

EXTENSIONS OF REMARKS

INTRODUCTION OF SPECTRUM COMMONS AND DIGITAL DIVIDENDS ACT OF 2003

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. MARKEY. Mr. Speaker, today I am introducing the "Spectrum Commons and Digital Dividends Act." I am proposing this measure in order to advance three key goals: (1) establishment of a "Spectrum Commons;" (2) creation of a permanent public interest telecommunications trust fund for education technology grants; and (3) ensuring that sound wireless telecommunications policymaking is not unduly skewed by unrelated budgetary initiatives.

SPECTRUM COMMONS

Mr. Speaker, the legislation I introduce today promotes the goal of creating a "Spectrum Commons." High tech manufacturers, entrepreneurs and the proverbial "kid in the garage" could make more robust use of wireless communications if sufficient spectrum were available in unlicensed form for the general public. The bill requires the FCC to establish a 20 MHz band of contiguous frequencies below the 2 GHz band, as well as between 3 to 500 MHz located between the 2 GHz and 6 GHz bands. These swaths of airwaves would constitute the "Spectrum Commons" and therefore would remain open to the public and unlicensed. Such a public set-aside could foster the formation of an open platform for innovation, entrepreneurial activity, and public communications.

An unlicensed area of the airwaves will permit the public, through the use of "smart" radio technology and better receiver equipment, to harness the airwaves for countless applications but only if the government is willing to give back to the public a portion of its own airwaves in such an unlicensed format. From "wi-fi" technology and low power "Bluetooth" wireless connections, to so-called "802.11" and successor protocols, wireless local area networks and Net connections, utilization of publicly available airwaves can help connect people and businesses in cost-effective and spectrum-efficient ways. Moreover, the designation of cleared bands at such different locations in the frequency spectrum sets the stage for varied applications to emerge reflecting the respective physical properties that such bands currently possess.

The "Spectrum Commons" will also help to propel economic growth and innovation by opening up the airwaves to new marketplace entry by individuals and entities unaffiliated with established network providers, such as incumbent cable, telephone, or wireless carriers. In addition, ensuring sufficient unlicensed spectrum would also militate against unhealthy consolidation of spectrum in the hands of too few providers.

DIGITAL DIVIDENDS TRUST FUND

Mr. Speaker, when the FCC does decide to proceed with auctions as a means of granting licenses for use of the public's airways, I believe that the public deserves to reap the benefits of the sale of licenses to its airwaves. Yet these benefits should not only manifest themselves in the offering of new commercial services or the temporary infusion of cash into the Federal treasury as under current law. I propose in this legislation that the public should also enjoy the "dividends" that can be reaped by reinvesting money raised through use of a public asset in a manner designed to promote educational technology projects, educational software R&D, as well as initiatives addressing the digital divide.

The bill I am introducing today creates a trust fund, capped at \$5 Billion, to cover any reasonable relocation costs incurred by Federal government users of the spectrum when they are moved to other frequency locations. This \$5 Billion figure does not represent the full extent of financial assistance available to Federal agencies, it merely reflects the amount that will be available to them through auction revenue. Any additional relocation costs above that amount can be paid for through the traditional appropriations process by which Congress operates and funds such necessary government costs and services.

The bill proposes taking any surplus auction revenue and creating a permanent trust fund (the "Digital Dividends Trust Fund") from wireless auction revenue in order to fund such public interest telecommunications initiatives. Splitting the grants into two general categories—"human capital telecommunications investments" and "broadband infrastructure investments for public access and rural development"—the Digital Dividends Trust Fund authorizes grants for the following initiatives:

Training of teachers & other personnel at schools and libraries eligible for E-rate funding;

R&D for cutting-edge educational software designed to enhance learning in schools; Digitizing educational materials held in our nation's libraries, archives, and museums;

Technology projects supported by volunteers enrolled in AmeriCorps, Projects enhancing the access of individuals with disabilities to advanced telecommunications services;

Retraining workers and unemployed individuals with skills applicable to the new economy;

After-school programs for youth focused on computer literacy and interaction;

Local and regional programs to expand access to advanced telecommunications in areas available to the general public;

Broadband deployment to low-income housing and community centers and to unserved rural areas; and,

Conversion of public radio and television broadcasting stations to digital broadcasting technology.

Finally, Mr. Speaker, it is important that telecommunications policymaking reassert itself in

wireless policy, where for too long budget priorities have warped sound policy. Since Congress first enacted legislation in 1993 to permit the Federal Communications Commission (FCC) to distribute certain airwave licenses to the public through the use of auctions, the FCC has used this licensing mechanism numerous times and the U.S. Government has reaped billions of dollars for general revenue purposes. The initial principle behind auctions was to enhance telecommunications policy goals through the efficient licensing of frequency spectrum, where the revenue an auction raised represented an additional benefit to the taxpayer.

Over time, however, the use of auctions has become perverted. They are increasingly advocated primarily for purposes of raising general revenue irrespective of whether such auctions advance sound telecommunications policy. Moreover, the money raised from auctions has been sent directly to the U.S. Treasury. The money from telecommunications auctions was not reinvested in order to enhance our democracy, bridge the digital divide, or promote public interest telecommunications projects. Instead, the auction of licenses for use of the public's airwaves has been subjected to the alchemy of budget scorers intent on transforming thin air into gold.

Legitimate telecommunications policy objectives are often undermined by proposals to auction certain slices of the airwaves on a date dictated by budgetary scoring needs. Instead, auctions should only be scheduled once the appropriate telecommunications policy goals have been agreed upon and the conditions necessary for successful licensing through auctions have been secured.

