing the border, Ralph stepped in. The mass took place as scheduled.

As Special Assistant to the Chief Patrol Agent of the San Diego Border Patrol Sector, Ralph has impressed me with his dedication to conveying the magnitude of the Border Patrol's work. I have experienced first-hand the rugged and steep terrain along the Imperial Beach-Tijuana border and flown over the expanse of the San Diego-Tijuana border with Ralph and Border Patrol Chief William Veal. Border Patrol agents are working hard to secure our borders.

On behalf of the people of San Diego, I would like to extend my sincere appreciation

for Ralph's commitment and my best wishes for his retirement. I wish him, his wife Janet, and their son, Michael, the very best in their new endeavors. My office will miss his hard work, hearty laugh and quick wit.

INTRODUCING THE ARTHRITIS  
PREVENTION, CONTROL, AND  
CURE ACT OF 2005

**HON. CHARLES W. "CHIP" PICKERING**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PICKERING. Mr. Speaker, I rise today to introduce the Arthritis Prevention, Control, and Cure Act of 2005.

With more than 100 different forms, arthritis is one of the most widespread and devastating chronic diseases in the United States. These conditions are extremely costly to our health care system, our economic vitality, and erode the quality of life for nearly 70 million, or one in every three Americans who suffers from arthritis or chronic joint symptoms. It is estimated that 300,000 children are affected by juvenile arthritis, a disease with high prevalence yet widely unknown, that causes deformity, blindness and in some cases death. As the number one cause of disability in the United States, arthritis is a painful and debilitating disease affecting men, women and children alike—arthritis has no boundaries. Simple, daily tasks like brushing teeth, pouring a cup of coffee and even just getting out of bed become excruciating obstacles for millions of people with the disease.

The costs associated with arthritis are immense. The disease results in 750,000 hospitalizations, 44 million outpatient visits and 4 million days of hospital care every year. The estimated total costs of arthritis in the United States, including lost productivity, exceeds \$86 billion.

While the current impact of the disease is quite astounding, efforts now can help prevent and control arthritis for future generations. Despite myths that inaccurately portray this illness as an old persons' disease, two-thirds of those with osteoarthritis are under the age of 65. Maintaining a healthy weight and being physically active are both steps that can prevent this form of arthritis. More broadly, the pain and disability accompanying all types of arthritis can be minimized through early diagnosis and appropriate disease management.

This legislation will bring critical Federal resources to bear on a significant public health problem facing this country. This legislation will lessen the burden of arthritis on society and on individual citizens, like my constituent, Alfred Price of Brandon, Mississippi. Mr. Price has suffered from rheumatoid arthritis for more than 50 years, and I have witnessed over the years how this disease has ravaged his body.

In recent years, research into the prevention and treatment of arthritis has led to measures that successfully reduce pain and improve the quality of life for millions. This legislation would develop a National Arthritis Education and Outreach Campaign to educate healthcare professionals and the public on successful self-management strategies for controlling and preventing arthritis. To ensure

greater coordination and intensification of federal research efforts, this legislation would create a National Arthritis and Rheumatic Diseases Summit to look at challenges and opportunities related to arthritis research within all the agencies of the Department of Health and Human Services. Finally, this legislation expands research for juvenile arthritis at the National Institutes of Health through the creation of planning grants for innovative research. To address the severe shortage of pediatric rheumatologists, it creates incentives to encourage physicians to enter the specialty field through the establishment of education loan repayment and career development award programs.

Mr. Speaker, we must make the necessary investments in the fight against arthritis—our Nation's number one cause of disability. This legislation will improve the quality of life for millions of adults and children and save our nation valuable human and economic resources. I urge all my colleagues from both sides of the aisle to support this legislation and enact it in a timely manner so millions of Americans, like Mr. Price, can live life with less pain.

TRIBUTE TO THE HONORABLE  
S. PAUL EHRLICH, M.D.

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American, Dr. S. Paul Ehrlich, who died on January 6, 2005.

Dr. Ehrlich served our Nation with great distinction as Acting Surgeon General in the Nixon, Ford and Carter administrations and as the United States Representative to the World Health Organization. He received the Public Health Service's Outstanding Service Medal, the Distinguished Service Medal and the Meritorious Service Medal. Dr. C. Everett Koop, the Surgeon General under President Reagan, said that Dr. Ehrlich "did more than anyone I've ever known for American health."

Dr. Ehrlich was among six Surgeons General who in 1994 urged Congress to ban smoking in public buildings and to enact stricter controls on secondhand smoke and the sale and advertising of tobacco. His commitment to the health of all Americans and to stopping the spread of AIDS led him to oppose a federal policy that would require minors to get parental consent before receiving contraceptives and information on birth control.

Dr. Ehrlich was born and educated in Minnesota, where he earned his medical degree. He served our Nation in the Coast Guard, and received a master's degree in Public Health from the University of California. He taught at Georgetown University, the University of Texas and the University of California. He was diagnosed with Multiple Sclerosis in 1981 and lived bravely with the challenges of his disease for more than twenty years.

Dr. Ehrlich was the devoted husband of Geraldine McKenna Ehrlich, proud father of three accomplished and loving daughters,

Susan, Paula, and Jill, and the doting grandfather of one.

It has been a personal privilege to have known the Ehrlich family for many years and to have had Jill Ehrlich Robinson as my Legislative Director and Chief of Staff. Her integrity and public service are an eloquent statement about she and her father who gave so much to better our country.

Mr. Speaker, I ask my colleagues to join me in honoring this good and great American and in extending our deepest sympathy to his family. Dr. Ehrlich's life as an outstanding physician bettered the health and the soul of our Nation.

