

EXTENSIONS OF REMARKS

RECOGNIZING THE HONORABLE
REVEREND DOUGLAS L. SIDEN

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Reverend Douglas L. Siden for his outstanding leadership in the San Francisco Bay Area community. Doug Siden has been an ordained American Baptist Minister for 48 years. On July 28, 2003, a reception will be held to honor him on the occasion of receiving a Doctor of Humane Letters from the American Baptist Seminary of the West and to recognize his many years of community service.

Doug Siden, a resident of Alameda, CA, has always been committed to social justice, the environment and to youth. As a young minister in the 1960s, he first demonstrated his leadership abilities by advocating for the establishment of parks in his community. He developed an inter-racial church that supported fair housing and the integration of the community. He marched with Cesar Chavez to support farm workers' rights and marched with Martin Luther King, Jr. during the civil rights movement. Several times, Doug went to Washington, DC, to advocate for civil rights legislation as the representative of the inter-faith San Francisco Conference on Religion, Race and Social Concern.

Through the years, Doug has always been in the forefront of leadership. He was the first pastor of a newly created church in San Mateo, CA; first director of urban strategy for his Northern California regional church; first chairman of the San Francisco Night Ministry; first Area Minister for his denomination's churches from San Francisco to the Oregon border; and first Regional Camp Executive Director for the American Baptist Churches of the West. Doug is proud of his leadership role in the establishment of two-year round camps for children, youth, adults, and families of all ages in the Santa Cruz Mountains and the High Sierra near Lake Tahoe.

Doug is currently devoted full-time to public, community, and church service. He was elected to the East Bay Regional Park Board of Directors in 1992 and currently serves as the Board's Vice President. He is involved in leadership roles in a myriad of other organizations, including President of Martin Luther King, Jr. Freedom Center and Chair of the Seafarers Ministry of the Golden Gate. Secretary of Interior Bruce Babbitt appointed him an Advisory Commissioner for the Point Reyes National Seashore and the Golden Gate National Recreation Area. Additionally, he serves on the Board of Directors of the Chabot Space and Science Center in Oakland, the Rotary Club of Alameda, and the American Baptist National Conference.

I join the friends and colleagues of Reverend Douglas L. Siden in expressing congratulations as he receives a Doctor of Humane Letters. I also join in thanking him for

his years of service. He is the epitome of community activism from which we have all benefited.

TRIBUTE TO MR. ROBERT MILLER
III

HON. JOSEPH M. HOFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. HOFFEL. Mr. Speaker, I rise today to recognize and honor Mr. Robert Miller III on his receipt of a Congressional Award Gold Medal on Wednesday, June 25, 2003.

At a mere 18 years of age, Robert's accomplishments are amazing. As a recipient of the Congressional Award Gold Medal, Robert has demonstrated a noteworthy commitment in several fields. Receipt of this award signifies that Robert has performed over 400 hours of community service, as well as 200 hours of both personal development and physical fitness activities over the past 2 years. This honor similarly attests to Robert's exemplary academic and extracurricular status as a student at North Penn High School.

Prestigious awards such as this one are nothing new to Robert. Previously, he has received both a bronze and a silver Congressional Award Medal. As an Eagle Scout, his involvement in the Cradle of Liberty Council Boy Scouts of America further reflects the strength of his character. Robert has shown exceptional dedication to community service, personal development and physical fitness. I firmly believe that these characteristics will lead him to unbounded success in the future.

I also wish to extend my congratulations to Robert's parents, Dorothy and Robert Miller Jr., who have instilled him with good moral standards and have supported his efforts tirelessly.

Again, I congratulate Robert Miller III on his Congressional Award Gold Medal.

LEGISLATION TO RENAME U.S.
POST OFFICE IN MOLINE, ILLINOIS

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. EVANS. Mr. Speaker, today I am introducing legislation to rename the U.S. Post Office at 514 17th Street in Moline, Illinois after my friend, David Bybee, who passed away unexpectedly last year.

Dave was a distinguished public servant who was the National Business Agent for the Chicago Region of the National Association of Letter Carriers. He served his community and union for 33 years within the very walls of the building I seek to name after him. It is my hope that his name will forever be identified with the institution he cherished for so many

years as a national union leader for letter carriers.

Dave Bybee became a letter carrier for the Postal Service in 1967 and after only two years on the job was elected President of Letter Carriers Local 318. He then became the Regional Administrative Assistant and concurrently the Secretary to the Illinois State Association of Letter Carriers from 1971 to 1977. In 1980, Mr. Bybee was elected the National Business Agent to the National Association of Letter Carriers for the 17,000 strong Chicago Region. He held that office and concurrently served as a Vice President of the Illinois AFL-CIO until his death on May 31, 2002.

Dave Bybee worked tirelessly on behalf of the letter carriers of Illinois and traveled thousands of miles in Illinois and across the nation representing his members. Dave was also loved by the retirees who knew they had a good friend and leader who fought for their benefits. In 1992, recognizing Dave's hard work and lifetime dedication, the local union he first represented as President twenty-three years earlier was named the David M. Bybee Branch of the National Association of Letter Carriers.

Dave Bybee was also civically active and had many friends within the Illinois Congressional delegation and state legislature on both sides of the aisle. He served as a member of the Electoral College in two national elections.

His dedication to his fellow workers did not interfere with his devotion to his wife, Judy, and their two sons, Michael and John. In addition to a full and rewarding family life, he still found time to serve his community as the fire chief of Carbon Cliff and as a school board member, and remain active in the Moline Elks Club.

Dave had a wonderful sense of humor and no matter how tired he was from work and travel, he could always manage to make any group he was visiting or speaking to laugh and smile. When he passed away, letter carriers and postal officials from all over the state and nation traveled to Moline to pay their respects. Dave was a national labor leader who served not only his fellow workers, but his community and family.

Mr. Speaker, the Post Office in Moline, Illinois, should be named after Dave Bybee. The Moline community, postal workers across Illinois and the nation owe David Bybee a great deal because of his advocacy for working Americans. This is the very least we can do to commend such a dedicated and hardworking man.

TRIBUTE TO MS. LYNN COWART

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor and acknowledge my Chief of Staff and friend, Ms. Lynn Cowart on the occasion of her retirement. Through the course

• 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.

of my career, working in the business world and as a public official, rarely have I been so privileged to work with such an extraordinary person that gives unselfishly and wholeheartedly to the interests and welfare of other people.

Lynn was born in Virginia to Molly and Andy Cowart and is the middle sister to Ms. Nora McCormick and Ms. Chris Cowart. Daughter of a Captain in the U.S. Navy, Lynn moved all around the United States, attending both public and Catholic schools, and graduated high school in Alexandria, Virginia. She then attended the University of Hawaii and business school in Hawaii.

Lynn's lengthy and impressive career began as a temporary employee for the Department of the Navy in Pearl Harbor. In 1968, Lynn moved to Washington, D.C. and worked in the Pentagon until 1972. Then, in 1973 she moved across the Atlantic Ocean to England where she worked in the United States Embassy in London under the auspices of the Defense Intelligence Agency. Lynn moved back to the United States in 1980 and worked for an attorney here in Washington, D.C. In 1982, she began working for Senator John Tower from Texas until his retirement. She then moved from the U.S. Senate to the U.S. House of Representatives to work for Representative Larry Combest where she worked for 18 years. In May of 2003, Representative Combest retired. On June 3rd, I was elected to fill the seat for the 19th District of Texas and Lynn accepted the position of Chief of Staff in my office.

Lynn's dedication to public service will continue after she retires from politics. This fall she will begin work at Island Creek Elementary School, serving the people of Fairfax County in Virginia's public school system.

