

5.03(a)-(c) or 7.16 of these rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01.

(1ef)
(1lg)

§7.02 Sanctions

(a) The Hearing Officer may impose sanctions on a party's representative for inappropriate or unprofessional conduct.

(b) The Hearing Officer may impose sanctions upon the parties under, but not limited to, the circumstances set forth in this section.

(a) Failure to Comply with an Order. When a party fails to comply with an order (including an order for the taking of a deposition, for the production of evidence within the party's control, or for production of witnesses), the Hearing Officer may:

(1)a)
(2)b)
(3)c)
(4)d)

§8.01 Appeal to the Board.

(b)(1) Unless otherwise ordered by the Board, within 21 days following the filing of a petition for review to the Board, the appellant shall file and serve a supporting brief in accordance with section 9.01 of these rules. That brief shall identify with particularity those findings or conclusions in the decision and order that are challenged and shall refer specifically to the portions of the record and the provisions of statutes or rules that are alleged to support each assertion made on appeal.

(2) Unless otherwise ordered by the Board, within 21 days following the service of the appellant's brief, the opposing party may file and serve a reply brief.

(3) Upon delegation by the Board, the Executive Director is authorized to determine any request for extensions of time to file any document or submission with the Board. Such delegation shall continue until revoked by the Board.

§9.01 Filing, Service and Size Limitations of Motions, Briefs, Responses and other Documents.

(a) Filing with the Office; Number. One original and three copies of all motions, briefs, responses, and other documents must be filed, whenever required, with the Office or Hearing Officer. However, when a party aggrieved by the decision of a Hearing Officer or other determination reviewable by the Board files an appeal with the Board, one original and seven copies of both any appeal brief and any responses must be filed with the Office. The Officer, Hearing Officer, or Board may also require a party to submit an electronic version of any submission on a disk in a designated format.

§9.03 Attorney's fees and costs.

(a) Request. No later than 20 days after the entry of a Hearing Officer's decision under section 7.16 or after service of a Board decision by the Office, the complainant, if he or she is a prevailing party, may submit to the Hearing Officer who heard the case initially a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. All motions for attorney's fees and costs shall be submitted to the Hearing Officer. [The Board or t] The Hearing Officer, after giving the respondent

an opportunity to reply, shall rule on the motion.

§9.05 Informal Resolutions and Settlement Agreements

(b) Formal Settlement Agreement. The parties may agree formally to settle all or part of a disputed matter in accordance with section 414 of the Act. In that event, the agreement shall be in writing and submitted to the Executive Director for review and approval. If the Executive Director does not approve the settlement, such disapproval shall be in writing, shall set forth the grounds therefor, and shall render the settlement ineffective.

(c) Requirements for a Formal Settlement Agreement. A formal settlement agreement requires the signature of all parties on the agreement document before the agreement can be submitted to the Executive Director. A formal settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise required by law.

(d) Violation of a Formal Settlement Agreement. If a party should allege that a formal settlement agreement has been violated, the issue shall be determined by reference to the formal dispute resolution procedures of the agreement. If the particular formal settlement agreement does not have a stipulated method for dispute resolution of an alleged violation of the agreement, the following dispute resolution procedure shall be deemed to be a part of each formal settlement agreement approved by the Executive Director pursuant to section 414 of the Act: Any complaint regarding a violation of a formal settlement agreement may be filed with the Executive Director no later than 60 days after the party to the agreement becomes aware of the alleged violation. Such complaints may be referred by the Executive Director to a Hearing Officer for a final and binding decision. The procedures for hearing and determining such complaints shall be governed by subparts F, G, and H of these rules.

§9.06 Destruction of Closed Files.

Closed case files regarding counseling, mediation, hearing, and/or appeal may be destroyed during the calendar year in which the fifth anniversary of the closure date occurs, or during the calendar year in which the fifth anniversary of the conclusion of all adversarial proceedings in relation thereto occurs, whichever period ends later.

§9.07 Payment of Decisions, Awards, or Settlements under section 415(a) of the Act.

Whenever a decision or award pursuant to sections 405(g), 406(e), 407, or 408 of the Act, or an approved settlement pursuant to section 414 of the Act, require the payment of funds pursuant to section 415(a) of the Act, the decision, award, or settlement shall be submitted to the Executive Director to be processed by the Office for requisition from the account of the Office of Compliance in the Department of the Treasury, and payment.

§9.0f/678 Revocation, Amendment or Waiver of Rules.

50TH WEDDING ANNIVERSARY OF CAROLYN AND BLACKIE EVANS

Mr. REID. Madam President, I rise today to tell a happy story. In fact, it almost sounds like a Hollywood love story.

I first met Claude "Blackie" Evans in Henderson, NV, when I was the city at-

torney. Our first meeting involved a traffic issue that Blackie had before the municipal judge.