LEGISLATION TO ESTABLISH THE  
ATCHAFALAYA NATIONAL HER-  
ITAGE AREA IN LOUISIANA

**HON. RICHARD H. BAKER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. BAKER. Mr. Speaker, Atchafalaya refers to both a river and a large wetlands region of Louisiana; the name derives from the Choctaw hacha falaia, meaning "Long River." The river itself serves as a major tributary of the Mississippi and Red rivers, and runs through a swampy wetlands called the Atchafalaya Basin, which is about 20 miles in width and 150 in length. The Atchafalaya Basin is rich with wildlife, including three hundred bird species, as well as crawfish, shrimp, crabs, frogs, snakes, nutrias, beavers, raccoons, foxes, alligators, and black bears. Since the 18th century, Cajun fishermen and trappers have depended on the basin and river for their livelihoods and culture. Today, I rise with all my colleagues from Louisiana to offer legislation to preserve this unique area of natural, cultural, historic and recreational resource as a National Heritage Area.

This legislation will designate the Atchafalaya Trace Commission as the local coordinating entity of the Heritage Area. In 1997, the Atchafalaya Trace Commission was created by the Louisiana Legislature and was charged with planning and managing the Atchafalaya Heritage Area to help our communities save important cultural and natural resources. I support their mission to enhance the positive benefits of tourism and create a sustainable, healthy economy. I commend the Atchafalaya Trace Commission in their leadership in preservation and advocacy on behalf of the Atchafalaya Heritage Area.

Mr. Speaker, the legislation that I submit today also establishes a procedure for the voluntary inclusion of private property in the Heritage Area. I believe this is important in balancing both public and private interests in such a diverse natural and cultural area.

In conclusion, I believe the establishment of the Atchafalaya National Heritage Area will provide the direction and resources needed to maintain what the area has to offer for generations to come. I look forward to working with my colleagues in the House of Representatives to pass this important legislation.

CHANGING THE WAYS AND MEANS  
COMMITTEE ON BEHALF OF THE  
DEMOCRATS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. STARK. Mr. Speaker, when the Ways and Means Committee held our organizational meeting earlier today, I offered an amendment to change the committee rules on behalf of the Democrats. My amendment would have allowed the minority party to conduct oversight hearings on the administration when the majority refused to do so. Such a change is vitally important because, with Republicans controlling both Congress and the White House, it is clear that they do not want to expose problems that exist in the Bush administration.

Below is my statement in support of the amendment I offered. It was defeated on party lines. I encourage my colleagues and the public to read this statement and take notice of the fact that Congress' duty to conduct oversight is being undermined in this Republican-run House of Representatives. The full statement follows:

As we consider changes to the Committee's rules, I have an amendment to offer on behalf of the Democrats.

The purpose of my amendment is to restore the duty of oversight to our committee. Since President Bush took office, House Republicans have decided that conducting oversight of the Administration is not a necessary function. We'd like to fix that.

My amendment is very straightforward. It would allow the Ranking Member to request in writing that the Chairman hold a hearing regarding alleged ethical misconduct or any violation of the law by an Administration employee. If the Chairman chose not to hold a hearing within 30 calendar days, then the minority would be allowed to move forward with an official Ways and Means Hearing. We would schedule it. We would invite the witnesses. We would have subpoena authority as well.

Why is this amendment needed?

This amendment is vitally necessary because the Committee on Ways and Means is no longer doing its job with regard to protecting the integrity of the programs under our jurisdiction.

The lack of oversight is a problem across our committees in Congress, but let me provide three prime examples of this problem with the Ways and Means Committee's jurisdiction:

Medicare: There are at least two incidents—that we know of—related to the Medicare debate from the 108th Congress.

First, the Committee failed to fulfill its duties investigating former CMS Administrator Tom Scully's actions to gag Chief Actuary Rick Foster from responding to our requests relating to the Medicare bill in 2003. Given that I had always assumed we had a mutual interest in protecting the prerogatives of the Committee and Congress, I was surprised and disappointed that the majority doesn't apparently share this view.

The Chairman may well try to make the case that we held two hearings on this last year. While we did hold one routine hearing on the Trustees Report, which happens each year, the other one came about only because Democrats forced it through the use of House Rule 11. However, because we had no subpoena authority, neither Tom Scully nor Domestic Policy Advisor Doug Badger were

willing to testify at the hearing. Since they were the key witnesses, our hearing was fairly meaningless. The Chairman had said he would support additional efforts if "laws had been broken." Later independent analysis from both CRS and GAO found that laws had indeed been broken, but the promised oversight never materialized.

Separate from the Scully incident was the discovery that CMS had paid consultants to produce news videos on the Medicare prescription drug bill. GAO found that these ads were covert propaganda and should not have been allowed. In their report, the GAO General Counsel stated, "In a modest but meaningful way, the publicity or propaganda restriction helps to mark the boundary between an agency making information available to the public and agencies creating news reports unbeknownst to the receiving audience."

Marriage Promotion: Now we're discovering that the use of propaganda was not limited to promoting last year's Medicare bill. Everyone has already heard about the Department of Education grant to conservative talk show host Armstrong Williams. But, that isn't in our committee's jurisdiction. Other examples are however.

Thanks to the work of reporters at the Washington Post, Salon and USA Today (thankfully those entities still do oversight), it has been discovered that HHS has provided grants to columnists to promote Bush's marriage promotion agenda.

Specifically, Maggie Gallagher, a syndicated columnist, was paid \$21,500 to promote the Bush marriage agenda in her columns. She is president of the Institute for Marriage and Public Policy, a frequent television guest, and has written on marriage for the New York Times, Wall Street Journal and Weekly Standard. She did not disclose that HHS had paid her to promote the marriage initiative when she was touting it in columns and on television.

Michael McManus, a conservative author and self-proclaimed marriage expert, who writes a syndicated column "Ethics & Religion" also received federal funds from HHS to train "marriage mentors" (\$4000) and \$49,000 to promote marriage among unwed couples. He did not disclose this relationship when writing in support of the marriage initiative in his columns during this same time.

