also had oversight and acted as the media contact for the 1998 Shell Oil Spill in Carquinez Strait of Northern California which ultimately led to a $19 million settlement. He was instrumental in the $1 million settlement agreement with Browning Ferris Industries to help restore Pilarcitos Creek in San Mateo County, CA.

Throughout his life, Brian Hunter has been an ardent supporter of recreational fishing and hunting programs throughout northern California. He has encouraged, supported and participated in numerous youth hunting and fishing programs. He developed animal capture and restraint protocols and wrote the handbook for animal capture as well as developing the training class. He has served as the associate editor of TRACKS and on the editorial advisory board of the Outdoor California magazine which is regularly published by the Department of Fish and Game. Perhaps Brian's greatest accomplishment has been in the hiring, training and mentoring of numerous successful Fish and Game Employees.

Brian is a devoted family man as well. He is married and two children, ages 33 and 35. In his spare time Brian prides himself as a hunter, angler, observer of nature and a purveyor of common sense.

Clearly Brian Hunter has been a valuable asset to the people and the wildlife of northern California. His distinguished career record speaks for itself. It has been my honor to represent Brian as both a State Senator and now as a Congressman. For these reasons I move that we recognize and honor Brian Hunter for his outstanding achievements and service to the State of California.

INTERNET NONDISCRIMINATION ACT OF 2000

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3709) to make permanent the moratorium enacted by the Internet Tax Freedom Act as it applies to new, multiple, and discriminatory taxes on the Internet,

Mr. SANDLIN. Mr. Chairman, I rise today to address H.R. 3709, The Internet Nondiscrimination Act. The Internet transformed business and commerce in a revolutionary fashion. Congress now must face the daunting task of shaping policy concerning its taxation.

Mr. Chairman, I come from East Texas, a region that has a heavy concentration of small businesses. Under law, these businesses are required to collect sales tax. In 1992, the U.S. Supreme Court ruled that states cannot require businesses without a physical presence in their geographic area to collect and remit sales taxes. Small businesses were essentially rendered uncompetitive under this ruling. These ''brick and mortar'' stores now face extinction because they are forced to compete with online businesses who do not have to collect state and local taxes.

As things stand, state and local governments lose about $5 billion annually in uncollected sales taxes on mail order purchases and are expected to lose about $15 billion annually in uncollected sales taxes on Internet purchases by the year 2003. I am aware that the Internet is the engine driving current economic growth and am in no way trying to jeopardize its growth. The Internet provides access to products that my rural constituents would not otherwise be able to purchase. However, I believe that electronic commerce and small business should exist on a level playing field with regard to taxation. It is time that Congress begins to address the task of creating a fair tax code for online retailers and their brick and mortar counterparts.

I urge my colleagues to work toward a technology neutral, simplified, sales tax system which guarantees that buyers and sellers are treated equally. it is important that Congress be given and appropriate period of time to build a consensus on the long-term solution to Internet taxation issues. We must be careful to avoid a hasty, ill-conceived tax system that places unnecessary tax burdens on our consumers and sellers.

I stand in support of H.R. 3709, The Internet Nondiscrimination Act. It is my hope that, in the future, Congress will go one legislative step further and address the issues surrounding e-commerce taxation.

SAMUEL B. MOODY BATAAN DEATH MARCH ACT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 2000

Mr. MICA. Mr. Speaker, today I am introducing legislation in the name of a special and dear friend who valiantly served in World War II and survived the treacherous Bataan Death March. The ''Samuel B. Moody Bataan Death March Compensation Act'' would provide compensation to those individuals who were forced to partake and held imprisoned following the ruthless procession.

Last year, Sam Moody passed away in Central Florida. I first met Sam in my civic activities in central Florida some years ago. However, I never really knew much about his background until some years ago when I invited Sam and several other veteran leaders to a small luncheon gathering.

As we sat together, I asked each of the veterans to relate some of their military service recollections after lunch to our group. Sam Moody started off rather hesitantly but he began telling an incredible story.

In 1942, American and Filipino troops fought bravely against the Japanese army during the Second World War on the Bataan Peninsula in the Philippines. Due to the low supplies and no hope of reinforcements, these men fought valiantly until they were forced to surrender to the enemy.

Within six days, the troops were corralled in the Mariveles, just south of Bataan. Little did they know, they were in for the journey of their lives—the Bataan Death March. In April of 1942 they began their march from Mariveles to their yet unknown destination of San Fernando—more than 60 miles away. The tropical temperatures in the Philippines during this season were excruciating, many men dying from dehydration and some from exhaustion. Treatment by their Japanese captors was brutal and often fatal as those who could not continue marching were summarily beaten or executed on the spot.

Many marchers attempted to escape into the jungles and some succeeded, however, most were forced to continue on their journey. Once they reached the railroad sidings, the troops were crammed into railroad cars like cattle. They continued to feel the torture of the tropical sun and their 30 mile train journey took close to 4 hours with long stops at various points.