This legislation requires the FCC, prior to scheduling upcoming auctions, to take action to achieve the timely transition to digital television by establishing rules governing must-carry issues, minimum programming and broadcasting requirements, and digital television receiver benchmarks. It also directs the NTIA and the FCC to take action to secure additional spectrum for advanced wireless services—including mobile services such as so-called "3G" services. Sound telecommunications policy, consistent with the public interest, would be greatly furthered by putting the "policy horse" back in front of the "auction cart." The bill seeks to re-establish this principle in wireless policy.

Mr. Speaker, my Telecommunications and Internet Subcommittee colleague and chairman, Mr. UPTON, has companion legislation addressing similar subject matter. I look forward to working with him, Energy and Commerce Committee Chairman TAUZIN, Ranking Member Mr. DINGELL, and other interested members on these telecommunications initiatives and hopefully, by working together constructively, we can achieve consensus legislation for the House to consider later this year.

• 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.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Ms. CARSON of Indiana. Mr. Speaker, on Wednesday, March 19, 2003, I was unavoidably detained in my district of Indianapolis. Had I been present in Washington for votes, it was my intention to vote the following ways:

Rollcall No. 68—"aye."
 Rollcall No. 69—"aye."
 Rollcall No. 70—"aye."
 Rollcall No. 71—"aye."
 Rollcall No. 72—"aye."
 Rollcall No. 73—"aye."
 Rollcall No. 74—"aye."

THE INTRODUCTION OF A HYDROGEN AND FUEL CELL TECHNOLOGY

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. LARSON of Connecticut. Mr. Speaker, in the January 28, 2003, State of the Union Address, the President proposed a \$1.2 billion hydrogen fuel initiative to reverse America's growing dependence on foreign oil by developing the technology for commercially viable hydrogen-powered fuel cells to power cars, buses, trucks, homes and businesses with no pollution or greenhouse gases. Over the next five years, the proposed hydrogen fuel initiative would develop the technologies and infrastructure to produce, store, and distribute hydrogen for use in fuel cell vehicles and electricity generation.

I rise today to introduce a Hydrogen and Fuel Cell Technology Authorization bill that would fully authorize the President's hydrogen fuel Initiative, providing a total of \$1.2 billion over 5 years. Specifically, the bill would fully authorize funding for the President's Fiscal Year 2004 Hydrogen, Fuel Cells, and Infrastructure Technologies budget request at \$182 million and provide an additional \$1.018 billion across the following 4 years to fully fund the initiative through FY08.

Both the Fuel Cell Technology programs and the Hydrogen Technology Programs authorized in this bill are identified as key components of the Administration's FreedomCAR initiative in the FY04 budget proposal and represent a significant portion of the overall programs that make up FreedomCAR. This initiative has also been developed in response to the recommendations of the May 2001 National Energy Policy (NEP), which specifically recommended: (1) the development of next-generation technology, including hydrogen and fusion; (2) Development of an education campaign that communicates the benefits of alternative forms of energy, including hydrogen and fusion; and (3) Focused research and development efforts on integrating current programs regarding hydrogen, fuel cells, and distributed energy.

Additionally, the bill ensures a continued focus on "core" fuel cell power plant technology research and development programs that will be necessary to accelerate the tech-

nology to meet the goals established to bring this technology to market. These core elements include programs that help to address low cost, high-efficiency, fuel flexible, modular fuel cell power systems, improved manufacturing production and processes, high temperature membranes, cost effective fuel processing for natural gas, fuel cell stack and system reliability, durability and cold start capability.

Pursuing the development of this technology strikes at the very core our national security, economic stability, and environmental conscious. We have before us, for the first time in human history, the technology to provide clean, reliable energy for every person, home, business, and vehicle in America. With this technology, we have the opportunity to end once and for all America's reliance on foreign energy sources while at the same time creating quality jobs for the next century in a new and expanding technological field.

I urge my colleagues to support this initiative.

A THREAT TO TAIWAN

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. ROTHMAN. Mr. Speaker, I have serious concerns regarding the constant threat to Taiwan from missiles in China, and the signal that this military buildup sends to both the people of China and the people of Taiwan about the eventual peaceful resolution to the Taiwan dispute.

Currently, there are more than 400 Chinese missiles targeted on Taiwan, with fifty or more being added each year. Also, China has devised strategies to destroy Taiwan's political, communications, and production centers within days. What is even more menacing is that China has reiterated that it will use force against Taiwan if Taiwan refuses to accept China's "one country, two systems" unification formula.

I believe that China's intimidation of Taiwan questions its seriousness about being considered a major world power. China must not ignore Taiwan President Chen Shui-bian's repeated pleas for resumption of a cross-strait dialogue. If war breaks out in the Taiwan Strait, China, Taiwan and the rest of the countries in the Asian Pacific will all suffer irreparable economic and political damage.

We in the United States feel most strongly that a military clash in the Taiwan Strait must be avoided. I call upon the Chinese government to dismantle the hundreds of missiles targeting Taiwan and to embrace peace in managing its relations with Taiwan.

PAYING TRIBUTE TO THE WORDS OF MATT ETHERIDGE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, at the dawn of this new century, we are engaged in an epic struggle, testing whether this nation, dedicated

to life, liberty and the pursuit of happiness, can defend freedom throughout the world. Many of our nation's brave young men and women have answered the call of service and are currently advancing freedom's cause.

Mr. Speaker, at this very moment, Matt Etheridge of Ridgway, Colorado is serving his nation honorably in the war to liberate Iraq. Recently, Matt sent his mother an email indicating his disappointment as a Navy Sailor in the shortsighted demonstrations of anti-war protestors. Below is the text of that letter:

Dear America,

I am a United States Navy Sailor. I am from Ridgway, Colorado. I have been in the Navy for almost two years. My job here is an Aviation Ordnanceman. My shipmates and I are part of a team that helps to create population control and our profession is landscaping technicians. I have been to 5 different countries, seen 3 different oceans, and have sailed three quarters of the way around the world with 5000 men. I have been away from the people that I love for at least 6 months. When I want to call home it costs a dollar a minute. Sounds great, huh. You should try the food. Could you handle it? Yet I am still proud that I am here doing this for my family and friends. The people that love to have rights, love to be educated and love to have freedom. Did I mention that I am only 20 years old?