Social Security: Last week, two Social Security Administration employees came forth to raise their concerns that government employees within SSA are being required to promote President Bush's Social Security privatization agenda. Aside from being improper, this is probably illegal as well. Our Senate Democratic Colleagues exposed this latest example of potential wrongdoing.

Mr. Chairman, these are three glaring examples of potential misuse of taxpayer funds in areas all under the jurisdiction of our committee. Yet, we've done nothing to investigate these allegations to discover if they are improper—or worse, to find out if the problems are even more widespread.

Many of us on the Democratic side of the aisle have stepped up to investigate these allegations. We've requested GAO reports as I've cited above. Unfortunately, there is no enforcement for GAO when they find violations of the law. It is up to us in Congress to pursue remedies or to change the law to prevent future violations.

I urge my colleagues to support my amendment. It seems very clear that Republicans don't intend to do this oversight on their own. At least give us the ability to conduct these hearings and do our best to protect the taxpayers from the misuse of government resources.

VOTING OPPORTUNITY AND TECH-  
NOLOGY ENHANCEMENT  
RIGHTS (VOTER) ACT OF 2005

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. CONYERS. Mr. Speaker, today I rise to introduce on behalf of myself and 25 colleagues the Voting Opportunity and Technology Enhancement Rights Act, or the VOTER Act of 2005, legislation that will help ensure that all voters who are eligible to vote are able to vote and have their vote properly counted in Federal elections.

We have just experienced the second consecutive presidential election where issues were raised concerning irregularities and improprieties. For example, in Ohio we learned of the misallocation of voting machines, which led to lines of 10 hours or more and disenfranchised scores, if not hundreds of thousands, of predominantly minority voters. We also learned of numerous incidents of voter intimidation, as well as the dissemination of misleading information. Members on both sides of the aisle acknowledge that further reforms are needed to ensure that all of our citizens' rights to vote are protected.

As a result, the VOTER Act will provide for a uniform Federal write-in/absentee ballot; require states to provide for a verifiable audit trail; ensure that provisional ballots cast anywhere in a state are counted; eliminate disparities in the allocation of voting machines and poll workers among a state's precincts; mandate early voting and election day registration procedures; protect against improper purging of registration lists in federal elections; provide for a study regarding making election day a public holiday; ease voter registration requirements; allow voter identification by written affidavit; study eliminating partisan election officials from administering federal elections; enhance training for election officials; require the use of publicly available open source software in voting machines; provide uniform standards for vote recounts; prohibit voting machine companies from engaging in political activities; and enhance legal protections against voter intimidation and threats.

The legislation is supported by the NAACP, the NAACP Voter Fund, the Progressive Democrats of America, the UAW, the Black Leadership Forum, Rainbow Push, and the National Voting Rights Institute. The legislation is the House counterpart to S. 17, legislation introduced in the Senate by Senator CHRIS DODD on behalf of the Senate Democratic Leadership.

It is imperative that we have elections that count every vote of every eligible voter. A provisional ballot cast anywhere in the State of Ohio should count just as it does in the State of Iowa. There is no reason that voters in inner city areas should be forced to wait in long lines, while their counterparts in the suburbs are able to vote immediately. If voters in Oregon can vote early, why can't voters in Michigan; if citizens of Idaho enjoy same day registration, why can't voters in Florida; and if voters in Wisconsin can have their elections administered by nonpartisan boards, why can't the rest of us?

If there is any issue that is central to our democracy, it is ensuring that eligible voters are

able to participate in our elections. Enacting the VOTER Act of 2005 will help ensure that we restore trust in our election system.

The following is a section-by-section of the VOTER Act:

*Section 1—Short Title and Table of Contents*

*Section 2—Findings and Purposes*

Details a number of concerns regarding fairness of federal elections that justify a federal legislative response.

*Section 3—Enhanced Protections Against Voter Intimidation, Threats, Coercion, and Deception*

Creates new requirement that unfair or deceptive acts or practices in or affecting voting in Federal elections are prohibited and the Attorney General is empowered and directed to prevent persons, partnerships, or corporations from using unfair or deceptive acts or practices in or affecting Federal elections via civil or criminal remedy.

Creates a corollary private right of action. Amends 42 USC 1971 and 18 USC 245 to specify that deceptive and coercive voter intimidation is unlawful.

Provides for an enhanced system for DOJ to track, document, and monitor election irregularities.

*Section 4—National Federal Write-In Absentee Ballot*

Requires the Election Assistance Commission (EAC) to prescribe a national Federal write-in absentee ballot and that any person qualified to vote in a Federal election be permitted to cast a vote using that ballot.

Provides that a federal write-in absentee ballot will be counted so long as the ballot is postmarked or signed before the close of the polls on election day and received by the appropriate State or election official on or before the date which is 10 days after the date of the election.

*Section 5—Verified Ballots*

Provides that voting systems shall have an independent means of voter verification which requires each voter to verify the ballot before it is cast and counted with a paper, audio, pictorial, or electronic record and that uniform and nondiscriminatory standards for such verified ballots be established by the EAC.

Requires that any means of verification shall be preserved and made available for use in any audit.

Requires that the EAC standards provide for partial audits of voting machines to ensure that the voting machines are properly functioning and accurate and in the event that voting machines are not properly functioning and accurate, the record of the verified ballot will be used for the official vote count.

Requires that the EAC and the states will produce reports on the implementation of the verified ballot.

*Section 6—Requirements for Counting Provisional Ballots*

Requires that each state shall count any provisional ballot which is cast at a polling place within the state if the individual who cast such a ballot is otherwise eligible under state law to vote.

*Section 7—Minimum Required Voting Systems and Poll Workers in Precincts*

Requires that each state shall provide for the minimum required number of functioning and accurate voting machines and poll workers for each precinct on the day of any Federal election or during early voting for any Federal election.