Her career is impressive not only for its duration and the intriguing posts she has filled but more so for the integrity and strong work ethic she brings to each job. For over 30 years, Lynn has been a model of devotion, stability, fairness, and attentiveness that is nothing short of amazing. Her loyalty and passion for the 19th District is evident through her nearly 20-year commitment to the area. The Permian Basin and South Plains of Texas is a unique area where hard-working people are faithful to their roots in the oil and gas industry and agriculture. Lynn's integrity and personal attention to these people is astonishing. She has always taken time to listen and act upon any complaints or concerns that farmers or the hard-working folks of Texas had. When I was sworn in on June 5th, I know I would have been stranded and lost without Lynn's incredible capability to maintain patience with me. Six days out of the week, Lynn kept an incredible schedule and put in extended hours in order to keep the office running. Thanks to Lynn, who is the glue which holds my staff together, the offices in Washington D.C., Odessa and Lubbock stayed in business leading up to my election and my first hectic week as a U.S. Congressman. Her ability to remain positive in tough situations only proved to me that Lynn possesses confidence beyond anyone I have ever known. Without her I would not be as I am today: sure that my transition could not have gone any smoother. Over the years, Lynn has made a powerful impression upon people here on Capitol Hill and back home in Texas. Anyone in public service would do well to emulate her example if they truly desire a

career that makes a difference and leaves a legacy.

Mr. Speaker, please join me in extending my sincere thanks to Lynn Cowart. I am truly honored to recognize her accomplishments. She will certainly be missed.

CENTENNIAL OF THE SUPER-
INTENDENCY OF COLONEL
CHARLES YOUNG—REDEDICA-
TION OF THE BOOKER T. WASH-
INGTON TREE

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. NUNES. Mr. Speaker, I stand before you today to observe two very special events taking place in the Sequoia/Kings Canyon National Park on August 23, 2003. The first is the centennial of the superintendency of Colonel Charles Young and secondly, the rededication of the Booker T. Washington Tree.

Born in Kentucky during the Civil War to the parents of former slaves in 1864, Charles Young became only the third African-American to graduate from the United States Military Academy at West Point in 1889. Upon graduation, he was commissioned as a Second Lieutenant and assigned to the 10th U.S. Cavalry.

In the year 1903, then Captain Charles Young was in charge of the 9th U.S. Cavalry and had been assigned the duty of "Acting Superintendent" of the Sequoia and General Grant National Parks, he was to be responsible for the supervision of payroll accounts and directing activities of rangers. That early summer Captain Young led his "Buffalo Soldiers" out of the cold and fog shrouded Presidio in San Francisco en route to the high sierras of Central California. Captain Young and his troopers arrived 16 days later amongst some of the largest and oldest living things on Earth and they began their historic summer working in the second national park ever created in the United States.

With this assignment, Captain Young not only became the first African-American superintendent in the U.S. Park Service history but also became the driving force in forging what would become today one of the most visited and highly recognized parks in the world.

During his tenure as superintendent, Colonel Young discovered and named a majestic Giant Sequoia after an individual that inspired and influenced his life, Booker T. Washington. After nearly 100 years, this tree has been rediscovered and stands as a monument to both Colonel Charles Young and Booker T. Washington.

Again, I ask you to join with me today in recognizing Colonel Charles Young and the rededication of the Booker T. Washington Tree in the Sequoia/Kings Canyon National Park.

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2004

SPEECH OF

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 10, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bills (H.R. 2660), making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes:

Mr. KENNEDY of Rhode Island. Mr. Chairman, during debate on H.R. 2660, the Departments of Labor, Health and Human Services, and Education Appropriations bill, I strongly supported the Obey/Miller Amendment regarding overtime regulations at the Department of Labor (DOL).

The amendment would block a proposal by the Bush Administration that will eliminate overtime under the federal Fair Labor Standards Act for millions of hard-working Americans who rely on overtime pay to make ends meet.

The DOL proposal would strip overtime rights from more than 8 million workers by allowing easier classification of workers as "white collar" employees ineligible for overtime.

Workers such as mid-level office workers in the offices of downtown Providence or the licensed practical nurses in Northern Rhode Island, or the EMTs, paramedics, and physical therapists on Aquidneck Island will lose under this proposal.

It is just another attempt by the Bush Administration to roll back the clock on years of important wage and hour laws.

This Congress should support the Obey/Miller Amendment and oppose the DOL overtime proposal.

PERSONAL EXPLANATION

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. PORTMAN. Mr. Speaker, on July 14, 2003, I was unavoidably detained and missed the vote on rollcall No. 356 on H.R. 2673, the Fiscal Year 2004 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. GOSS. Mr. Speaker, I was not present on July 10, 2003 due to official travel overseas. As a result, I was not able to be present

for rollcall votes Nos. 346, 347, 348, 349, 350, 351, 352 and, 353. Had I been present, I would have voted "yea" on Nos. 346, 352, and 353. I would have voted "no" on Nos. 347, 348, 349, 350, and 351.

INTRODUCTION OF LEGISLATION TO REFORM THE OCCUPATIONAL SAFETY AND HEALTH ACT: H.R. 2728, H.R. 2729, H.R. 2730, and H.R. 2731

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. NORWOOD. Mr. Speaker, I rise today to introduce four legislative proposals which were each formerly included in H.R. 1583, the "Occupational Safety and Health Fairness Act of 2003."

As was true of H.R. 1583 in its entirety, the goal of each of these individual proposals is to address a unique situation in our law where employers, and especially small employers, are denied fundamental fairness or equitable results in their efforts to defend themselves against citations issued by the Occupational Safety and Health Administration (OSHA) for alleged violations with which, in good faith, they take issue.

Specifically, the "Occupational Safety and Health Small Business Day in Court Act" gives the Occupational Safety and Health Review Commission (OSHRC) additional flexibility to make exceptions to the arbitrary 15-day deadline for employers to file responses to OSHA citations when a small business inadvertently misses the deadline by mistake. The "Occupational Safety and Health Review Commission Efficiency Act" increases the membership of the OSHRC from three to five members to ensure that cases are reviewed in a timely fashion. The "Occupational Safety and Health Small Employer Access to Justice Act" permits the award of attorney's fees and costs to small business owners that prevail in court when contesting OSHA citations to ensure that the agency doesn't waste taxpayer resources on fruitless cases. And, the "Occupational Safety and Health Independent Review of Citations Act" restores independent review of citations issued by OSHA by clarifying that the OSHRC is an independent judicial entity that is given deference by courts reviewing OSHA issues.

With this in mind, Mr. Speaker, the Workforce Protections Subcommittee has conducted a hearing on the provisions contained in H.R. 1583, and we firmly believe that a record has been produced that very strongly supports the four individual proposals I introduce today. I have withheld the introduction of several provisions formerly contained in H.R. 1583 because unlike the four proposals I introduce today, I believe further research and discussion would be helpful in determining how to improve these proposals. I invite all Members and especially the Minority Members of this Congress to join in these discussions and help small business achieve the fairness they deserve.

But again, Mr. Speaker, the proposals I introduce today have withstood the inquiry of hearing, and I believe, stand ready for marking in their current form. Each is designed to

make what I believe is a narrow, precise, and sensible adjustment for an omission regretfully not caught by Congress at the time of original passage of the Occupational Safety and Health Act of 1970. In my mind, Mr. Speaker, each of these proposals lends itself to bipartisan support, and I ask each of my colleagues on both sides to seriously consider such support.

BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2003

Mr. KUCINICH. Mr. Speaker, I rise in strong support of this bill.

The 45 million people of Burma have lived in virtual imprisonment for over 40 years, when Burma's military junta first came to power. It has only been in the past 15 years that people around the world have come to learn of this great country, its ruthless and brutal dictators, and its celebrated freedom fighter, Nobel Peace Laureate Daw Aung San Suu Kyi.

The Burmese military regime is notorious for its human rights practices. In 1988, the regime, known then as the State Law and Order Restoration Council (SLORC), brutally killed thousands of activists in a nonviolent cry for freedom and democracy. In 1990, when the people of Burma voted over 82 percent of the parliamentary seats to the National League for Democracy, Aung San Suu Kyi's party, the junta nullified the elections.

Earlier this year, the State Department condemned Burma's military for using rape as a weapon. Human Rights Watch has documented Burma as having the largest number of child soldiers than anywhere else in the world. The International Labor Organization has repeatedly condemned the military for using forced—or slave—labor.