How many people in America can sit there and say that they have done anything like that and still serve and protect the country? How about only the people that signed on that little dotted line to risk their lives for the things that they truly believe in. Are they scared? What do you think? Of course they are. They have no idea what is going on and how the outcome will be. They have no idea what is going to happen to them or what is going on with their families at home. We are here to keep you safe and help protect all the things that you love so much. Do you (ANTI-WAR PROTESTERS) think that the military is a joke? Are we here just to look good?

What are the people in America doing? We are the ones here so that you the people do not have to be. I am not talking about everyone. I am talking about the pussy people that have no idea what it is like to be in our shoes and have no respect for us. What if the war was there? What would you do? Would you pick up a gun and protect your families? If we were not the police of the globe we would be taken over by a man that rapes and de-virginizes little innocent 15 year olds. I really do not care what you are all protesting against. Where do you all get your freedom? The Constitution, but we are the ones that enforce it. I guess you do not like to be free.

Do you people really understand what you have? You have no clue. You all have it so good. I think that you all should see some of what goes on in other places. Kids in other countries running around with guns, people burning our national emblem. What kind of barbaric B.S. is that? What would you do if you lost all of your rights? I bet you are glad that we would die for our country and you so that you do not have to live in fear.

I would love to see someone go up to one of the men or women in the Marines sitting 5 miles off Iraq and tell him that he is doing wrong. If you all hate America and what is happening, leave, who would really care? That is your "right." If our nation had a draft I bet all you all would tuck tail and run. We sign so that you do not have to.

Do you even remember what happened to the people of 9-11? Do you even care? Is that just the past and a memory now? Innocent Americans died trying to make a living.

What if you were one of them? I guess we should just stop and let go. Yeah right!

Anti-war protesters are all followers. You should believe in life, liberty and justice for all. Not some rich fancy celebrity just because you like his/her show. I saw a 16 year old female on the news. She said that sixth period was not as important as protesting. How would she even know? Has she been to other countries? She should see what we have. Children all starving and buildings in ruins. Yes we have it in the U.S. but not nearly as bad. You are all lucky. We all are. At least you can go out and get a job if you need to. Hello, welcome to McDonalds, may I help you?

So here I say: No one really wants to go to war. Sometimes it is the action that we must take. Should we just come home and let the world take us over? Uhhh, NO! Protestors, like yourselves, are the people that get mad if someone cuts a tree down or if we eat a cow. I bet a good number of you drive. STOP! You are polluting the air. I will still drive if I need to be someplace and I like my steak medium-well. Do I care? Yes I do.

Our President will make the decision. What he says goes. I respect that and I am ready to do whatever he says and so are all the men and women in the Armed Forces. This is why we are here. When he says "Go" we are on our way. That is why we are getting a raise and we deserve it. Who cares if you do not like it?

As an Army man said, "We are the ones here fighting, so really you do not have a say so!" I am with him.

I would like to thank all the people that support us. I know that my Mom is very worried about me but I know she loves and misses me. I love you all so much and I miss you more than anything.

To all those who oppose and protest, go ahead and do it, whatever! We know who the real men and women are in the U.S.A.!!

I bleed red, white and blue!!

You are right "God blesses everyone." America is #1 on my list.

I wrote this and it is what I feel. I would like it if you passed it on and maybe write back an opinion or something.

Signed, A disappointed Navy Sailor,

MATTHEW A. ETHERIDGE.

Members of this Congress and the American public should sincerely consider Matt's words. Those who seek the true meaning of duty, honor, and sacrifice will find it in devoted servants like Matt Etheridge. I believe his letter to America makes his point very clearly. Mr. Speaker, it should never be in doubt that our nation's servicemen and women have our support, and remain in our thoughts and prayers.

RECOGNIZING THE VON STEUBEN PANTHERS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. EMANUEL. Mr. Speaker, believe it or not, Von Steuben Metropolitan Science Center's basketball team has a chance at the state title. Now, that might not mean much to many of my colleagues, but for those of us who live on the North Side of Chicago, Von Steuben's appearance in the Elite Eight, their first since 1938, is a big deal.

Von Steuben's season did not begin that well. In fact, they lost four of their first five games, but the Panthers rebounded. On Mon-

day, March 17, 2003, they convincingly defeated Brother Rice 65-56 to secure the Class AA supersectional.

Every student should be proud of Von Steuben, and not only because of their success on the basketball court, but because Von Steuben is truly a great school. There are many different types of Chicago Public Schools. Von Steuben is a "science center," meaning it has stronger math and science curriculums than most of Chicago's public schools. It is this demanding and stimulating college preparatory curriculum, combined with the school's diverse student body, innovative teaching methods and state-of-the-art technological equipment which set it apart. I'm proud to represent Von Steuben and honored to congratulate its basketball team.

Mr. Speaker, tomorrow the Panthers of Von Steuben will play Peoria Central. I wish Von Steuben the very best of luck and know that regardless of the outcome, the residents of Chicago and the Albany Park Neighborhood are proud of their accomplishments.

TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

SPEECH OF

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mr. SHAW. Mr. Speaker, I rise today in strong support of H.R. 1308, and in particular, a provision I offered in the Ways and Means Committee during consideration of another tax measure. This provision is very simple, and very fair—it will provide tax benefits to the families of the victims of the Columbia Shuttle disaster. In the same manner our government provides benefits to the families of soldiers killed in the line of duty or to victims of terrorist attacks, I offered this provision to honor the spirit and courage of our nation's brave astronauts.