Requires the EAC to issue standards regarding the minimum number of voting machines and poll workers.

*Section 8—Election Day Registration*

Permits any individual on the day of a Federal election to register to vote and to cast a vote in such election.

Requires the EAC to develop an election day registration form for elections for Federal office.

*Section 9—Integrity of Voter Registration List*

Requires that not later than 45 days before any Federal election, each state shall provide public notice of all names that have been removed from the state voter registration list and that prior to the removal from such a list, a voter must receive proper notice that will be prescribed by the EAC.

*Section 10—Early Voting*

Requires that each state shall allow individuals to vote in an election for Federal office not less than 15 days prior to the day scheduled for such election in the same manner as voting is allowed on election day.

Requires the EAC to issue standards for the administration of early voting.

Provides that same day voter registration will occur during early voting.

*Section 11—Acceleration of Study on Election Day as Public Holiday*

Requires the completion of a study on Election Day as a public holiday by the EAC no later than 6 months after the enactment of this bill.

*Section 12—Improvements to Voting Systems*

Requires punch card systems to provide a means of verification and audit ability.

*Section 13—Voter Registration*

Requires voter registration forms to include an affidavit to be signed by the registrant attesting to both citizenship and age rather than having the registrant check boxes on the voter registration form attesting to both citizenship and age.

Requires that any form developed or used by a State for voter registration in Federal elections must include an affidavit attesting citizenship and age instead of the questions and statements under HAVA sec. 303b4(A).

Requires states to establish voter registration through the Internet with the standard established by the EAC.

*Section 14—Establishing Voter Identification*

Permits voter identification to be established through a written affidavit when a voter is voting in person or through the mail and eliminates the need for any other form of identification, which has the effect of overruling the HAVA requirement that first time voters who register by mail must provide a photo ID when voting.

Requires the EAC to establish the standards for establishing voter identification.

*Section 15—Impartial Administration of Elections*

Requires that states issue a public notice concerning any changes to the administration of an election since the most recent prior election.

Requires that states must provide access to any polling place to voting and civil rights groups, and nonpartisan domestic and international observers and that such access may be denied only through a public notice that will be issued not later than 24 hours after such denial.

Requires that the EAC conduct a study on the administration of Federal elections in states by nonpartisan election boards, rather than Secretaries of State.

*Section 16—Strengthening the Election Assistance Commission*

Requires the EAC to submit any budget requests to the Congress and all relevant House and Senate Committees, in addition to the President or the Office of Budget and Management.

Requires that the Director of the National Institute of Standards and Technology provide the EAC with the assistance needed to perform the duties required of it under this Act if such assistance is requested.

Provides for the necessary appropriations to the EAC to perform its duties under this Act.

*Section 17—Additional Protections to Ensure Fair Administration of Federal Elections*

Provides that no individual may serve as an election official at any polling place used for Federal office unless the individual has been certified through the poll worker certification program established by the EAC.

Requires that each state shall ensure that all voting machines used by the state for elections for federal office use open source software which may be accessible for inspection by the public and that the standard for public viewing of the open source code be established by the EAC.

Requires that the EAC will establish a national standard for the conducting of a recount of the results of any election for Federal office.

Prohibits states from entering into any agreement with an entity regarding the manufacture, distribution, installation, servicing, or other activity with respect to a voting machine if that entity contributes to a campaign for public office and standards on such conflicts of interest will be established by the EAC.

*Section 18—Authorization of Appropriations*

Provides for the necessary appropriations to the states to perform their duties under this Act, \$2 billion in 2006 and thereafter, such sums as may be necessary.

*Section 19—Effective Date*

Requires operative provisions to take effect on January 1, 2007.

COMMENDING COUNTRIES AND ORGANIZATIONS FOR MARKING 60TH ANNIVERSARY OF LIBERATION OF AUSCHWITZ

SPEECH OF

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 25, 2005*

Mr. HONDA. Madam Speaker, I rise today to recognize a tragic anniversary, one which we can never afford to forget. Last week, my colleagues and I voted unanimously in support of a resolution commending countries and organizations for marking the 60th anniversary of the liberation of Auschwitz-Birkenau and urging a strengthening of the fight against racism, intolerance, bigotry, prejudice, discrimination, and anti-Semitism.

January 27, 2005—marked the day 60 years ago that Soviet troops opened the gates of the Auschwitz-Birkenau concentration camp in Poland and liberated the Jewish prisoners who had managed to survive the atrocities committed within those walls.

I join with many others in remembering those who perished, in honoring their memory, and in promising survivors: "never again."

Countries around the world will commemorate this event as a reminder to us all of what can befall humanity when we turn away from injustice and fail to speak out when those in power single out innocents for persecution.

Together, we have made progress in battling anti-Semitism around the world. As part

of its effort to say “never again”, the United Nations General Assembly last week, commemorated the six million Jews who perished in the Holocaust, a signal that the UN will assert leadership in the ongoing struggle against anti-Semitism.

This year’s memorial ceremonies are particularly important because concentration camp survivors are aging at a rapid rate and may not be able to participate in such future events.

Despite ongoing efforts, Jews throughout the world continue to suffer vandalism, verbal assaults, and even physical attacks. On this day of commemoration, we should all resolve to work towards a world where the Holocaust can never happen again.

TO RENAME THE POST OFFICE IN  
BARRIO LOGAN, CA

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. DAVIS of California. Mr. Speaker, I rise today to honor a great man who stood up for justice and fair treatment for all Americans.

During his life, Cesar E. Chavez was committed to providing fair wages, better working conditions, decent housing, and quality education for all. He organized in Southern California and accomplished a great deal to improve the living and working conditions for the people of San Diego.

Mr. Chavez also made tremendous sacrifices for all Americans, serving the United States proudly in the Navy during World War II.