Three years ago, U.N. Special Envoy Razali Ismail initiated negotiations for a power sharing settlement between the military junta and the NLD. These talks have since collapsed. Burma's military junta has instead shown absolute contempt for the NLD, Aung San Suu Kyi, and the negotiations process. On May 30, 2003, the regime staged a violent attack on Aung San Suu Kyi and her supporters as they traveled in Northern Burma. They have shut down NLD offices, detained dozens of activists, closed universities, and once again imprisoned Daw Suu.

The United States should not respond to Burma's military junta with appeasement, engagement, or tolerance. It is time for the United States to respond with action. The people of Burma have continually called for a non-violent course of action in the form of stronger sanctions, which will directly affect the pockets of the dictators. An import ban, visa ban, and the freezing of assets will not only limit the money propping up the regime, but will also send a message to the people of Burma supporting their hopes for human rights and democracy. In a 1997 speech smuggled out of the country Aung San Suu Kyi said, "Please use your liberty to promote ours." Let us do just that.

OHIO HISTORICAL SOCIETY MARKER TO COMMEMORATE NEW BREMEN AND MIAMI AND ERIE CANAL

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. OXLEY. Mr. Speaker, at noon today in New Bremen, Ohio, an Ohio Historical Society marker was dedicated to commemorate New Bremen and the Miami and Erie Canal. I am proud to send my best wishes to everyone celebrating this event.

One hundred seventy years ago, work commenced on a connector between the Miami Canal in Dayton and the Wabash and Erie Canal in Junction. This connector, dubbed the Miami Extension, was completed in June of 1845. In that month, the packet boat *Banner* became the first vessel to travel the canal from Cincinnati to Toledo, taking three days for the journey.

In 1849, the Ohio General Assembly gave the name "Miami and Erie Canal" to the entire system. Even as railroad track was laid throughout western Ohio in the decades to follow, the canal remained an important commercial and military transport route. The Great Flood of 1913, however, washed out many major sections of the Miami and Erie Canal, rendering it impassable and leading to its abandonment.

The Village of New Bremen in my congressional district was founded in 1833, the same year the Miami Extension was started. Many of New Bremen's founders, mostly Hanoverian German Protestants, came to Ohio via the National Road and the Ohio River, landing in Cincinnati. There, they formed the City of Bremen Society and agreed to purchase 80 acres of land in Ohio to found a Protestant community. First called "Bremen," the village's plat was officially recorded on June 11, 1833. New Bremen, the midpoint on the Cincinnati-Toledo segment of the Miami and Erie Canal, is celebrating its 170th birthday this year.

Mr. Speaker, I applaud the New Bremen Historic Association and the New Bremen-New Knoxville Rotary Club for their efforts in securing this historical marker from the State of Ohio. I also thank Doug Harrod and Darrin Klinger for their research on New Bremen's history and the importance of the Miami and Erie in our state's past.

TRIBUTE TO WILLIAM HORNBY

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Ms. DeGETTE. Mr. Speaker, I would like to recognize the notable accomplishments of an extraordinary gentleman in the 1st Congressional District of Colorado. It is both fitting and proper that we recognize this individual for his exceptional record of civic leadership and invaluable service. It is to commend this outstanding citizen that I rise to honor William Hornby on the occasion of his 80th birthday.

Bill Hornby has devoted much of his time, skill and energy to making Denver and the West a better place. Born in Kalispell, Montana on July 14, 1923, he attended the public

schools and went on to receive a degree in humanities from Stanford University and a master's degree in journalism. After serving in the United States Army as a language expert in the Signal Corps, he worked in public relations on the Marshall Plan in Europe from 1948 to 1952. Bill Hornby came to Denver in 1957 as a copyreader for the Denver Post and over the past 40 years, has served as managing editor, editor-in-chief and as a columnist on civic affairs and Western regional history. He has been a powerful advocate for a free press and has been placed on the American Society of Newspaper Editors' freedom of information honor role.

His interest in Colorado and our Western heritage led him to the Colorado Historical Society where he has served as a trustee and a board member of the associated Colorado Historical Foundation. He is an emeritus trustee for the Buffalo Bill Historical Association and he has written books concerning the history of the Denver Post and Rotarians International, where he served as District Governor.

Bill continues to live in Denver with his wife, Barbara Sudler Hornby, and their dog, Benji. He is chairman of the Denver Planning Board and Chairman of the Education Foundation for the Colorado Community College and Occupational Education System. He has served on the Western Interstate Commission on Higher Education and on the State Board for Community Colleges and Occupational Education. Bill has also been a director of the Clayton Foundation, which is primarily focused on early childhood education. He is a trustee emeritus of the University of Montana Foundation and is a former President of the American Society of Newspaper Editors.

It comes as no surprise that Mr. Hornby has received several awards and honors during his lengthy career as an editor, journalist and educator. In 1990, the Center for the American West presented him with the Wallace Stenger Award, which is given to persons who have made as sustained contribution to the cultural identity of the West. He received the Dana Crawford Award of Colorado Preservation, Inc., in 2000 for his considerable contribution to historic preservation. And in 2001, he received the Unsung Heroes Award from the City & County of Denver.

Please join me in commending William Hornby, a distinguished citizen. It is the strong leadership he exhibits on a daily basis that continually enhances our lives and builds a better future for all Americans.

INTRODUCTION OF THE INDIAN CHILD WELFARE ACT AMENDMENTS OF 2003

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation with my colleagues, Congressman J.D. HAYWORTH of Arizona, Congressman DALE KILDEE of Michigan, and Congressman NEIL ABERCROMBIE of Hawaii to amend the Indian Child Welfare Act (ICWA) of 1978. It is now a quarter century since enactment of the ICWA. The Act has been vital to the existence of Indian tribes and

their families. Yet, because certain ICWA provisions have not been adequately implemented Congress's promise to protect the integrity of Indian families and tribes remains partially unfulfilled. This bill clarifies Congress's intent with regard to the ICWA in a way that would achieve full compliance with this intent.

Many of this bill's provisions are included in direct response to tribal comments on H.R. 4733, an ICWA bill I introduced last year in response to tribal concerns. This bill was drafted with the input of the Association of American Indian Affairs, Tanana Chiefs Conference, National Indian Child Welfare Association, National Congress of American Indians, various tribes and other concerned organizations. The changes that the present bill make to H.R. 4733 also reflect input from each of these named organizations. The primary goal in drafting these amendments was to improve permanency outcomes for Indian children who are placed in substitute care at a rate higher than any other group of children in America.

It has been my policy to have all affected parties participate in the legislative process to help finalize a bill for passage. With this in mind, it is my intent to later include in the legislative process other groups that are working to improve permanency outcomes for Indian children. In 2003, we still have numbers of American Indian and Alaska Native children being adopted out of their families, tribal communities and States even when qualified members of their families are available for placement. We continue to have this problem in Alaska and I have been asked to introduce amendments to further clarify the ICWA. The amendments include, among others, provisions that would:

Clarify that the ICWA applies to all Indian children involved in "child custody proceedings" (as defined in the ICWA) and define the minimum efforts that must be undertaken to prevent the breakup of an Indian child's family through involuntary out-of-home placement.

Require detailed notice to Indian tribes in all voluntary child custody proceedings, to parents in voluntary adoption proceedings, and to parents and tribes in all involuntary proceedings.

Clarify the right of Indian tribes to intervene in all voluntary State court child custody proceedings, provided that the tribes file a notice of intent to intervene or a written objection within 45 days of receiving notice of a voluntary termination of parental rights or within 100 days of receiving notice of a particular adoptive placement, and certifies that a child is a member, eligible for membership, or is the child of a member.

Require notice to extended family members and recognize their right to intervene in State child custody proceedings.

Require attorneys, public and private agencies to provide detailed information to Indian parents of their rights under ICWA.

Limit parents' rights to withdraw consent to an adoption to 6 months after relinquishment of the child or 30 days after the filing of an adoption petition, whichever is later.

Clarify tribal jurisdiction in Alaska.

Facilitate the ability of tribes without reservations, including tribes in Alaska and Oklahoma, or with disestablished reservations, to assume jurisdiction over child custody proceedings.

Narrow the grounds upon which State courts can refuse to transfer cases to tribal courts.

Clarify tribal court authority over children transferred to tribal court jurisdiction.