Under current law, when a soldier is killed in the line of duty or a citizen is the victim of terrorism, our government views all income received in the year of their death, or the preceding year, as exempt from income tax. In addition, any death benefits paid by the U.S. Government or employers to the families of the victims are also exempt from taxation. And finally, we reduce the state tax of the heirs to 20%.

H.R. 1308 would extend these modest benefits to all astronauts who die in the line of duty, beginning with the families and victims of the Columbia tragedy. These seven men and women gave their lives exploring the bounds of human experience. For their sacrifice and contributions to our nation and mankind, we wish to honor them by caring for the financial security of their loved ones.

I would add that this provision was adopted in Committee without dissent. Although it would provide much needed, meaningful relief to the families of our astronauts, its revenue impact is negligible.

Finally, Mr. Speaker, I would be remiss if I didn't commend our colleague CHET EDWARDS of Texas who originally filed legislation extending these benefits to astronauts. I appreciate his leadership on this most solemn and important measure.

Mr. Speaker, I urge my colleagues to demonstrate their support for our astronauts by voting for H.R. 1308. Our nation is forever in their debt.

AMERICAN CITIZENSHIP AMENDMENT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. PAUL. Mr. Speaker, I rise to introduce the American Citizenship Amendment. Under current U.S. laws, any person born on American soil can claim American citizenship, regardless of the citizenship of that child's parents. This means that any alien who happens to give birth in the United States has just given birth to an American citizen, eligible for all the benefits and privileges afforded to citizens.

Mr. Speaker, this is unacceptable and is far from what our Founders intended when they drafted the Constitution. It undermines the very concept of citizenship as enshrined in the United States Constitution: to be constitutionally entitled to U.S. citizenship one must be "born . . . in the United States" and "subject to the jurisdiction thereof." This second, and most important, part means that in order to gain U.S. citizenship one must owe and actively express allegiance to the United States in addition to the act of being born on United States soil.

What the current state of events has led to is a booming business in smuggling pregnant mothers over the border to give birth to new "American" citizens, who in turn become eligible for all the benefits thereof. Practically, what this does is cheapen citizenship: rather than impart all the obligations and responsibilities of being an American it becomes merely a ticket to welfare and other benefits. The history of the United States is that of immigrants: individuals from diverse backgrounds accepted the obligations of citizenship in exchange for the great benefits of living in the freest nation on earth.

This proposed Constitutional amendment restores the concept of American citizenship to that of our Founders. This legislation simply states that no child born in the United States whose mother and father do not possess citizenship or owe permanent allegiance to the United States shall be a citizen of the United States. It is essential to the future of our constitutional republic that citizenship be something of value, something to be cherished. It cannot be viewed as merely an express train into the welfare state.

NATIONAL BOARD-CERTIFIED TEACHERS IN LOW-PERFORMING SCHOOLS ACT OF 2003

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mrs. DAVIS of California. Mr. Speaker, I am pleased to introduce the National Board-Certified Teacher in Low-Performing Schools Act of 2003 to place these highly skilled teachers

as facilitators in low-income low-performing schools.

A huge challenge for our schools is to help low-achieving students improve their academic performance. How do we make this happen? Many studies have shown that the single most critical component for a child's success is the quality of each teacher.

Districts across the country are struggling with ways to comply with The Elementary and Secondary Education Act, H.R. 1, known as the No Child Left Behind Act of 2001. It requires that every classroom will have a highly-qualified teacher, but the definition of "highly-qualified" is not clear. The road to creating more highly skilled teachers is also unclear.

However, we do know that teachers who have successfully completed the rigorous, standards-based teaching evaluation and testing program run by the National Board for Professional Teaching Standards are 'highly qualified.' What we need to do is to encourage more of these highly accomplished teachers to seek positions in the most needy schools. Low-income, low-performing schools typically have newly hired teachers, many of whom are not fully credentialed or trained in teaching skills.

In California, I authored legislation to reward successful National Board candidates with a \$10,000 merit award. One result of this recognition has been that this year the number of successful candidates was ten times the number in 1998, when the legislation was passed. In addition, the state gives an annual \$5000 pay incentive for four years to each National Board Certified Teacher who seeks assignment to a low-performing school.

I propose to build on this method of providing incentives to urge these highly accomplished teachers to provide not only their fine teaching skills but also their availability as peers for the many new teachers assigned to these schools.

Both beginning teachers and experienced teachers can grow in their teaching skills and can be inspired to accept the challenge of the certification process to demonstrate this growth if they have the opportunity to work as a peer with a National Board Certified Teacher. Many teachers who have become certified report that the process itself improves their skills, as they must prepare standards-based, self-reflective portfolios of their teaching practices to submit for evaluation.

Therefore, I propose a pilot program for five years to pay up to 100 National Board Certified Teachers, each of whom is teaching in a low-income, low-performing school, \$5000 per year to act as a resident facilitator to introduce the members of the faculty to the National Board evaluation progress. As a teacher must have taught for three years before applying for Board certification, the five-year period is needed to allow time for new teachers to be exposed to the process through the outreach program initiated by the facilitator.

The responsibilities of the facilitator would be to promote peer teacher participation and to work with the National Board for Professional Teaching Standards to recommend ways to encourage teachers to aspire to Board certification.

The facilitator would also receive a \$1000 bonus stipend for each teacher who completes the process for becoming Board-certified at the school for which the recipient is the resident facilitator.

I believe that this pilot program can be a triple winner. The children of the low-performing school have another teacher who is clearly a highly qualified teacher. The faculty of that school has a peer teacher with identifiable teaching skills as a resource. And the school may grow its own crop of National Board Certified Teachers thus changing the image of being a low-performing school to the image of being a school with a highly-accomplished faculty.