After reaching camp O'Donnel in the jungles of Arlac Province, these soldiers were held as prisoners of war for over 3½ years.

Mr. Speaker, the purpose of the ''Samuel B. Moody Bataan Death March Compensation Act'' is to illustrate that while food and clothing allowances existed for our soldiers the United States failed to pay these benefits to the Bataan Death March survivors during their time spent in captivity.

In fact, those who survived to see their liberation in 1945 also did not receive the promotions or pay grade increases given to their counterparts who were not held as POWs. Pay increases and benefits were a standard part of military service, however, these brave individuals have yet to receive their lost payment.

In an effort to give these brave men their just benefits, I am introducing this legislation to compensate those survivors who were held captive after the Bataan Death March with their earned pay and benefits.

I would like to invite each member of this body to join me in this effort by cosponsoring this legislation. For those who gave so much in service to our Nation deserve to be duly compensated for their sacrifice and valor.

EULOGY FOR GRACE DIEHL

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 2000

Mr. MOAKLEY. Mr. Speaker, I rise to pay tribute to a remarkable woman, Grace Diehl, who passed away last month. Grace was the wife of Leo Diehl, the former assistant and close friend of Speaker ''Tip'' O'Neill. I am inserting the eulogy delivered at Grace's mass by Tom O'Neill, the speaker's son. It is obvious in reading the eulogy that Grace and Leo shared a love and devotion that we all should emulate. I submit this eulogy not only to pay my respect to Grace and her memory, but to share with my colleagues a true love story.

EULOGY FOR GRACE DIEHL

Good Morning to each of you . . . Father . . . Grace's family and friends . . . and especially to you Leo. It is a great honor and a significant responsibility . . . to offer some remembrances about Grace whose long life spanned most of the last century and who . . . thanks in large part to an enviable but mysterios mix of great genes, determination and the constant care and concern of an equally determined husband . . . managed to also celebrate the dawn of this new century.

Grace's life is a remarkable saga, best told in two parts. . . . The years before ''My Leo'' as she liked to call him and the years with Leo, which I know she would agree were her best.

Most good stories begin at the beginning which is where I should start. The problem is

that no one is exactly sure, in Grace's case, exactly where the beginning is. A variety of educated guesses put her date somewhere between 1904 and . . . 1910. And since Grace was an avid believer in the old saying that ''a lady never tells her age'', I will leave it to you to ''do the math''.

In any case, we do know that Grace Shaunessy was both in North Cambridge on August 1st.

Like so many of her generation, the major markers of Grace's life included two World Wars and a Great Depression. But thanks to entrepenurial parents . . . her father, owned a chain of variety stories and, later her mother ran a popular neighborhood tavern . . . Grace's prospects were a lot better than most of the young women of her generation.

She was able to graduate from Cambridge High and Latin and further her education at The Chandler School.

Grace, like her parents, had a good head for business and in many respects was ahead of her time. She was for many years a career woman holding down positions in the foreign exchange department at Jordan Marsh, working for the government distributing those all-important rationed stamps . . . so much a hallmark of the Depression era ... and working in the Tax Department of Cambridge City Hall.

It was there, in Cambridge City Hall, that Leo Diehl, himself a ''tax man'' met and began courting Grace Shaunessy. Leo and my father were both happily employed in the Assessor' Office until the Assessor decided he didn't like politicians and summarily fired both of them.

Leo and Grace began a whirlwind . . . and some would say . . . over-extended courtship that lasted over ten years and included trips to New York . . . properly chaperoned of course by a respectable, married couple . . . my parents! I'm not entirely sure what finally convinced Leo to ''pop the question'' but my hunch is that it had something to do with his feeling the need to settle in to a saner life after helping to run my father's first and notoriously difficult first race for Congress against LoPresti in 1952? In any case, Grace and Leo finally married in 1953, and remarkably, although they both began the married years well into mid-life, their marriage last for almost fifty years.

Grace gave up her career and happily settled into a new life, eventually adjusting to another contemporary twist . . . a commuter marriage. She and Leo bought a house in Belmont and, after a while, built their dream house, complete with a newly-dredged Harbor in Harwichport. Together with their many friends and neighbors . . . the McGuires, the Does, the Maloneys, the Roes . . . and, finally, after a long period impinging on Leo and Grace's hospitality and repeated use of the spare bedroom . . . the O'Neill's finally scraped up enough money to join the rest of the gang.

Those were fun times for Grace and Leo and for my parents and their friends. . . . Saturday nights at the Club, card games and songfests. Grace loved a good party and was always willing to endure Leo and my father's duets. She even enjoyed listening to Leo's famous and often repeated rendition of ''Ten Baby Fingers''. But, after a while, she drew the line on ''I met a Lemon in the Garden of Love Where They Said Only Peaches Grow''!