Define the circumstances under which State ICWA violations may be reviewed by Federal courts and provide for Federal review of State ICWA compliance.

Provides for criminal sanctions for anyone who assists a person to lie about their Indian ancestry for the purpose of avoiding application of the ICWA.

Allow State courts to enter enforceable orders providing for visitation or contact between tribes, natural parents, extended family and an adopted child.

Extend ICWA (in some cases) to cover children of State-recognized and Canadian Indian tribes and children who reside or are domiciled on a reservation and are the child of a member, but who are not eligible for tribal membership.

Make it easier for Indian adoptees to gain access to their birth records.

Establish that foster and adoptive homes licensed or approved by Indian tribes in compliance with the Indian Child Protection and Family Violence Prevention Act shall satisfy the requirements for foster and adoptive home licensing under any other Federal law.

Clarifies that the terms of tribal-State agreements regarding the care and custody of and jurisdiction over Indian children shall be controlling even when another Federal law may have different requirements.

I think it is appropriate that Congress further clarifies the ICWA to ensure that American Indian and Alaska Native children are not snatched from their families or tribal communities without cause. In July 2001, the Child Welfare League of America offered American Indians something they have longed to hear for more than three decades: an apology for taking American Indian children.

"It was genuinely believed that Indian children were better off in white homes," said Terry Cross, Executive Director of the National Indian Child Welfare Association. (San Antonio Express News, Sunday, July 1, 2001 Article.)

That changed in 1978 when Congress passed the Indian Child Welfare Act. Even now, Cross cites problems. "Sometimes social workers are not properly trained to identify children as Indian. Or agencies fail to notify tribes of adoptions." (San Antonio Express News, Sunday, July 1, 2001 Article.)

I believe these FY 2003 ICWA amendments to be acceptable legislation which will protect the interests of prospective adoptive parents, American Indian and Alaska Natives extended families, and most importantly, American Indian and Alaska Native children.

We will seek additional input from the Department of Justice, the Department of the Interior and the Department of Health and Human Services. I am hopeful that these agencies will again embrace this legislation so that we can affirm this country's commitment to protect Native American families and promote the best interest of Native children.

I urge and welcome support from my colleagues in further clarifying the ICWA to ensure no more American Indian or Alaska Native children are lost.

HONORING ERIC LEE

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Eric Lee, a fine young man and outstanding student from my congressional district in Safety Harbor, Florida.

Eric recently learned that he has been selected to receive the prestigious Fulbright award to study, lecture, or conduct research abroad during the next academic year. Eric received this award because of his academic achievement and leadership in the field in which he has chosen to study.

Congress created the Fulbright program in 1946 to "increase mutual understanding between the people of the United States and the people of other countries." I strongly support this goal and agree with the program's namesake, former Senator J. William Fulbright, that we should "aim to bring a little more knowledge, a little more reason, and a little more compassion into world affairs and thereby increase the chance that nations will learn at last to live in peace and friendship."

Mr. Speaker, there are more than 250,000 Fulbright alumni worldwide. I am confident that Eric Lee will exemplify the excellence and achievement that they have established throughout the program's history. I congratulate him, and his parents, on this outstanding achievement, and I wish him well in his studies and his future endeavors.

RECOGNITION OF GEORGE E. SHIPLEY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the life and achievements of Congressman George Edward Shipley.

A Representative from Olney, Illinois, he served the United States Congress from January 3, 1959–January 3, 1979. Congressman Shipley was a member of the Eighty-sixth Congress and served as a Democrat for the succeeding 9 Congresses. His diligent efforts as chairman of the Legislative Subcommittee of the House Appropriations Committee and as a member of the committee's Public Works Subcommittee were of great value to the citizens of this Nation.

Mr. Shipley helped secure a \$1.2 million grant to help in the building of East Fork Lake in Richland County and he was known as a true representative of the people and a family man. It wasn't uncommon for him to bring his children out to Washington and let them see the political process up close. When he couldn't bring them out to Washington he seemed to always get home, even though the allowance for trips home wasn't as great as it is today. He realized that his first duty was to be a good father and he wanted to make sure he was there for his family.

Congressman Shipley was born in Richland County near Olney, Illinois on April 21, 1927. He served as a private in the United States Marine Corps from 1944 through 1947, with

service in the South Pacific. He went on to attend East Richland High School and graduated in 1950.

Shipley then went on to become the chief deputy sheriff of Richland County, Illinois from 1950–1954 and then the sheriff from 1954–1958. He died on June 28, 2003 in Olney, IL. He is survived by his wife, Gloria Ann Shipley, their children, Lucinda Jane Lewis, George Edward "Buddy" Shipley Jr., Mimi Fehrenbacher, Shawn Marie Dwyer, and Robb Edward Allen Shipley, and his seventeen grandchildren. His first great grandchild will be born in September. He was a great man who served his community, his state and his nation in many capacities and he will be truly missed.

A SPECIAL TRIBUTE TO IVAN DANGLER FOR HIS DEDICATED SERVICE TO THE STATE OF OHIO

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, Mr. Ivan Dangler, from Ohio. After 42 years of service, Mr. Dangler has decided to retire as Principal at Green Springs Elementary School. He had a distinguished career in education, serving as teacher, principal, and superintendent. After finishing his doctorate at the University of Toledo, he served as interim principal at the junior high school in Clyde. He has helped make the schools friendly, caring places for teachers and students. He has been known to recognize teachers' accomplishments during morning announcements and give students hugs or words of encouragement when they were feeling down.

Mr. Dangler is planning to move to Columbus, Ohio to work as a mentor with the Ohio Principals Association. He will help new principals "get the kinks out before they get in trouble."

Mr. Dangler also plans to spend more time on woodworking. He made bookcases, storage units, and picture frames for the teachers, in addition to the check-out unit in the library. Ivan will leave big shoes to fill in the arena of education. His wisdom, honesty and forthrightness are attributes to which all people should aspire. He has set an example for everyone on how to live a life of service, putting the greater interests of the community before one's own.

Mr. Speaker, I would like to ask my colleagues to join me in paying tribute to Mr. Ivan Dangler, a wonderful gentleman who for 42 years has dedicated himself to serving the students and teachers of Ohio. We all congratulate Mr. Dangler and wish him, his family, and his friends all the best as we pay tribute to one of our finest citizens.

HONORING CLARENCE DOYLE
MCGINLEY**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. McINNIS. Mr. Speaker, I stand before this body of Congress today to pay tribute to

a lifelong journalist and journeyman. Clarence McGinley, known to friends and family as Doyle, dedicated his life to a career in journalism. His profession took him on adventures across the country, finally settling down in Glenwood Springs, Colorado. As we reflect on his passing, I would like to recognize Doyle for his journalistic accomplishments and the impact that he had on his community.

When Doyle's skills as a plate maker for newspaper presses became outdated, the paper presented him with an opportunity to work as a reporter. Doyle's career flourished, winning a Pulitzer Prize for his reporting on Vietnam protests only two years later. While Doyle did not have traditional schooling as a reporter, he was widely known for his ability to track down a story. He continued his career in journalism and began a new career in the bail bond business when he moved to Glenwood Springs in the 1980s to care for his aging parents. Doyle's son, Wayne, noted that Doyle will be remembered by the community as a friend to everyone and by his children as a loving father.

Mr. Speaker, I am proud to stand before this body of Congress today to recognize the positive impact that Doyle had on my district and the State of Colorado. Individuals like Doyle provide the spirit and strength of character that make this nation great. I extend my deepest sympathies to Doyle's family and friends during this difficult time.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Ms. BERKLEY. Mr. Speaker, due to a family emergency, I was unable to vote on Monday, June 14, 2003. Had I been present, I would have voted "yea" on rollcall No. 354. I would have voted "yea" on rollcall No. 355. I would have voted "nay" on rollcall No. 356. I would have voted "yea" on rollcall No. 357. I would have voted "yea" on rollcall No. 358. I would have voted "yea" on rollcall No. 359.