His spirit and his vision are still alive today and I am determined to celebrate what he stood for and his great accomplishments.

Mr. Speaker, today, I introduce legislation to rename the post office located at 2777 Logan Avenue in the Barrio Logan section of San Diego as the “Cesar E. Chavez Post Office.”

This is the least we can do to honor such a great but humble man dedicated to justice. Please join me in giving Mr. Chavez his rightful place in American history.

TRIBUTE TO FEDRICK INGRAM,  
MIAMI-DADE COUNTY TEACHER  
OF THE YEAR

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. MEEK of Florida. Mr. Speaker, I rise to honor Mr. Fedrick Ingram of Carol City High School, who was honored this past Tuesday as Miami-Dade County Teacher of the Year.

Mr. Ingram, known for his discipline and drive, has pushed his students to excel in music and academic studies. For the first time in 10 years, Miami Carol City’s Band received straight superiors in this year’s District Band Competition, and was even invited to perform during the Sugar Bowl last month.

While many schools are placing less importance on fine arts, Mr. Ingram has shown what value an amazing fine arts program can have. As Band Director and Fine Arts Department

Chairperson, he has motivated his students both in the classroom and the band room—and his results have been amazing. Last year, more than two-dozen of his students amassed \$300,000 in college scholarships. Under his leadership, his students have increased their self-esteem and have improved their grades, test scores and graduation rates.

Ingram founded the Miami All-Stars Band Camp in 2002, giving many low-income families the opportunity to send their children. His last camp included nearly 300 students all of which were given the opportunity to work with college band directors and local musicians for an intensive one-week collegiate training course.

Mr. Ingram shares his life’s passion daily. Mr. Speaker, I recognize him for his accomplishments and commend him for his hard work and innovation.

INTRODUCTION OF THE UDALL-EI-  
SENHOWER ARCTIC WILDERNESS  
ACT

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. MARKEY. Mr. Speaker, today I am introducing, with Representative NANCY JOHNSON and over 100 of my colleagues, legislation that would permanently protect the Coastal Plain of the Arctic National Wildlife Refuge from development by granting it full wilderness status, consistent with the rest of the Refuge. The Udall-Eisenhower Arctic Wilderness Act of 2005 honors two great visionaries by protecting, in their name, this extraordinary piece of America’s wilderness. Republican President Dwight D. Eisenhower began the bipartisan legacy to protect this majestic land when he set aside the core of the Refuge in 1960. Twenty years later, in 1980, Democratic Representative Morris Udall succeeded in doubling the size of the Refuge, thereby protecting even more of this pristine wilderness from oil drilling. As Mo Udall said at the time, “In our lifetime, we have few opportunities to shape the very Earth on which our descendants will live their lives. In each generation, we have carved up more and more of our once-great natural heritage. There ought to be a few places left in the world the way the Almighty made them.”

President Eisenhower and Mo Udall had the vision to protect a remote but very special piece of wilderness for America’s future generations. It is now our responsibility to stop those who would tear down this legacy. This legislation would, at long last, complete the job they began.

The Arctic National Wildlife Refuge is a national treasure. It is a Federal land given legal protection so that the pressures of development today do not over-run the need to preserve for tomorrow a unique place for the undisturbed enjoyment of future generations. The Arctic Refuge does not belong to the oil companies; it does not belong to one party; it does not belong to one State. It is a public wilderness trust, and we are the trustees.

The coastal plain of the Refuge is the biological heart of the ecosystem and is critical to the survival of caribou, polar bears, and over 160 species of birds. A Department of the In-

terior study suggests that oil development would contribute to a 20–40 percent decline in the Refuge’s caribou population, and similar declines in wolverine and musk oxen populations. When you drill in the heart, every other part of the biological system suffers.

The U.S. Fish and Wildlife Service calls the coastal plain the “center for wildlife activity” in the Refuge. If the drillers get their way, a refuge for wildlife will become something else—a place for caribou, grizzlies, polar bears and wolves to practice their social skills with oil riggers, pipelines, roads, pumping stations, bulldozers, helicopters, airstrips, and everything else necessary for a state-of-the-art “environmentally-conscious” oil field. Like their counterparts in the zoo, the wildlife will be required to adapt to living in an oil field, and they will be “wildlife” no more. A place that has been “forever wild” will be gone—gone forever—never to be retrieved.

If Congress authorizes drilling in the Refuge, it will scar an untouched landscape, evict wildlife from its traditional habitats, turn tundra potholes for ducks into catch basins for drilling wastes, and provide a precedent to invade every other wildlife refuge in the United States of America.

Let’s be clear—if we want to be able to protect the wildlife refuge system later, we must protect the Arctic National Wildlife Refuge now.

You have surely heard the argument that we have no choice, that we have soldiers in the oil fields of the Middle East that need to come home, that we must reduce our dependence on oil from unstable foreign suppliers.

Let’s be clear again—we have a choice, a better choice, and the sooner we steer the debate away from drilling for 6 months’ worth of oil in the Arctic Refuge, the sooner we can actually do something real about oil imports.

The United States consumes 25 percent of the world’s oil but controls only 3 percent of the world’s reserves. 76 percent of those reserves are controlled by the OPEC cartel; that is our weakness. Our strength lies not in sacrificing our wildlands; our strength lies in harnessing our technological genius. We are a technological superpower. It is time to start acting like one.

From an energy standpoint, drilling in the wildlife refuge is completely unnecessary. Transportation—cars, SUVs, and trucks—account for approximately three-quarters of all U.S. oil consumption. If we improve the average fuel economy of cars, mini-vans, and SUVs by just 3 miles per gallon, we save more oil within ten years than would ever be produced from drilling in the Arctic National Wildlife Refuge. Technology already exists that will allow us to dramatically increase fuel economy, not just by 3 mpg, but by 15 mpg or more—five times the amount the industry could possibly drill out of the Refuge.