Beside her business know-now, Grace had many other interests and talents . . . gardening, painting and needlework to name a few. She was always the lady with high standards and excellent taste . . . beautifully dressed . . . the creator of comfortable surroundings. But the center of her universe was, without question, Leo. He doted on her and she enjoyed being doted on. In their later years, when Grace's health began to fail, Leo made sure, with considerable effort, that she got to go out for a ride every day. He handled her every need without complaint and with a patience and devotion that is remarkable and rare. Leo, we know that you have suffered a great loss and that you will miss Grace. I hope that you will rely on the love and support of your family and friends . . . and on the knowledge that you were at Grace's side ministering to her every need until the very end.

Godspeed to you, Leo . . . and to you, Grace.

THE ''BANKING EQUAL TREATMENT ACT'', H.R. 4427

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 2000

Mr. LAFALCE. Mr. Speaker, I am today introducing the ''Banking Equal Treatment Act'' to ensure that all American families have access to basic financial services. It is hard to believe that in this age of Internet banking, online stock trading and embedded options, millions of American families lack the basic passport to the broader economy—a bank account. But, it is true.

According to the Federal Reserve, more than 8.4 million low- and moderate-income families do not now have access to a checking or savings account at a mainstream financial institution. As a consequence, their financial condition, and ability to fully participate in the nation's current economic prosperity, suffers greatly.

For some time now, I have been concerned that we are seeing the development of a dual financial services structure in this country—one for middle and upper income individuals that involves traditional regulated and insured financial institutions; a second for lower-income households that involves higher cost services from lesser-regulated entities check-cashers, pawn shops and other quasi-financial entities.

A 1998 survey found that among Earned Income Tax Credit Claimants who used volunteer tax preparation services in Chicago, 44 percent used a check cashing service to cash their EITC refund check. Some estimate that low-income families may pay more than $15,000 in fees over a lifetime for check-cashing and bill-paying services from less-regulated financial institutions, such as check-cashers and payday lenders. This legislation addresses this inequity in the financial marketplace in a positive way that benefits both consumers and banks.

First, the bill permits the Federal Reserve Banks to pay interest on the so-called sterile reserves that banks, thrifts and credit unions are required to maintain in the Federal Reserve Banks as part of the monetary control apparatus of the Federal Reserve Board. The Federal Reserve Board has testified that paying interest on sterile reserves would be a helpful tool in the conduct of monetary policy. Understandably, many in the industry view the combination of required reserves and the inability to receive interest on those reserves as a tax on the industry and support a repeal of the prohibition.

Second, before the Federal Reserve banks can pay interest on sterile reserves, the Federal financial regulators must require that all banks, thrifts and credit unions offer their customers affordable transaction accounts. Under the bill, an affordable transaction account holder would be permitted a minimum of 8 withdrawal transactions or checks per month for a low monthly service fee. Banks could charge a reasonable fee for other additional transactions, but all fees charged for using these accounts would be capped at amount established by the Federal banking and credit union regulators. The bill gives institutions flexibility. With regulatory approval, a financial institution could offer alternative accounts that are as advantageous to consumers as the low-cost transaction accounts.

This legislation is fair to financial institutions. The Office of Management and Budget and the Congressional Budget Office estimate that permitting the Federal Reserve Banks to pay interest on sterile reserves will return to the banking industry between $600 million and $700 million, after taxes, in the first five years. It would only take a portion of those funds—probably in the $100 million range—to defray the costs to banks of establishing low-cost transaction accounts for the millions of unbanked Americans.

Mainstream financial institutions will benefit in another way. They will find that the low-cost account holders will become good customers. A Federal Reserve study indicates that many low-income families with bank accounts used other bank products, including credit cards, automobile loans, first mortgages and certificates of deposits. This legislation also represents sound economic policy. Research indicates that once ''unbanked'' families enter the doors of depository institutions as regular account holders, they are likely to become savers and begin to accumulate assets.

Another important provision of the bill preserves state laws that provide more advantageous low-cost accounts for consumers. The bill amends the Bank Enterprise Act of 1991 to provide the same protection for stronger state laws. This last provision resolves an alleged conflict between the Bank Enterprise Act and New Jersey's Consumer Checking Account Act, which requires financial institutions to offer low-cost accounts similar to the bill's low-cost transaction accounts. In 1992, the Comptroller of the Currency opined that national banks did not need to comply with the New Jersey statute because the Bank Enterprise Act, as clearly indicated in the report on the bill, preempted that state statute. In 1996, the New Jersey Department of Banking asked the Comptroller to reconsider that opinion. That request is still under consideration. Although Congress did not intend to preempt state law when it adopted the Bank Enterprise Act, this bill effectively resolves the preemption question in favor of the New Jersey statute.

This legislation will work. For a successful example, you can look to my home state of New York, where we do a lot of banking. Since 1994, the State of New York has been requiring all financial institutions within it borders to offer low-cost basic banking accounts to consumers. New York financial institutions are complying with the law to the benefit of all involved.

Mr. Speaker, I urge my colleagues to follow the example of New York and New Jersey and adopt the Banking Equal Treatment Act, so that the millions of American families who have been left out of the financial mainstream