CONGRATULATIONS ON THE BIRTH
OF CATHERINE ANNE PAYNE**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. WILSON of South Carolina. Mr. Speaker, congratulations to Mr. Thomas "Chip" Payne and Shannon Payne, on the birth of their daughter, Catherine Anne Payne, on Thursday, July 10th, 2003 at 6:23 a.m. Catherine was born at Columbia's Richland Memorial Hospital weighing 7 pounds and being 19½ inches in length. I extend my warmest wishes for a successful and happy life who is blessed to have devoted parents.

HONORING GREYSON FREDETTE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to an inspiring young man in Durango, Colorado. Despite facing extraordinary physical adversity, Greyson Fredette has shown perseverance in overcoming the odds and flourishing despite being challenged by a rare disease. I rise today to recognize Greyson for his inspirational efforts and remarkable accomplishments.

Greyson is a rising senior at Durango High School who battles an extremely rare disease known as ataxia-telangiectasia, or "A-T." A-T is a progressive, degenerative condition that results in decreased muscle control, including everything from an individual's legs to his eyes. While Greyson's condition does not allow him to walk, it does not preclude him from exercising his muscles through weightlifting. In fact, while he enjoys pottery and Spanish, Greyson cites weightlifting as his favorite class. Furthermore, even though his condition makes reading difficult, Greyson excels academically and has qualified for the honor roll.

Mr. Speaker, I am honored to pay tribute to Greyson Fredette today for his bravery and the example he has set within his community. He embodies the courage and strength of spirit that have made our nation strong. I commend Greyson for his hard work and determination and wish him all the best with his future endeavors.

IN MEMORY OF FORMER MICHIGAN STATE REPRESENTATIVE PETER KOK

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. EHLERS. Mr. Speaker, today I want to honor someone whom I consider to be the ideal public servant and one of the finest legislators I ever met—Peter Kok of Grand Rapids, Michigan, who died Sunday, June 22, 2003 at the age of 83.

Peter Kok's obituary appeared in papers around the world in the week following his death, and with good reason. It was his refusal to bomb a defenseless and innocent village in northern Italy while a captain in the Army Air Force during World War II that became the basis for Joseph Heller's famous 1961 novel, *Catch 22*, and the subsequent 1968 movie of the same name. Rather than bomb the village, he dropped his B-25's payload on an open field outside the village and the rest of the bombers in his command followed suit.

For his heroism in completing 67 bombing missions over Italy and southern France as a member of the 488th Bomb Squad of the 340th Bomb Group, Peter received the Silver Star, the Distinguished Flying Cross, the Airman's Medal and a Purple Heart.

After the war, Peter returned to Grand Rapids and established a real estate brokerage

firm. Later, he decided to jump into the political fray by running for the Michigan State House of Representatives in 1964, defeating two incumbents in a primary; he was then re-elected to a total of seven terms before retiring from public office in 1978.

Peter Kok became a champion for open housing legislation that prohibited so-called "redlining." Other pet causes included mental health services, special education and environmental legislation—all before these causes became popular issues.

As I said before, Mr. Speaker, Peter Kok was the ideal public servant. He was decent, honest and a truly superb legislator. I had the pleasure of working with him when I was a member of the Kent County Board of Commissioners and later had the honor of holding his former seat in the Michigan House a few years after his retirement.

For those who remember Peter Kok as a pilot, as a real estate agent or as a legislator, we all mourn his loss, and we offer our condolences to his family.

HONORING CHIEF LOUIS E. KELLY ON HIS RETIREMENT FROM THE ELIZABETH FIRE DEPARTMENT AFTER 33 YEARS OF SERVICE

HON. ROBERT MENEDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. MENEDEZ. Mr. Speaker, I rise today to honor Chief Louis E. Kelly on his retirement from the Elizabeth, New Jersey Fire Department, and to congratulate him for 33 years of dedicated and courageous service to his community.

Chief Kelly's impressive career began in November, 1969, as a Probationary Firefighter in Ladder Company 3 of the Elizabeth Fire Department. In 1977, he became Fire Captain of Rescue Ladder 1, and in 1986, Battalion Chief. After being promoted to Deputy Fire Chief in 1993, he served as Acting Chief from 1995–1996, and was appointed to Chief of the Department in April, 1999. For the last nine years, Chief Kelly has also served as a Deputy Mutual Aid Coordinator for Union County.

Over the years, the Elizabeth Fire Department and Chief Kelly have been the recipients of many commendations, recognitions, and awards. Chief Kelly is a three-time recipient of the Valor Award from the 200 Club of Union County, and has received two Heroism and Community Service Awards from Firehouse Magazine for his heroism and dedication. The Elizabeth Fire Department has awarded him three Class 1 awards, four Class 2 awards, and four Unit Citations. He is the twelfth chief of the Elizabeth Fire Department, which began officially in 1902 and replaced the volunteer fire department.

Under the leadership of Chief Kelly, the Elizabeth Fire Department gave its all in the recovery efforts after September 11, 2001, an event which Chief Kelly noted, "proved no entity can handle every situation on its own." The tragic events of that day demonstrated the Department's commitment and courage, which will never be forgotten.

Chief Kelly will be remembered for his love for and dedication to his community, both as a coach for Elmora Youth League and for the

Saint Genevieve's Parish, and his many other community activities.

Today, I ask my colleagues to join me in honoring Chief Louis E. Kelly for his years of service to the Elizabeth Fire Department and the City of Elizabeth.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 8, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2658) making appropriations for the Department of Defense for the fiscal year ending September 30, 2004; and for other purposes.

Ms. McCOLLUM. Mr. Chairman, today we are voting to fund the U.S. military to meet its future needs. Our duty to our servicemen and women is to provide them with the tools and the means to protect and defend our nation as well as protect them when in conflict. An issue that has persisted to be unsatisfactorily addressed by Congress is the endangerment of our soldiers and civilians—especially children—from the unexploded remnants of cluster munitions. These munitions disperse thousands of small grenades into areas of conflict that include battlefields but too often also include urban and rural areas inhabited by civilians.

Cluster weapons have been used by U.S. military forces in conflict areas including Laos, the Persian Gulf, Kosovo, Afghanistan, and most recently during Operation Iraqi Freedom. Unlike other military weapons, cluster bombs have a failure rate that can reach as high as 40 percent, leaving a trail of thousands of unexploded ordinance that cause death and destruction for our soldiers and civilian populations alike. This unexploded ordinance creates an extremely hazardous environment for soldiers patrolling the areas, future peacekeepers and civilians who unwittingly pick these weapons up or step on them—most frequently children.

In Kosovo in 1999, five children playing with the colorful unexploded sub-munitions were killed. In Iraq, a child's eyes were blown out when a grenade he was playing with near his Baghdad home exploded in his face. Another young Iraqi man brought a grenade into his home, where it exploded, injuring the man severely and killing his 8-month old sister, who had been resting on the living-room floor.

U.S. soldiers are in similar danger. As our troops in Iraq canvass the region, they encounter thousands of unexploded cluster grenades on the roads, in the homes and in the hands of the Iraqi people. It has made their job much more difficult, and in the case of Army Sergeant Troy Jenkins, has cost them their lives. Sergeant Jenkins was killed in Iraq when, after encountering a child who was handling a cluster weapon, the weapon exploded.

The Department of Defense has correctly identified the problem of unexploded cluster bombs and is taking steps to ensure these weapons are safe. In 2001, then Defense Secretary William Cohen issued a Pentagon-wide memorandum calling on the Department to

achieve a 1-percent failure rate by 2005. I ask unanimous consent to insert a copy of Secretary Cohen's memo into the record at this time.

Achieving a 1-percent failure rate requires the simple addition of a secondary fuse to blow up the cluster grenade or neutralize it should it fail to explode on impact. The technology to reach this goal is available, and the Army has already begun developing these new munitions. Yet, little funding has been allocated to expand this technology to all branches of military service. The bill before us today continues to shortchange this commitment. As a result, dangerous cluster bombs with high failure rates remain in use, with thousands more in military stockpiles. This leaves future families, soldiers and innocent children vulnerable to these hazards. Congress can and must do more.