The debate over drilling in the Arctic National Wildlife Refuge is surreal when you consider that the country which is sending our young men and women abroad to shed their blood in the Middle East oilfields is the same country which subsidizes the consumption of oil at home as if it were an infinite resource.

Let me cite just one obscene example. The Administration’s current energy policy provides \$35,000 in tax deductions for the purchase of a Hummer, but a mere \$2,000 for the purchase of a hybrid vehicle. A hybrid gets 50 miles per gallon, a Hummer gets 10 miles per

gallon. Do the math. Oil is not infinite, but our capacity to subsidize the waste of oil seems boundless. The Administration's energy policy is like a hamster spinning in his wheel—lots of activity, no progress. According to the Administration's own Energy Information Administration, passage of the Energy Act will result in our dependence on foreign oil soaring from less than 65 percent today to 80 percent in 2025.

The public understands that. In a recent Zogby poll, Americans soundly rejected the link between drilling in the wildlife refuge and energy independence. Only one in six respondents agreed that more domestic oil drilling is the way to reduce our foreign oil dependence. More than two-thirds believe the United States should promote increased fuel economy and alternative energies instead of drilling. Americans have also made it clear to Congress that they disagree with attempts to make an end run around the legislative process by cramming the fate of the Arctic Refuge into the 2005 Budget resolution. The people of America recently expressed their disapproval of this "backdoor maneuver" by a margin of 59 to 25 percent.

Even the oil companies have publicly announced that they are shifting their focus away from the Arctic Refuge and toward fields in other parts of the North Slope of Alaska; so should Congress. BP, ConocoPhillips and ChevronTexaco have all quietly walked away from this political drilling frenzy, suggesting that there are higher priorities for the oil industry than drilling in this refuge. Is it possible that oil companies know something that the politicians do not?

If we allow this Congress to turn the Coastal Plain of the Arctic Refuge into an industrial footprint, the impact on the land and the wildlife would be permanent and the hoped-for energy benefit only temporary. Let us join the American people in saying, unequivocally, that there are places that are so rare, so special, so unique that we simply will not drill there as long as alternatives exist.

We have an opportunity to preserve the Arctic Refuge as the magnificent wilderness the way God made it. It is arrogant and immoral to sacrifice this ecological gem when we have better ways to meet our energy needs, and no other place with such environmental significance on Earth. We do not dam Yosemite Valley for hydropower. We do not strip-mine Yellowstone for coal. And we should not drill for oil and gas in the Arctic Refuge.

CARIBBEAN NATIONAL FOREST  
ACT OF 2005

**HON. LUIS FORTUÑO**

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. FORTUÑO. Mr. Speaker, during these cold Washington winter days, when the temperature hovers near freezing and another snow emergency is called, I wanted to take this opportunity to remind my Colleagues of my Puerto Rico. I hope that my Colleagues will think of the lush tropical island with warm sun, the inviting white beaches and the aqua blue waters. That is my Puerto Rico but my home is much, much more than that.

While for many, their thoughts of Puerto Rico end at the beaches, the fact is that the

Island is a diverse landscape with vibrant communities, impressive mountains and a tropical rainforest that is home to hundreds of species of plants, trees and vertebrates. It is that part of my homeland that I would like to bring to my Colleagues attention today.

The Caribbean National Forest, the only tropical rainforest in the U.S. Forest System, is a historic and natural treasure to both Puerto Rico and our Nation. The Spanish Crown proclaimed much of the current CNF as a forest reserve in 1824. Recently the CNF celebrated its 100th anniversary, commemorating the date when President Theodore Roosevelt reasserted the protection of the CNF by designating the area as a forest reserve.

Located 25 miles east of San Juan, the forest is a biologically rich. The CNF ranks number one among all national forests in the number of species of native trees with 240. In addition, the CNF has a wide variety of orchids and over 150 species of ferns. There are over 100 species of vertebrates in the forest. Of particular note is the endangered Puerto Rican parrot. At the time that Columbus set sails for the New World, there were approximately one million of these distinctive parrots, today there are under 100.

The CNF is integral to the lives of hundreds of thousands of Puerto Ricans. It is a major source of water to the island. The CNF receives over 10 feet of rain each year. As a result, the major watersheds in the CNF are able to provide water to over 800,000 residents. In addition, the CNF provides a variety of recreational opportunities to the nearly 1,000,000 Puerto Ricans and tourists each year. Families, friends and school groups come to the forest to hike, bird watch, picnic, swim and enjoy the scenic vistas.

A resource this special needs to be protected for current and future generations. For this reason, I am introducing today my first legislation as a Member of Congress, "The Caribbean National Forest Act of 2005." My legislation builds upon earlier proposals introduced in the House and the Senate. These proposals, endorsed by the Bush Administration, The Wilderness Society and the National Hispanic Environmental Council, would protect approximately 10,000 acres of the most crucial portions of the CNF as the El Toro Wilderness. My bill would insure that this crucial watershed, this diverse and vibrant ecosystem, and a major recreational destination in Puerto Rico will remain available for generations to come.

Mr. Speaker, soon after I was elected to office by the people of Puerto Rico. I visited the CNF and met with Forest Supervisor Pablo Cruz. During my visit, I recalled the many times that I have visited the CNF with my family and friends. I want this special place to be there for our future generations. My legislation, the Caribbean National Forest Act of 2005, will make that goal a reality.

THE EDUCATION, ACHIEVEMENT  
AND OPPORTUNITY ACT

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. SMITH of New Jersey. Mr. Speaker, this week marks the 31st Anniversary of National

Catholic Schools Week, a week in which Catholics spotlight the important mission of providing quality education and strong character building of the 7,955 Catholic Schools across the country.