PROPOSING A GREAT LAKES TRUST FUND

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. EMANUEL. Mr. Speaker, today is Great Lakes Day on Capitol Hill. This annual event provides Great Lakes policymakers and opinion leaders with an opportunity to report on the current and future state of the Lakes. Holding one-fifth of the planet's fresh surface water, the Great Lakes are the source of drinking water for 28 million Americans, including 2.8 million Chicagoans. Today it is my sad duty to inform the Members of this body who are not already aware, that the Great Lakes are in grave danger.

Thirty years after passage of the Clean Water Act, water quality has improved, yet the Lakes remain unhealthy and there is clear and convincing evidence that the ecosystem is deteriorating. In the past few years, state and local authorities have issued more than 1,500 fish consumption advisories. In 2001, bacteria from sewage overflows led to a record 599 beach closings. In Chicago, my home, there have been 152 beach closings since 1994.

Mr. Speaker, the Great Lakes, the largest freshwater system on Earth, are clearly in danger. In the mid-1990s, the Everglades, the source of freshwater for much of the state of Florida, faced a similar crisis. Congress responded with an \$8 billion plan to restore the Everglades. I ask this body, are the Great Lakes, one of our nation's most valued national treasures, not worthy of a similar effort? I know they are.

This spring I will introduce legislation to create a Great Lakes Trust Fund. My bill will fund the Administration's "Great Lakes Strategy 2002." Additionally, it would establish a dedicated funding source for Lakes restoration and revitalization. My proposal would also create an advisory board consisting of the governors of the eight Great Lakes states, representatives of the Federal Government, and members of the scientific and business communities. Further, the advisory panel would be tasked with developing a comprehensive Lakes management plan, a biennial report to Congress.

Mr. Speaker, the United States is blessed with tremendous resources. The Great Lakes undoubtedly rank among the most treasured of these resources, but if this body allows them to deteriorate further—if we can no longer drink the water, and no longer swim at our beaches—we will have failed the people of this nation. I refuse to let this happen. My plan will begin to heal the damage done by years of neglect. I urge my colleagues to support me in this important national endeavor and I strongly encourage them to cosponsor my bill.

PAYING TRIBUTE TO GARY OSIER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Gary Osier of Rifle, Colorado for his contributions to the health of our Nation's forests as a ranger in the United States Forest Service. Gary has lived and worked in Colorado for over twenty years and, as he celebrates his retirement, I would like to rise before you today to thank Gary for his service before this body of Congress and this Nation.

Gary studied forestry under the GI Bill and first accepted a U.S. Forest Service assignment in North Dakota. Spending thirty-two years in the Forest Service, he clearly made a home as Rifle's assistant district ranger. He became an official specialist in forest minerals and an unofficial historian in local Forest Service history. Throughout his career, Gary never shied away from difficult issues as a charter member of the Northwest Colorado Oil and Gas Forum.

Though Gary may be retiring from the Forest Service, he will continue his involvement in issues vital to Colorado. Based out of Rifle, Gary and his wife Mary will supply potable water during fire season to active fire camps on national forest lands from Arizona to Wyoming. Filling a need that became evident last summer during the worst fire season in Colorado history, Gary's company, H2Osiers, will also supply water to municipalities and other entities on a case-by-case basis.

Mr. Speaker, Gary Osier has served as a steward of this country's forests for over thirty years. The pride and enthusiasm of foresters like Gary are vital to the important role of the Forest Service. Today I stand before this body of Congress and this nation to recognize one of the Forest Service's best. Gary's dedication to serving the forests and communities of the West is a credit to himself and to Colorado. I thank him for his service.

TEXAS MOURNS THE LOSS OF STATE REPRESENTATIVE IRMA RANGEL

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. RODRIGUEZ. Mr. Speaker, this week, the State of Texas lost one of its great voices, a leader with passion and energy working to improve the lives of the people she represented. We mourn the death of Texas Representative Irma Rangel who served nobly in the Texas Legislature for more than 25 years. She was a trailblazer as the first Hispanic woman to be elected to the Texas House of Representatives and the first woman to serve as chair of the Mexican American Legislative Caucus. We will miss her strength, courage, vision, and her straight talk.

A close friend, an advocate for poor families and women in South Texas, Representative Rangel consistently fought to improve the quality and accessibility of education for her constituents. Her advocacy helped create the

school of pharmacy at Texas A&M University-Kingsville, the first professional school in South Texas. She also was a driving force in securing passage of the 10 percent plan, which makes the top 10 percent of students in every high school eligible for admission to any state college or university, in the wake of the devastating Hopwood decision.

Representative Rangel grew up in Kingsville, Texas. Her father picked cotton and learned to read and write on his own and later owned several businesses. In 1952, she received a degree in business administration from Texas A&I University (now Texas A&M University-Kingsville). She was a teacher for 14 years in schools in Robstown and Alice, Texas, in Venezuela and in Menlo Park, California. She earned a law degree from St. Mary University School of Law in San Antonio, Texas in 1969; she later served as a law clerk for U.S. District Judge Adrian A. Spears and as an assistant district attorney in Nueces County before opening her own law practice.

During her lifetime, Representative Rangel received many professional honors. She was inducted into the Texas Women's Hall of Fame in 1994. Other awards include the Legislator of the Year award from the Mexican American Bar Association of Texas; Women's Political Caucus' Texas Mexican-American Woman of the Year in 1979; *Unsung Heroines Award* in 1991 from the Women's Advocacy Project; *Latina Lawyer of the Year* from the Hispanic National Bar Association; and *Texas Woman of the Century* from the Women's Chamber of Commerce of Texas.

Her commitment to the people and families of South Texas, especially in improving access to higher education, has left a lasting legacy. Irma Rangel will be remembered as a woman who, through her lifetime of work and service, demonstrated her commitment to community. We will all miss her.

