

have more work to do to improve education, let us now appropriate sufficient funds to make the promise of H.R. 1 a reality, and be proud of what we have accomplished for our children's education in this session of Congress.

IN HONOR OF THE STUDENTS OF
CANYON CREST ELEMENTARY
SCHOOL

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. CANNON. Mr. Speaker, many of us have been dramatically affected by the tragic events of September 11th. As we have all learned to cope and express our feelings regarding this tragedy, there have been some shining stars that have risen beyond themselves in an effort to help others. One such group of people is the fifth and sixth grade students of Canyon Crest Elementary School in Provo, Utah.

These wonderful students felt overcome by the events witnessed that day. As the heroes of New York's police and fire departments bravely sacrificed many of their own to save the lives of those trapped in the towers and while many others worked at the Pentagon, these children all wished they could help but felt only helplessness as they watched over 3, 100 miles away. As their determination grew to assist in the recovery effort, these children felt that the best way for them to assist was to express their appreciation for the sacrifices of the heroes and their desire to comfort the many who lost loved ones through writing.

Their writings have been compiled in a book titled *From the Mountains . . .* These touching and heartfelt accounts relate many of the feelings that all of us experienced during the attacks as well as during the weeks following.

Mr. Speaker, today I ask that you and our colleagues join me in honoring the students of Canyon Crest Elementary for their own heroic efforts to help us all to recover and rebuild in this great nation by showing us true patriotism and the meaning of freedom.

FAIR DEBT COLLECTION PRACTICES
TECHNICAL AMENDMENT
ACT OF 2001

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mrs. BIGGERT. Mr. Speaker, I rise to introduce a common-sense technical amendment to the Fair Debt Collection Practices Act. I am pleased that this bipartisan legislation is being cosponsored by my colleagues, Mr. SANDLIN of Texas, Mr. MOORE of Kansas, and CANTOR of Virginia.

For more than two decades, The Fair Debt Collection Practices Act of 1978 has successfully regulated and promoted ethical practices on the part of debt collectors throughout the United States. The Act prohibits abusive or harassing methods of debt collection, and it requires that debt collectors treat consumers fairly.

In 1986, the law was amended to include standards for attorneys who engage in debt

collection, and in general, these new rules have worked well to protect consumers. But there is one small provision in the Fair Debt Collection Practices Act that inadvertently has made it more difficult—if not impossible—for an attorney to act as a debt collector and file documents with a court of law.

Under current law, attorneys face a "Catch-22" when they file a lawsuit against a debtor, and here's why.

The Fair Debt Collection Practices Act requires the inclusion of a specific warning notice in every document related to the debtor, including those filed with a court. This warning notice makes good sense; it provides the debtor with information about his or her rights and responsibilities.

But the inclusion of the information required by the Act often renders the document non-compliant with the rules of the court. As a result, attorneys are caught between a rock and hard place. They can include the warning on court documents and risk being in violation of the rules of the court, or they can exclude the warning and be in violation of the Fair Debt Collection Practices Act.

Even the agency responsible for enforcement of the Fair Debt Collection Practices Act, the Federal Trade Commission, has repeatedly acknowledged this dilemma. But the FTC cannot fix the problem administratively. The agency has recommended a narrowly tailored technical amendment to remedy the conflict between Federal law and the rules of the court. It is this technical amendment that I offer the House today.

Under my bill, attorneys no longer will be forced to choose between violating the rules of the court or violating the Fair Debt Collection Practices Act. They still will be required to include warning notices on all correspondence with debtors, but they will be allowed to omit the warning notices only on documents presented to the court. This simple and straightforward solution maintains the spirit and the intent of the Fair Debt Collection Practices Act while allowing attorneys to remain in compliance with the law and their professional standards.

I urge my colleagues to support this legislation.

FINAL DECLARATION OF THE CONFERENCE ON FACILITATING THE ENTRY INTO FORCE OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. MARKEY. Mr. Speaker, I would like to call to my colleagues' attention the Final Declaration of the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The document follows.

ANNEX—CONFERENCE ON FACILITATING THE ENTRY INTO FORCE OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (NEW YORK, 2001)

FINAL DECLARATION

1. Fully conscious of the responsibilities which we assumed by signing the comprehensive Nuclear-Test-Ban-Treaty, pursuant to

article XIV of that Treaty, and recalling the Final Declaration adopted by the Conference, held in Vienna, from 6 to 8 October 1999, we the ratifiers, together with the States Signatories, met in New York from 11 to 13 November 2001 to promote the entry into force of the Treaty at the earliest possible date. We welcomed the presence of representatives of non-signatory States, international organizations and non-governmental organizations.

2. We reaffirmed our strong determination to enhance international peace and security throughout the world and stressed the importance of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty as a major instrument in the field of nuclear disarmament and non-proliferation in all its aspects. We reiterated that the cessation of all nuclear-weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects and thus a meaningful step in the realization of a systematic process to achieve nuclear disarmament. We therefore renewed our commitment to work for universal ratification of the Treaty, and its early entry into force as provided for in article XIV.

3. We reviewed the overall progress made since the opening for signature of the Treaty and, in particular, the progress made after the Conference held in Vienna from 6 to 8 October 1999. We noted with appreciation the overwhelming support for the Treaty that has been expressed: the United Nations General Assembly and other multilateral organs have called for signatures and ratifications of the Treaty as soon as possible and have urged all States to remain seized of the issue at the highest political level. We highlighted the importance of the Treaty and its entry into force for the practical steps for systematic and progressive efforts towards nuclear disarmament and non-proliferation, which were identified in 2000 at international forums dealing with nuclear disarmament and non-proliferation. We believe that the cessation of all nuclear-weapon test explosions or any other nuclear explosions will contribute to the accomplishment of those efforts.

4. In accordance with the provisions of article XIV of the Treaty, we examined the extent to which the requirement set out in paragraph 1 had been met and decided by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the early entry into force of the Treaty.

5. Since the Treaty was adopted by the United Nations General Assembly and opened for signature five years ago, progress has been made in the ratification process. As of today, 162 States have signed and 87 States have deposited their instruments of ratification, an increase of over 70 per cent compared with the number of ratifications at the time of the Conference held in 1999. Of the 44 States listed in Annex 2 to the Treaty whose ratification is required for the entry into force of the Treaty, 41 have signed, and of these, 31 have also ratified the Treaty. A list of those States is provided in the appendix. Progress in ratification has been sustained. We welcomed this as evidence of the strong determination of States not to carry out any nuclear-weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under their jurisdiction or control.

6. Despite the progress made and our strong support for the Treaty, we noted with