In conjunction with this important recognition as well as National Catholic Schools Appreciation Day, I have introduced legislation designed to ensure that the federal government appropriately assists parents with the financial burdens associated with their children's education at a public or private school. My legislation, the Education, Achievement and Opportunity Act will provide refundable tuition tax credits for the educational expenses incurred by parents of children enrolled in elementary and secondary school. The legislation offers parents of elementary school children up to \$2,500 in tax relief, while parents of a child in high school could claim up to \$3,500 in assistance.

Parents who choose to send their children to a Catholic school, or any private school, already pay twice for their child's education: once through their taxes and a second time for the tuition. These out-of-pocket expenses can certainly add up for some families and may pose an enormous obstacle to others. Sadly, many parents struggle—and some may have to forgo a Catholic School education—or any religious based school education—for financial reasons.

Recognizing the unique and enriching educational value that Catholic schools provide, I feel it is important that every parent have the option to send their children to such a school if they wish. It is important to note that not only parents of children in the Catholic School system will benefit from this legislation. The tax relief contained in my proposal can be utilized by parents of children in private and public schools to pay for a variety of educational expenses. Most significantly, the tax credits are designed to help parents with the cost of tuition. However, the tax credits can be used to help meet the costs of other educational needs: (1) computers, educational software, and books required for course of instruction; (2) academic tutoring; (3) special needs services for qualifying children with disabilities (4) fees for transportation services to and from a private school, if the transportation is provided by the school and the school charges a fee for the transportation; and (5) academic testing services.

The Education, Achievement and Opportunity Act proposes a tax credit, not a voucher, so the total amount of educational resources available for all school age children will increase. Under a voucher system, if a school loses enrolled students to a competing school, that school may lose the funding along with the student. Under my plan, that negative outcome is avoided.

There are over 59 million youngsters in elementary and secondary schools across the U.S. today—about 10 percent of these students are enrolled in private, parochial and rabbinical schools. If the public education system had to suddenly absorb all of these students, they would be financially unable to do so. Therefore, the public schools benefit from the existence of the private schools as well.

As every child is unique, so are their educational needs. It is important to support our nation's public school systems which are critical in providing educational opportunities for all. At the same time, it is important to support

those parents who have a desire to provide a secure academic education for their children but in a faith oriented setting.

It is my belief that the tuition tax credit should be available to all, no matter what their race, color or national origin. And make no mistake: the public school system will and must continue to remain the backbone of our nation's education system. However, we must never forget that the public school system was created to serve students—not the other way around. If a student is performing poorly in a school for one reason or another, parents should have the opportunity to move their child to what may be a better setting. And the federal government should help—not stand in the way.

To truly make good on our promise that “No Child is Left Behind,” ensuring that Catholic Schools are included in this national promise brings us closer to achieving this important goal. A child is a child, regardless of which school system they are enrolled. The children enrolled in Catholic, private and rabbinical schools deserve nothing less than our full support.

I urge my colleagues to support the Education, Achievement and Opportunity Act.

TRIBUTE TO MR. EDWARD  
MALCOLM CHAPMAN

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. SHAYS. Mr. Speaker, I rise to mourn the death and celebrate the life of Mr. Edward Malcolm Chapman.

Edward Malcolm Chapman was born in Greenwich, Connecticut to Malcolm and Jessie Chapman on December 14, 1942.

While growing up in Greenwich, Ed attended the Greenwich school system. He was a member of the high school choir, played in the band where he was the first student to go Allstate in their freshman year. He attended Bethel A.M.E. Church where he sang in the choir. He graduated from Westchester Business School and graduated with a degree in Business and attended music school in Stamford, Connecticut.

Eddie entered the work force at a young age. He held several positions in the work force from the technological end to the consultive; Bunker Ramo; Perkin Elmer; and Digital Equipment Corporation. He spent the last nine years of his career at Drake Beam Morin, “DBM” becoming a very present part of the lives of many displaced individuals, consulting and encouraging them to be ever faithful in their present journey.

In keeping a rhythm with all life's great gifts, Ed was able to hit the golf course before photographing his five grandchildren, in the middle of preparing egg rolls in the wok to the melodious sounds of Stan Getz, all while hearing, listening, and understanding the problems of others.

He openly received the Lord and Saviour Jesus Christ into his life in 1997 while attending Full Harvest International Church under Bishop Clarence E. McClendon. He was baptized in the summer of 2002, and excitedly proclaimed the Word of God with every opportunity. It is Ed's fondest wish that we continue to convey the Gospel throughout the world.

He is survived by his wife, Pamela Chapman; his parents, Malcolm and Jessie Chapman; his children, Darlene, Kimberly, Darrin, and Jamal; his brother, Arnold; his sisters, Deborah and Diane; his five grandchildren, Olivia, Austin, Karl, Lauryn, and Xavier; and a host of family and friends.

Ed's giving and loving spirit lives on through all who survive him and his presence though never forgotten will often be missed.

CONGRATULATIONS TO JOHN  
KNAPP

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. LEVIN. Mr. Speaker, I rise today to offer congratulations to John Knapp on his retirement from the city of Roseville.

Occasionally, we hear of people who are described as “fixtures of their communities.” John Knapp is a good example of what is meant by this term. For all the years that I have had the pleasure of serving in Congress, John Knapp has been serving the people of Roseville, Michigan. Since I began representing the city of Roseville a few years ago, John Knapp and the city of Roseville have always seemed to be a perfect match—they both epitomize the best in the definition of “community.”

John Knapp has held the position of City Manager in Roseville since April 11, 2000. He came to Roseville in 1984, where he held the position of City Controller for over 15 years. Thereafter, John served as Interim City Manager, in addition to his duties as City Controller, from December 31, 1999, until his formal appointment in April, 2000. John's life of public service began long before this in the Wayne County Treasurer's Office, where he served for over 22 years.

During John's years as City Manager of Roseville, he oversaw the completion of the building addition to the Roseville Police and Court Building. He was also instrumental in the development of Veteran's Memorial Park.