MR. RICHARD WITTENBERG HONORED FOR YEARS OF SERVICE TO THE PEOPLE OF SANTA CLARA COUNTY

HON. ZOE LOFGREN

OF CALIFORNIA

HON. MICHAEL M. HONDA

OF CALIFORNIA

HON. ANNA G. ESHOO

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Ms. LOFGREN. Mr. Speaker, today we rise to recognize the achievements of Richard Wittenberg, County Executive for Santa Clara County. Mr. Wittenberg is retiring after 8 years of dedicated service to the people of Santa Clara County.

When ZOE LOFGREN was on the Santa Clara County Board of Supervisors, she searched the state of California to find Richard. In the years that followed, Richard won the hearts of many elected officials by responding quickly to their needs, having high ethical standards and working to build consensus.

Richard came to Santa Clara County from Ventura County, California where he was the Chief Executive Officer for 16 years. During his tenure there, he held various offices of the County Administrative Officers Association of California; was a member of the Commission on California Public-Private Partnership; and a member of the Ronald Reagan Presidential Library Advisory Committee.

A leader in the community as well as in his field, Richard has volunteered for the United Way, as a board member for the Brandeis-Bardin Institute, Boy Scouts of America, and as a board member of the Anti-Defamation League.

Richard leaves Santa Clara County in better shape than he arrived: the County Executive now oversees a staff of 16,000 and a \$3.8 billion budget that covers the operations of parks, libraries and the sheriff's department, as well as the region's neediest residents.

Under Richard Wittenberg's dedicated leadership, Santa Clara County earned the highest bond ratings issued to any county in the state, garnering an AA+ from Standard and Poor's, and a AA2 from Moody's. Meanwhile, reserves grew from \$12 million in the mid-1990's to \$96 million in 2002.

We wish to thank Richard Wittenberg for his tireless and loyal service to the County and wish him the best in his future endeavors. Though we will miss his creativity, expertise and commitment, his dedication has left its mark on Santa Clara County.

TRIBUTE TO THE REPUBLIC OF
TUNISIA

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. RUSH. Mr. Speaker, I rise to pay tribute to the Republic of Tunisia, who is today celebrating the 47th anniversary of its independence. Mr. Speaker, the relationship between the United States and Tunisia is based on friendship and cooperation that dates back centuries ago. I am pleased that the ties between Tunisia and the United States continues to be strong. As the United States embarks on its quest to fight the scourge of terrorism, it is comforting to know that Tunisia is also committed to join the United States in this fight.

I also would like to take this opportunity to applaud Tunisia in its effort to promote democratic governance in the region. Tunisia is one of the leading North African countries that has increased its literacy and life expectancy rates and drastically reduced the mortality rates for Tunisian children under five.

Once again, I rise to commemorate Tunisia on its 47th anniversary. Thank you.

TRIBUTE TO LEON BRIDGES

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. ISAKSON. Mr. Speaker, as I listen to the constant references to "tax breaks for the rich" and "big business" in the speeches of those that oppose the President's Economic

Growth Package, I can't help but think of my constituent Leon Bridges.

Leon is not rich and his business is not big, but like millions of hard working Americans he is the heart and soul of the American Economy. Leon Bridges is a homebuilder and developer who employs carpenters, mason, and laborers to build homes that shelter families in my district. He borrows money to build from our community banks, and guarantees its repayment through the long hours he works. When his houses and lots sell and he makes a profit, he pays the taxes that fund the government we in this House oversee.

Leon Bridges and the millions of taxpayers like him deserve the President's Economic Growth Package and the tax reductions it includes. While some choose to demonize those who work hard, take risks, and provide jobs, I believe we should reward them—for it is they that make America prosper.

WHEN WAR COMES

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. CLAY. Mr. Speaker, since the beginning of the sad events leading up to this war, I have fought as a U.S. Congressman and with an enduring sense of duty and compassion for all Americans, to oppose a war that I believe is unjust and unnecessary at this time.

Now that the fighting has begun and the brave men and women of our armed forces go forward into harm's way, we must honor their sacrifices and we humbly salute their service.

As Americans we are united in prayers for their safe return. And we hope that a victory will lead us to a different era when violence will be replaced by a new vision of justice, tolerance, security and peace, for all people.

As I support our troops' dedication to service and commitment to getting the job done with as little loss of life as possible, as a Congressman and as an American I remain convinced that diplomacy should always be primary and war secondary.

Sometimes the course of history cannot be changed and nations on a collision course cannot be diverted from each other. This is one of those times. However, this too shall pass.

As we look toward the future, as we pledge to help rebuild a post-war Iraq, I would sincerely urge the Bush Administration to also work to rebuild our relationship with the people and countries that comprise the United Nations.

Already, U.N. Secretary-General Kofi A. Annan is offering his hand in cooperation. Today, he said, "Let us not dwell on the divisions of the past. Let us confront the harsh realities of the present, however harsh, and look for ways to forge stronger unity in the future.

Also, he said, "The peoples of the world . . . have made clear that . . . they want to see power harnessed to legitimacy. They want their leaders to come together, in the United Nations, to resolve the problems shared by all humanity," the Secretary-General said.

And I agree.

It is only through mutual respect and cooperation between nations that we can mount a sustained fight to end global acts of terrorism.

And at the same time we must fully address those problems and political ideologies that breed terrorists so this problem will end.

As the last remaining superpower on earth—a giant among nations—I believe we must err on the side of caution rather than risk undo injury to smaller nations that are hapless before the will of a giant, a superpower.

Again, Mr. Speaker . . . now that the fighting has begun and the brave men and women of our armed forces go forward into harm's way, we must honor their sacrifices and we humbly salute their service.

And as Americans we are united in prayers for their safe return.

God bless all the people of this earth and may the peacemakers who emerge from this conflict carry the future, for the good of all humankind.

HONORING DEBBIE ULIBARRI

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize Debbie Ulibarri of Trinidad, Colorado. A teacher at Trinidad State Junior College, Debbie is an inspiration to her students, and a reminder of the important opportunities our community colleges provide. She has done much to promote the importance of higher education in my district, and today I would like to highlight her accomplishments before this body of Congress and this nation.