Today, I am calling on Congress to strengthen our commitment to our soldiers and civilians around the world from the danger of cluster bombs deployed by the U.S. military. It is our responsibility to support the Pentagon and our allies around the world who have sought to address this danger by ensuring cluster weapons are not deadly for years after their use. Reaching a 1-percent failure rate for cluster bombs is possible right now, but not without the full commitment of Congress. We have the will to enforce this goal—now we must have the way.

I look forward to working with both Chairman LEWIS and Ranking Member MURTHA in the weeks and months ahead in addressing this critically important issue. I also ask unanimous consent to insert into the record at this time a recent article from *Newday.com* on cluster munitions.

THE SECRETARY OF DEFENSE,
Washington, DC, January 10, 2001.

Memorandum for the Secretaries of the Military Departments.

Subject: DoD policy on submunition reliability (U).

Submunition weapons employment in Southwest Asia and Kosovo, and major theater war modeling, have revealed a significant unexploded ordnance (UXO) concern. The following establishes the Department's policy regarding submunition weapons acquisition. The policy applies to systems delivered by aircraft, cruise missiles, artillery, mortars, missiles, tanks, rocket launchers, or naval guns that are designed to attack landbased targets and that deploy payloads of submunitions that detonate via target acquisition, impact, or altitude, or self-destruct (or a combination thereof). It is the policy of the DoD to reduce overall UXO through a process of improvement in submunition system reliability—the desire is to field future submunitions with a 99% or higher functioning rate. Submunition functioning rates may be lower under operational conditions due to environmental factors such as terrain and weather.

Program Managers shall include the non-recurring cost of increasing the overall functioning rate; the operational use costs, including the cost of clearing UXO on test and training ranges in accordance with DoD policy and operational requirements; and disposal costs, as part of the life-cycle costs of all future submunition weapons. The Program Manager should establish submunition functioning thresholds and objectives that advance the process of improvement in system reliability, and that take into consideration the benefits from reduced UXO (i.e., a cost-benefit analysis of increasing the func-

tioning rate (cost) and the resulting reduction in UXO (benefit).

The Services may retain "legacy" submunitions until employed or superseded by replacement systems in accordance with the above policy. The designation "legacy" would apply to submunition weapon acquisition programs reaching Milestone III prior to the Fast Quarter of Fiscal Year 2005.

The Services shall evaluate "legacy" submunition weapons undergoing reprourement, product improvement, or block upgrades to determine whether modifications should be made to bring them into compliance with the above policy.

The Services shall design and procure all future submunition weapons in compliance with the above policy. A "future" submunition weapon is one that will reach Milestone III in FY 2005 and beyond. Waivers to this policy for future ACAT I and II submunition weapons programs, shall require approval by the JROC.

Thus policy applies to all acquisition category submunition weapons programs. Compliance with this policy shall be assessed by the Component or Defense Acquisition Executive, as appropriate.

WILLIAM COHEN.

[From *Newday.com*, June 23, 2003]

OFFICIALS: HUNDREDS OF IRAQIS KILLED BY
FAULTY GRENADES
(By Thomas Frank)

WASHINGTON.—Hundreds and possibly thousands of Iraqi civilians have been killed or maimed by outdated, defective U.S. cluster weapons that lack a safety feature other countries have added, according to observers, news reports and officials.

U.S. cluster weapons fired during the war in March and April dispersed thousands of small grenades on battlefields and in civilian neighborhoods to destroy Iraqi troops and weapons systems.

But some types of the grenades fail to explode on impact as much as 16 percent of the time, according to official military figures. Battlefield commanders have reported failure rates as high as 40 percent.

Unexploded grenades remain potentially lethal for weeks and months after landing on the ground, where civilians can unwittingly pick them up or step on them. Many victims are children such as Ali Mustafa, 4, whose eyes were blown out when a grenade he played with near his Baghdad home in April exploded in his face.

The "dud rate" for cluster grenades can be reduced to less than 1 percent by installing secondary fuses that blow up or neutralize grenades that fail to explode on impact, according to defense contractors. In early 2001, the Pentagon said it would achieve that goal, but not until 2005. In the meantime, the military continues to use a vast arsenal of cluster grenades that fail to meet the new standard.

Former military officials and defense experts say the effort to improve the grenades was given a low priority and little funding.

"The Army is behind, and the Army is moving very slowly," said retired Army Lt. Gen. Michael Davison, now president of the U.S. division of Israel Military Industries, which has made 60 million grenades with secondary fuses. "It's a sorry situation that we didn't have secondary fuses on the artillery submunitions [grenades] that were fired in the last several wars."

Britain, which joined the United States in the fight to oust Saddam Hussein, fired 2,000 artillery cluster weapons in the war. All were equipped with Israeli-made grenades with secondary fuses and a 2 percent dud rate, the British Defense Ministry said.

The United States fired cluster weapons as bombs, rockets and artillery shells, which

open like a clam to scatter hundreds of grenades over an area as large as several city blocks. Almost all of the U.S. grenades had one standard fuse, according to military records and officials. A notable exception was a type of cluster bomb carrying newly designed—and expensive—grenades with infrared sensors that seek armored vehicles and self-destruct if none is found.

As small as medicine bottles and often draped with short ribbons, unexploded grenades attract children who mistake them for toys. On the April day when Ali Mustafa lost his eyes—an explosion that injured his brother and friend—the three were taken to a Baghdad hospital where two other youths were being treated for cluster grenade wounds.

Ali Harried, 10, of Baghdad, had his stomach ripped open and bowel perforated when a grenade that he and friends were playing with blew up.

Shrapnel ripped into the buttocks of Saef Sulaiman, 17, after his younger brother brought a live grenade into their Baghdad home. Sulaiman said his 8-month-old sister, who had been resting on the living-room floor, was killed in the explosion.

Ali Hamed's mother said two friends of her son's were killed when Ali was hurt.

Another Iraqi child who picked up a grenade survived when Army Sgt. Troy Jenkins took it from her. The grenade then exploded. Jenkins was killed.

The military has not said how many troops have been killed or injured by unexploded grenades. But the 1991 Gulf War revealed their danger.

A congressional report found that grenade duds killed 22 U.S. troops—6 percent of the total American fatalities—and injured 58 as forces swept the Iraqi military out of areas in Kuwait's desert that the Americans had just shelled.

The Army said in a post-war report that "the large number of dud U.S. submunitions . . . significantly impeded operations."

A U.S. mine-clearance company found 118,000 unexploded cluster grenades in just one of the seven Kuwaiti battlefield sectors, according to the General Accounting Office, Congress' investigative agency. Military documents and officials estimated the dud rate at 8 percent to 40 percent.

The total number of unexploded grenades in the region was estimated at 1.2 million by Human Rights Watch, which opposes cluster weapons. It estimated fatalities at 1,220 Kuwaitis and 400 Iraqi civilians.

Forced to confront the problem of unexploded cluster grenades, the military focused on training U.S. troops to clear them and avoid them in the battlefield instead of making improvements to reduce their number, defense experts said.

"We didn't do a whole lot that cost a whole lot of money," said Richard Johnson, a defense consultant and retired Army colonel who spent 30 years working in ammunition acquisition programs.

The Pentagon acknowledged in a 2000 report on cluster weapons that "a significant percentage of these submunitions [grenades] may not detonate reliably." The report said "corrective measures are under way" but said the Pentagon would not retrofit the cluster grenade inventory, which an earlier report said numbered 1 billion.

Retrofitting the entire grenade stockpile was deemed too costly, at \$11 billion to \$12 billion, according to a 1996 Army report. But the report also noted that cleaning up dud grenades was so costly that in certain limited conflicts "costs for retrofit of our ammunition might be recovered from the elimination of future cleanup costs."

The military has been trying to improve grenade reliability, but technological problems and the complexity of cluster weapons

have caused delays. "I don't think anybody is happy with the current fusing," one Army official said.

Two people close to the Navy said recently that reports of civilian casualties have reignited what they called a stalled Navy effort to modify one type of grenade considered notoriously unreliable by experts. A military report indicates 36,179 such grenades were used in Iraq.

Lt. Col. Stephen Lee, who manages an Army program to upgrade cluster-weapon safety, said, "There have been major improvements; it's just that they're not fielded yet."