Mr. Speaker, I ask my colleagues to join me in applauding John Knapp for his years of effective service to the city of Roseville and for his tireless commitment to the well-being of its citizens. My best wishes to John with whom I have been privileged to develop a personal friendship, and to his wife of 40 years, Karen, for a healthy and happy retirement.

THE SHUTTLE WILL FLY

HON. TOM DELAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 2005

Mr. DELAY. Mr. Speaker, I rise to honor the victims of the space shuttle *Columbia* disaster, and also to honor the survivors here on the ground, who have worked without interruption for two years to see that the legacy of those seven explorers lives on.

Against a striking blue sky that Saturday morning, the shuttle burst like a star, and our friends, our astronauts—who, as President Bush said, faced their dangers willingly because they knew they had a “high and noble purpose in life”—were gone.

That day our Nation mourned their loss and gave thanks that such men and women lived.

And that day, our space program, brought low by tragedy, began a new ascent in the hard, hard work of discovery.

Because no organization works with higher stakes, no organization has ever had to be as good as NASA at recovering from mistakes and adapting to new and more dangerous challenges.

That is why, as we remember the *Columbia* seven, those of us still inspired by America's mission in space joined our sorrow with hope when we heard the news that the shuttle could soon return to flight.

NASA's “Return to Flight Task Force” reported this week that the space shuttle *Discovery* could be cleared to fly again as early as this summer.

This news is not only great, Mr. Speaker, but noble.

The legacy of the *Columbia* seven was a legacy of exploration and discovery not despite the risks, but, in a way, because of the risks—because knowledge has no price.

Every astronaut who has ever suited up for NASA is driven by the same spirit that drew early man out of his cave and into the light.

We crossed an ocean, then a continent, and walked the surface of the moon, not in search of profit but knowledge.

America's mission in space is nothing less than the answering of ancient questions, on behalf of all the nations and all people who have ever stared into the night sky and wondered.

Intrepid, wise, and good, the *Columbia* seven—sons and daughters, brothers and sisters, parents and friends—left us that day two years ago, but their souls echo still in the brave and brilliant they left behind at NASA.

The shuttle will fly, Mr. Speaker, and the *Columbia* seven wouldn't have it any other way.

So today, we remember, we mourn, and we hope, confident as Americans always are, that those who died in a quest to conquer ignorance can never die in vain.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 3, 2005 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## FEBRUARY 7

Time to be announced

Homeland Security and Governmental Affairs

Business meeting to consider the nominations of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security, and Allen Weinstein, of Maryland, to be Archivist of the United States.

Room to be announced

## FEBRUARY 8

9:30 a.m.

Foreign Relations

To hold hearings to examine stabilization and reconstruction regarding building peace in a hostile environment.

SD-419

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the role of credit rating agencies in capital markets.

SD-538

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine the implementation of Titles I through III of P.L. 106-393, the Secure Rural Schools and Community Self-Determination Act of 2000.

SD-366

2 p.m.

Finance

To hold hearings to examine revenue proposals in the President's proposed budget for fiscal year 2006.

SD-215

## FEBRUARY 9

11:30 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

2:30 p.m.

Environment and Public Works

To hold hearings to examine the President's proposed budget for fiscal year

2006 for the Environmental Protection Agency.

SD-406

## FEBRUARY 10

9:30 a.m.

Armed Services

To hold hearings to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program.

SH-216

Foreign Relations

To hold hearings to examine lessons learned regarding the tsunami response.

SD-419

Judiciary

Business meeting to consider pending calendar business.

SD-226

## FEBRUARY 15

9:30 a.m.

Indian Affairs

To hold hearings to examine the President's fiscal year 2006 budget request for Indian programs.

SR-485

10 a.m.

Veterans' Affairs

To hold hearings to examine the Administration's proposed fiscal year 2006 Department of Veterans Affairs budget.

SR-418

2:30 p.m.

Foreign Relations

To hold hearings to examine CIA document disclosure under the Nazi War Crimes Disclosure Act.

SD-419

Judiciary

To hold hearings to examine certain issues relative to CIA document disclosure under the Nazi War Crimes Disclosure Act.

SD-226

## FEBRUARY 16

9:30 a.m.

Indian Affairs

To continue hearings to examine the President's fiscal year 2006 budget request for Indian programs.

SR-485

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to Congress.

SD-106

## FEBRUARY 17

9:30 a.m.

Armed Services

To resume hearings to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program.

SH-216

Foreign Relations

To hold hearings to examine democracy on the retreat in Russia.

SD-419

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine National Park Service's implementation of the Federal Lands Recreation Enhancement Act.

SD-366

## MARCH 1

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2006 for the Department of the Interior.

SD-366

## MARCH 2

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2006 for the Forest Service.

SD-366

## MARCH 3

9:30 a.m.

Armed Services

To resume hearings to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program.

SH-216

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2006 for the Department of Energy.

SD-366

## MARCH 8

9:30 a.m.

Armed Services

To hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2006.

SH-216

2 p.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the Disabled American Veterans.

345 CHOB

## MARCH 9

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the Veterans of Foreign Wars.

SH-216

## MARCH 10

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentations of the Blinded Veterans Association, the Non-Commissioned Officers Association, the Military Order of the Purple Heart, the Paralyzed Veterans of America and the Jewish War Veterans.

345 CHOB

## APRIL 14

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentations of the Military Officers Association of America, the National Association of State Director of Veterans Affairs, AMVETS, the American Ex-Prisoners of War, and Vietnam Veterans of America.

345 CHOB

APRIL 21

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentations of

the Fleet Reserve Association, the Air Force Sergeants Association, the Retired Enlisted Association, and the Gold Star Wives of America.

345 CHOB

SEPTEMBER 20

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the American Legion.

345 CHOB