Debbie's story demonstrates the influential role of community colleges in our nation's communities. She arrived on the campus of Trinidad State Junior College in 1992, apprehensive about returning to school after twenty years in the workforce. Debbie found a welcoming attitude at TSJC that assuaged her fears and opened up worlds she had never dreamed of. Debbie earned her GED and two associates degrees at TSJC, and began teaching math in TSJC's Math Lab while still a student there. Debbie went on to earn a Bachelor's degree in mathematics from New Mexico Highlands University and a masters degree from Regis University. As one of the school's success stories, Debbie returned to TSJC as a full-time math instructor. She has been an innovative teacher of algebra, trigonometry and statistics, seamlessly incorporating technology into her classroom and creating on-line classes for students from all over the country. Debbie has also stepped into a leadership role at the college, serving as TSJC's accreditation coordinator as well as the math and science division chair. In recognition of her efforts, Debbie was selected at TSJC's Faculty of the Year.

Mr. Speaker, our nation's community colleges are learning centers for a wide variety of both traditional and non-traditional students, helping them achieve their goals. Debbie Ulibarri is a perfect example of how these institutions can help enhance and change a life, and it is a great privilege to salute Debbie before this body of Congress and this nation for her achievements as both a student and teacher.

A SPECIAL TRIBUTE TO JUSTIN F. CORESSEL ON THE OCCASION OF HIS 100TH BIRTHDAY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, and good friend, from Ohio. Justin Coressel will turn 100 this Monday, March 24th. At the young age of 100, Mr. Speaker, Mr. Coressel is one of the most active and most recognized people in Northwest Ohio.

Look up the word "humanitarian" in the dictionary—and you will see Justin's picture. He has dedicated the better part of his life to making this world a better place for others.

Justin F. Coressel was born on March 24, 1903, in Defiance County's Richland Township. He is the son of Frank and Anna Coressel. Mr. Coressel graduated from Jewell High School and attended The Ohio State University.

Mr. Coressel was the area representative for a Paulding sugar refinery and was associated with United Appraisal Co. and J.B. Cleminshaw Co., both of Cleveland. Justin worked in their farm appraisal departments, and did right-of-way appraisals for the Ohio Highway Department. He also served as an adjuster with Federal Crop Insurance Corp. and as a farm income tax consultant. He was also farm operator for many years and is a member of St. Michael's Catholic Church.

Mr. Speaker, Justin served as President of the Board of Directors at Jewell Grain Co. and was Defiance County Chairman for the Ohio Council for Education. He is a former member and Vice-President of the Board of Directors at the Home Saving and Loan Association of Defiance and was a member of the Board of Directors at Hudson Products, Inc. Mr. Coressel is also a former member of the Board of Trustees at Defiance College. The Justin F. Coressel Football Stadium at Defiance College was named in his honor. Mr. Coressel has also provided lead gifts to fund the football stadium at Tinora High School and the Defiance County Human Shelter, both of which are named in his honor.

Mr. Speaker, Justin Coressel was a Richland Township Trustee for three terms, Secretary of Defiance County Township Trustees and Clerks Association, and Commissioner of Jurors in Defiance County. His lifetime memberships include the Ohio Historical Society, Defiance County Historical Society, Defiance County Humane Society, Jewell Volunteer Fire Department, and the Tinora Athletic Boosters. A member of Defiance Rotary, he served two terms on its Board of Directors, was the first Chairman of the Defiance Rotary Student Foundation, and was the first Paul Harris Fellow of Rotary International in District 660. Mr. Justin F. Coressel also organized Rotary 65 and served as its first President.

A member of the National Catholic Rural Life Conference, he was appointed delegate to the International Rural Life Conference in Rome, Italy, in 1967. He is a member and past Grand Knight of Knights of Columbus

Council 1039. Currently, Mr. Coressel is providing numerous student college scholarships and serves as Chairman of the Justin F. Coressel Charitable Trust.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Justin F. Coressel. Our communities are served well by having such honorable and giving citizens, like Justin, who care about their well being and stability. We wish Justin all the best as we pay him tribute on the occasion of his 100th birthday.

H.R. 1104, THE CHILD ABDUCTION PREVENTION ACT

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. HOEKSTRA. Mr. Speaker, I rise in support of H.R. 1104, the Child Abduction Prevention Act, which strengthens the punishment and consequences of criminals who dare to harm our children. An important provision in H.R. 1104 doubles the authorization level for the National Center for Missing and Exploited Children (NCMEC), which serves as the national resource center and clearinghouse to aid missing and exploited children and their families.

The Center is a private, non-profit organization, mandated by Congress, working in cooperation with the Office of Juvenile Justice and Delinquency Prevention within the U.S. Department of Justice. It is a critical resource for aiding over 18,000 law enforcement agencies throughout the nation in their search for missing children.

According to statistical data from the National Center for Missing and Exploited Children, from its inception in 1984 through the end of 2002, the Center handled 1,718,784 telephone calls through its national Hotline, 1-800-THE-LOST; trained 179,685 police and other professionals; and distributed 27,834,762 free, issue-based publications. The Center has also worked with law enforcement on 87,513 missing child cases, resulting in the recovery of 71,141 children—an incredible success rate of more than 80 percent.

The National Center for Missing and Exploited Children is uniquely positioned to access vital information to aid in the search and recovery of missing kids. It is the only child protection non-profit organization with access to the FBI's National Crime Information Center (NCIC) Missing Person, Wanted Person, and Unidentified Person Files; the National Law Enforcement Telecommunications System (NLETS); and the Federal Parent Locator Service (FPLS). Additionally, it is the only organization operating a 24-hour, toll-free Hotline for the recovery of missing children in cooperation with the U.S. Department of Justice. It is also the sole organization operating a 24-hour, toll-free child pornography tip-line in cooperation with the U.S. Customs Service and the U.S. Postal Inspection Service.