Speaking about a type of grenade used widely in Iraq, Lee said, "There really is no difference in terms of the dud rate between the first Gulf War and the most recent conflict in Iraq."

Experts say the military has focused on building new precision weapons systems. "Safety and collateral damage are not as high a priority as mission effectiveness," said David Ochmanek, a RAND Corp. defense analyst who was a deputy assistant defense secretary in the Clinton administration.

The Defense Department defended its recent use of cluster weapons in Iraq. Gen. Richard Myers, chairman of the Joint Chiefs of Staff, blamed the civilian casualties on Hussein for deliberately placing Iraqi weapons in populated areas where they would draw return fire. "War is not a tidy affair. It's a very ugly affair," Myers said in April. "And this enemy had no second thoughts about putting its own people at risk."

The U.S. military has known about the dangers of the unexploded grenades for decades, since the Vietnam War, when Viet Cong fighters used unexploded grenades as land mines against the U.S. forces that fired them by the millions.

In the three decades since, the duds have killed thousands in Laos, says the International Committee of the Red Cross. The Red Cross, human rights groups and the European Parliament have campaigned to ban cluster-weapon use until nations agree to improve grenade reliability, avoid firing them in populated areas and regulate their cleanup.

The United States did little in the 1970s and 1980s to improve the reliability of the grenades, said Darold Griffin, former deputy director for research and development in the Army Material Command. "Some felt duds were an asset on the battlefield. You fire them into an area where an enemy is, and having some duds decreases his freedom of movement," he said.

Countries that have fought wars on their own soil, most notably Israel, have made improvements, out of fear that duds would harm their own civilians and under public pressure. Israeli-made grenades now have a dud rate of less than 1 percent, said Davison, the Israeli Military Industries official. The company has sold tens of millions of grenades to Britain, Germany, Denmark and Finland, and to Switzerland, which has proposed international standards to improve grenade reliability.

Sweden also requires its cluster grenades to have secondary fuses, said Lt. Col. Olof Carelius of the Swedish Armed Forces.

Grenades fail to detonate mostly when their landing impact is lessened, because they fall on a soft surface or sloped terrain, or they collide in midair and lose speed. The Pentagon says many grenades fail only 2 percent of the time but acknowledges dud rates are difficult to ascertain and vary widely depending on conditions. It says the weapons are ideal for hitting spread-out targets like troop formations and tank columns.

But the consequences of failure rates are magnified by the numbers of grenades used:

To destroy one air-defense system covering 100 square yards requires 75 rockets, each carrying 644 grenades—a total of 48,300. The 16 percent failure rate listed by the Pentagon produces 7,728 unexploded grenades, scattering them over 600 square yards.

Bonnie Docherty, part of a Human Rights Watch team that recently spent a month surveying battle damage throughout Iraq, said she "saw evidence of thousands of submunitions in or near populated areas."

Cluster-weapon use was "significantly more extensive than in Afghanistan," where the United States dropped 1,228 cluster bombs containing 248,056 grenades in a six-month span, according to Human Rights Watch.

A report by the Air Force in late April said U.S. aircraft over Iraq dropped 1,714 cluster bombs containing about 275,000 grenades. No report is available on the number of ground-fired cluster weapons, but throughout the war launchers could be seen firing grenade-carrying rockets.

Efforts to improve grenades stalled when an Army contractor, KDI Precision Products Inc. of Cincinnati, proved unable to mass-produce a secondary fuse for new grenades. A contract signed in 1987 was canceled in 2000.

"It's not an easy technical problem to solve," KDI president Eric Guerrazzi said. He and others say the program might have succeeded with more funding, perhaps to pay a competing firm to work as well on developing the fuses.

Spending on munitions research and procurement dropped from \$18 billion a year during the 1980s to about \$6 billion a year after the Cold War.

"The funding for R and D [research and development] in the Army was minimal, and fusing was the last on the list," said Bruce Mueller, a former Army lieutenant colonel who managed the fuse program for defense contractor Raytheon. "They develop weapons, then they develop munitions, and after they develop munitions, the last thing they worry about is how to fuse them."

A Lingering Threat

The war in Iraq is over, but the danger from the bombing remains. Cluster bombs used by coalition forces showered wide areas and their unexploded remnants pose a threat to Iraqi citizens and U.S. forces.

How They Work

Most cluster munitions consist of four components:

A dispenser, fins, internal fuses and bomblets.

Dispenser is dropped from a warplane like a conventional bomb.

Dispenser is stabilized in flight by fin assemblies.

Internal fuses trigger dispenser to open at a predetermined height above the target.

Dispenser spins and disperses bomblets to target.

Bomblets float to target and detonate.

However . . .

Mechanical and fuse failures can leave some bomblets unexploded. Their toy-like appearance can attract children, with tragic results.

What They're Used For

Cluster bombs are designed to kill troops moving in the open. The smaller explosions spread over acres can take out large numbers of the enemy.

The Bomblets

The bomblets, or submunitions, can be designed for anti-personnel, anti-materiel, anti-tank or dual purposes. They can be fin-guided or parachute-aided.

Cluster bombs can be carried by bombers such as the Air Force's B-52 Stratofortress.

Some, shaped like tennis balls, can be 1.7 inches or 3.9 inches in diameter. Others are cylindrical.

RECOGNIZING DR. KRISHNA REDDY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Ms. SOLIS. Mr. Speaker, I rise today to recognize a great community leader and President of the Indian American Friendship Council, Dr. Krishna Reddy, for his commitment to the advancement of the U.S.-India relationship and the Indian-American community.

Dr. Reddy has a remarkable record of advocating on behalf of the Indian-American community. As Founder and President of the Indian American Friendship Council, Dr. Reddy has demonstrated his tremendous dedication to improving U.S.-India relations. His expertise and service have undoubtedly led to increased dialogue and solidarity between these two democracies.

Dr. Reddy's commitment to engaging the Indian-American community in the political process and ensuring that Indian-Americans have a voice in our government is also commendable. His organized efforts have helped educate Congress about issues important to India and the Indian-American community and fostered relationships between Members of Congress and Indian-Americans nationwide.

It is a great honor to pay tribute to Dr. Krishna Reddy and the Indian American Friendship Council.

NATIONAL SECURITY AND
WARTIME LEADERSHIP

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. DELAY. Mr. Speaker, despite our success in Afghanistan and Iraq, despite our many allies around the world, and despite our unquestionable leadership here at home, the wolves of terrorism are still on the lurk.

Wherever they threaten, we must gird ourselves for battle.

This war presents many foes on many fronts, but we fight it for one purpose: the security of American people.

This week, the House considered one of the tools that will help us win this war: President Bush's "Project Bioshield" initiative. Project Bioshield, as you know, is a comprehensive program to research, develop, and acquire vaccines, drugs, and countermeasures to protect Americans from terrorism.

It will streamline government-sponsored research of biological, chemical, nuclear, and radiological weapons and medicines to combat their effects. And it will authorize a special reserve fund to purchase enough of those countermeasures to respond to catastrophic terrorist attacks.

Project Bioshield is another way to protect America, and further evidence that there is no difference between national security and homeland security. Both agendas are designed to win the war on terror and protect the American people from future attack. Thus, we will implement Project BioShield for the same reason we defeated the Taliban and liberated Iraq: Security.

Without security, peace and prosperity will be difficult to find and impossible to preserve.

Without victory in the War on Terror, no fiscal, domestic, or social policy will even survive.

Those are the stakes, Mr. Speaker: the preservation of civilization and hope for peace in the world.

One man who understands those stakes is British Prime Minister Tony Blair, one of the heroes of Operation Iraqi Freedom and the War on Terror.

To show our appreciation for his courage and his friendship, we will welcome Prime Minister Blair to speak to a joint meeting of the House and Senate Thursday.

The American people are safer today because of the support he gave us—and continues to give us—in Iraq . . .

. . . just as they will be made safer by Project BioShield and other security initiatives here at home.

And President Bush and this Congress will work to ensure we stay that way.

Thanks to President Bush, vulnerabilities have been identified and addressed.

Our nation is safer, stronger, and better prepared to meet the next threat, wherever it may emerge.

Wartime leadership, Mr. Speaker, could not be better defined.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. KING of Iowa. Mr. Speaker, on July 14, 2003, I was unavoidably detained due to a delayed flight. Unfortunately, I missed the following Rollcall votes. If I would have been present, I would have voted:

“Yea” for Rollcall 108–354, the Rehberg Amendment.

“Nay” for Rollcall 108–355, the Blumenauer Amendment.

“Nay” for Rollcall 108–356, the Hefley Amendment.

“Nay” for Rollcall 108–357, the Ackerman Amendment.

RECOGNIZING TENSAS REUNION, INCORPORATED

HON. DAVID VITTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. VITTER. Mr. speaker, I rise today to recognize the hard work and accomplishments achieved by Tensas Reunion, Incorporated, located in my home state of Louisiana.

Tensas Reunion, Incorporated, is a non-profit organization whose mission is to develop and implement comprehensive and sustainable programs that improve the quality of life for residents of Tensas Parish and meet the educational needs of the Parish's underserved communities. As we strive to provide our children with brighter futures, organizations like Tensas Reunion are a shining example of how we can improve our educational system through community work.

I would like to commend Tensas Reunion, Incorporated, and I am confident that they will continue their outstanding service that has helped so many children in Louisiana.

Thanks to their tireless dedication Northern Louisiana has grown and continues to grow into stronger community.

REGARDING H.R. 2673 AND THE REIMPORTATION PROVISIONS

SPEECH OF

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill, H.R. 2673:

Mr. SULLIVAN. Mr. Chairman, H.R. 1, the Medicare Prescription Drug bill, which I supported, contains a provision which allowed for the importation of foreign medicines. However, it also included important safeguards that are not present in the importation provision included in this legislation. These new safeguards include: (1) Limiting reimportation to drugs being reimported from Canada; (2) requiring drugs reimported under its provisions to bear a statement designed to inform the patient that the drug was reimported by someone other than the manufacturer; (3) requiring the use of packaging that is reasonably certain to be tamper-resistant and not capable of counterfeiting; (4) preventing “transshipment” through third world countries by permitting the reimportation only of drugs that have not left the possession of the first Canadian recipient after receipt from the manufacturer; and (5) allowing the Secretary to designate one port of entry in the U.S.

The provision included in the legislation before us allows reimportation from any country. Importing medicines from foreign countries weakens the U.S. pharmaceuticals distribution system by allowing the entry of pharmaceuticals from all over the world—even from countries with demonstrated counterfeiting problems. For example, this proposal would allow importation from South Africa, a country where “Up to 20% of the medicines . . . are fakes or stolen and are almost impossible to distinguish from the real thing.”

The provision included in H.R. 1 also requires imported drugs to say they are imported, the provision in this bill does not. Without proper labeling, patients won't know what drugs they are getting. Those of us who are not willing to take the risk with our health will have no way of knowing if they have purchased an imported prescription drug that is contaminated from their neighborhood pharmacy. Proper labeling gives Americans who choose not to use import prescription drugs the means to do so.

This provision would also allow the transshipment of drugs, the provision included in Medicare Prescription Drug bill would not. Transshipment of prescription drugs from country to country provides no pedigree or record of where a particular prescription has been. Without a record of shipment, there is no guarantee of safety. H.R. 1 requires documentation, such as the origin, destination, and lot number assigned to the prescription drug that provides this safety.

It also requires tamper resistant packaging, the provision in this bill does not. H.R. 1 requires prescription drugs from Canada be contained in packaging which the Secretary of Health and Human Services has “determine[d] to be reasonably certain to be tamper-resistant and not capable of counterfeiting.” Tamper-resistant packaging provides an extra layer of security to prescription drugs.

Most importantly, the importation provision included in the Medicare Prescription Drug legislation contains language that allows the Health and Human Services Secretary to ensure the safety of the American drug supply and those drugs being imported, the provision included in the Agriculture Appropriations bill does not. The Medicare bill contains language that requires the Secretary of HHS to certify to the Congress that the new imports will (1) pose no additional health and safety risks, and (2) result in significant savings to consumers. This is important, since the safety and cost-savings provision was signed into law by Congress and President Clinton, as part of the “Medicine Equity and Drug Safety Act of 2000,” to ensure consumers are protected and that they save money. Since that time, two HHS Secretaries, one Democrat and one Republican, could not demonstrate cost-savings or safety from importation.

The importation provision in the bill before us does not include any safeguards to ensure that the medicines patients receive are safe. I do not support taking this type of risk with the health of patients in my district. While I am voting in favor of H.R. 2673 because of numerous other provisions in the bill, I believe reimportation is poor policy and a serious safety concern to Americans.

REMARKS IN HONOR OF TECKLA HALL

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. CROWLEY. Mr. Speaker, it is with great shock and even deeper sadness that I come before the United States House of Representatives to announce and mourn the untimely passing of my friend Teckla Hall, of Co-Op City, the Bronx, New York.

Teckla Hall was a driven, passionate advocate for the causes she felt were important—her community, her family, her ancestral roots.

She worked tirelessly on every project she undertook, whether serving on the board of the Riverbay Corporation, where she continually strived to improve the quality of life for all residents; to her service as President of the Eleanor Roosevelt Democratic Club working to advance her political beliefs; to her leadership in the National Council of Negro Women. Teckla had a quiet yet powerful voice. She was heard. She was listened to. She was respected and admired.

While I only knew Teckla a short time, the brief 6 months she worked as my Office Director in Co-Op City, I admired and respected her.

When visiting Co-Op City looking for a community representative for my Co-Op City office, I continually heard one name—Teckla Hall.

But she was more than a résumé—more than a community leader. She was a beloved

daughter, caring for her mother at her home in Co-Op City; a cherished sister, an adored aunt and a good and faithful friend.

Just recently I was on the House floor discussing her niece and her stunning accomplishments. I never thought I would be here again, so soon, discussing something so sad.

When I heard of her death on July 4, I was shocked. She was only 44, in the prime of her life and more accomplished than her years.

All who knew her will feel her loss. She touched many lives—her family's, my staff's, constituents' and people throughout New York's Seventh District.

I will do all that can be done to help ease the pain of Teckla's family during this tragic time. My thoughts and prayers are with them.

Today, she was laid to rest but she will always be a part of the fabric of Co-Op City.

PRESCRIPTION DRUG COSTS ARE
"OUT OF BOUNDS" FOR SENIORS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 15, 2003

Mr. DAVIS of Illinois. Mr. Speaker, on June 27, 2003, this House of Representatives passed a poor excuse for a solution to the Medicare prescription drug crisis. The Medicare Prescription Drug and Modernization Act of 2003 provides minimal benefits to our Nation's disabled and senior citizens and fails to address the underlying problem of skyrocketing prescription drug costs.

On July 9, Families USA released a report appropriately called "Out of Bounds: Rising Prescription Drug Prices for Seniors." Between January 2002 and January 2003, the price of the 50 drugs most commonly used by seniors rose at three-and-a-half times the rate of inflation. With the Republican prescription drug plan, these rising prescription drug costs will continue to restrict patient access to much needed medications.

What is the solution to these skyrocketing drug prices? We must hold the pharmaceutical

companies accountable! The cost disparity between identical prescription drugs sold in the United States, Canada, and Mexico must be eliminated. Generic drugs, whose prices grow far more slowly than brand name drugs, must be allowed to quickly enter the market. Drug companies must begin to hold the welfare of patients above the richness of their own pocketbooks.

Until we convince pharmaceutical companies to treat our senior citizens justly, Congress must take action. A fall-back prescription drug benefit must be offered through Medicare, which would have the power to negotiate drug prices. We must allow drugs to be re-imported from Canada. Members of Congress must be held accountable for the prescription drug benefits we give to seniors. We must urge the conferees to maintain in the final bill Senator MARK DAYTON's amendment which calls for Members of Congress to receive comparable prescription drug benefits to those of Medicare beneficiaries.

Members of Congress, I urge you, do not allow the well-being of our Nation's seniors to be controlled by the greedy hands of the pharmaceutical industry. Take a stand and fight for our Nation's disabled and seniors.