Clearly, the National Center for Missing and Exploited Children does our country and our nation's families a great service, and I urge my colleagues to assist the Center by supporting H.R. 1104.

IN HONOR OF "COVER THE
UNINSURED WEEK"

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 2003

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise this evening to offer my comments on an important issue: Access to affordable healthcare for all Americans.

This week has been designated as "Cover the Uninsured Week." Three health foundations, the Robert Wood Johnson Foundation, The California Endowment, and the W.K. Kellogg Foundation sponsor "Cover the Uninsured Week." A large number of national organizations have worked for the past three years to educate the public and national leaders about the uninsured. These organizations include: the U.S. Chamber of Commerce, AFL-CIO Service Employees International Union, and Blue Cross and Blue Shield Association. I would like to submit a full list of these organizations for the RECORD.

Over 41 million Americans do not have health insurance. For a Nation that considers itself a superpower, and a beacon of democracy for the rest of the world, there is no reason for almost eight out of every ten Americans who are working families to be without healthcare coverage.

In my home State of California, 6.2 million State residents were uninsured for all or part of 2001 and Californians accounted for 16 percent of the Nation's uninsured.

According to the Kaiser Family Foundation, between 2000 and 2001, the number of the uninsured increased by 1.4 million, and low income Americans (those who earn less than 200 percent of the Federal poverty level) run the highest risk of being uninsured.

For this reason, I introduced H.R. 1143, legislation that would amend Title XIX of the Social Security Act (SSA) to permit States to expand Medicaid eligibility to uninsured poor adults.

The eligibility is expanded through the creation of a new optional Medicaid eligibility group for individuals between the ages of 21 and 65 whose family income does not exceed a State-specified percentage of up to 200 percent of the applicable poverty line.

In this time of economic uncertainty, it is imperative that we, as legislators, ensure the health of all Americans. The ability to seek healthcare due to an illness or an injury should not, and cannot be dependent on where one fits on a relative scale of income.

Instead, the working poor should be confident that unfortunate incidents would not affect their ability to provide for their families while medical bills pile up.

Swift passage of my legislation will restore many Americans' faith in our fiscal policies designed to protect the health and welfare of citizens left vulnerable by the lack of Federal health care assistance available to them.

Mr. Chairman, there is indeed a health care crisis in the Nation, and while there is no simple solution, I urge all of my colleagues to take a moment to reflect on the state of the uninsured in this Nation, and support my legislation.

LIST OF ORGANIZATIONS PARTICIPATING IN
COVER THE UNINSURED WEEK

U.S. Chamber of Commerce, AFL-CIO, The Business Roundtable, Service Employees International Union, Healthcare Leadership Council, AFSCME, American Medical Association, American Nurses Association, Health Insurance Association of America, Families USA, Blue Cross and Blue Shield Association, American Hospital Association, Federation of American Hospitals, Catholic Health Association of the United States, AARP and United Way of America.

BANKRUPTCY ABUSE PREVENTION
AND CONSUMER PROTECTION
ACT OF 2003

SPEECH OF

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 975) to amend title 11 of the United States Code, and for other purposes:

Mr. GUTIERREZ. Mr. Chairman, I am pleased that yesterday, during consideration of H.R. 975, the House agreed to an amendment I offered to Section 1234. As amended, Section 1234 will assure that all companies forced into involuntary bankruptcy receive the protection of the bona fide dispute standard in the manner that Congress has intended since its adoption in 1984.

Mr. Chairman, I would like to explain that my amendment changed the effective date in the involuntary bankruptcy provision of H.R. 975 also known as Section 1234. My amendment is identical to language that was included in the corresponding provision, Section 1233 of H.R. 5745, the bankruptcy reform bill passed by the House on November 15, 2002.

My amendment was a purely technical correction. Section 1234 is not new law but a clarifying restatement of Section 303 of the Bankruptcy Code, which sets the rules for involuntary cases since 1984. The purpose of the 1984 language was to bar bringing involuntary bankruptcy action in cases which were already subject of a "bona fide dispute" on either the existence of liability or the amount of that liability.

The purpose of the bona fide dispute standard is to prevent our overcrowded bankruptcy courts from being burdened with ordinary contract performance disputes filed as involuntary cases by forum-shopping litigants, seeking to gain undue leverage by forcing their counterparty into bankruptcy.

Ordinary contract disputes are contested on a level playing field when they are litigated in the proper forum of a civil court. And if they civil court issues a binding judgment regarding the amount that truly is due, a bona fide dispute no longer exists and an involuntary case may be initiated. But when trade creditors—especially separate affiliates of the same corporation—decline to bring a civil suit, and instead collude to force a debtor company into bankruptcy to gain an unfair advantage regarding bona fide contract disputes over contested amounts claimed to be due, it can be devastating. That devastation is particularly acute for a small business.

As soon as news of the bankruptcy gets out its employees may begin to explore other job opportunities, its suppliers start to demand cash on delivery rather than continue to abide by their standard credit and repayment terms, and its customers start to wonder if they can rely on that business into the future. The company pushed into involuntary bankruptcy is therefore put under tremendous pressure to settle the disputed matter on plaintiffs' terms, quickly, regardless of the merits."

There has been no confusion regarding the interpretation of the bona fide dispute standard at the appellate level, as all five federal appeals courts that have ruled on its scope have agreed that it covers both the questions of whether liability exists and the amount of that liability.

All that Section 1234 does is insert the term "as to liability or amount" into the Code so as to prevent any further misunderstanding on this matter by a small minority of bankruptcy judges. My amendment makes sure that Section 1234 apply with respect to all involuntary bankruptcy cases, regardless of whether or not the liability or the amount which is the object of the dispute.