Blackie had come to Henderson from his hometown of Galena, KS. In fact, he hitchhiked to Nevada the day after he graduated from high school.

Blackie used to spend time at the Henderson Boys Club. He was a Golden Gloves boxer, and he fought in the ring there.

He also was a fighter out of the ring—he fought for his union brothers, and for all the working men and women of Nevada.

A few months after Blackie came to Henderson, his high school sweetheart followed him. Blackie had played football in high school and Carolyn was a cheerleader, and they made a great couple. On September 7, 1953, they were married in Las Vegas.

Blackie went to work at Titanium Metal Corp., and he and Carolyn started to raise a family. Over the next few years they would have four wonderful children: Steve, Sheree, Seanna, and Lisa.

They raised their kids and worked hard. After Blackie had been at the Timet factory for about 5 years, he was elected vice president of United Steelworkers Local 4856. Three weeks later, at age 23, he became the local's youngest president ever. He held that position for 12 years while also working in the plant.

In 1971, my former high school teacher Mike O'Callaghan, who had become Governor of Nevada, appointed Blackie as the Commissioner representing labor on the old Nevada Industrial Commission. The Evans family moved to Carson City, where Carolyn narrated tours through the Governor's Mansion in her spare time from raising four children.

In 1978, Blackie was elected secretary treasurer of the Nevada AFL-CIO, a position he held until his retirement in July 1999. He also served as a national vice president of the AFL-CIO. During this time, I often crossed paths with Blackie. Together, we worked to help the working families of Nevada.

Today, Blackie and Carolyn still live in Henderson, NV, the town he hitchhiked to some 50 years ago. Carolyn's mother Nadine Qualls, who turns 91 in November, lives with them.

They are blessed to have two grandchildren living in Henderson—Alex Bacon, 12, and Geena German, 7—and two grandchildren in Reno—Brittany Cassingham, 20, a student at UNR, and Cierra Cassingham, 16, a junior in high school.

On September 7, 2003, Blackie and Carolyn will celebrate 50 years of marriage. The celebration will be a tribute to their love of each other, and to the rich, productive life they have enjoyed together.

I congratulate Carolyn and Blackie on their wonderful marriage and family, and I wish them many more years of happiness together.

LOCAL LAW ENFORCEMENT ACT
OF 2003

Mr. SMITH. Madam President, I speak today about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Newark, CA. On October 3, 2002, several men became enraged after learning that a young woman was actually a 17-year-old boy in their party. The men punched Eddie "Gwen" Araujo, dragged him into the garage and strangled him with a piece of rope. Eddie's body was then wrapped in a sheet and buried in a shallow grave near Placerville, about 150 miles from his family's home in Newark.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

AUNG SAN SUU KYI'S HUNGER
STRIKE

Mr. FEINGOLD. Madam President, this weekend we heard extremely troubling news from the State Department. Aung San Suu Kyi, leader of the democratically elected National League for Democracy and Nobel Peace Prize laureate, is on a hunger strike to protest her detention by the military government in Burma.

Aung San Suu Kyi has been held in an unknown location without the ability to communicate with the outside world since May 30, 2003. Many of us in Congress have demanded her release. Sadly, her detention is simply the latest installment in the country's 40-year history of suffering and oppression. I have consistently criticized the government for its political repression and human rights violations. Reports of rape, forced labor, human trafficking, suppression of civil liberties, and torture of political dissidents have caused me and my constituents great concern. I supported the Burmese Freedom and Democracy Act of 2003, which imposes sanctions on the Burmese military junta, strengthens Burma's democratic forces and supports and recognizes the National League for Democracy as the legitimate representative of the Burmese people. I encourage other countries to join the United States in adopting similar measures toward Burma.

The Burmese Government must release Aung San Suu Kyi and all political prisoners from detention. I also urge our administration, the United Nations, the Association of Southeast Asian Nations, ASEAN, and the inter-

national community to continue to exert pressure on the Burmese junta to respect human rights and political freedoms. I ask President Bush to make Burma a high priority as he travels to the Asia Pacific Economic Cooperation Summit in Bangkok in early October. As recommended by the Council on Foreign Relations, we should press for a United Nations Security Council resolution condemning Aung San Suu Kyi's detention, the junta's human rights violations and their refusal to engage in dialogue with the democratic opposition. We should also encourage the Security Council to hold an emergency session on Burma to discuss implementing targeted sanctions on the regime.

Aung San Suu Kyi's hunger strike adds urgency to the dire predicament of the Burmese people. The Burmese military junta must realize that their egregious offences against their own population can no longer stand.

ORGANIC AGRICULTURE

Ms. SNOWE. Mr. President, I rise today to talk briefly about organic agriculture and to recognize the many thousands of organic farmers from around the Nation who have helped transform this once nascent industry into a thriving and innovative sector of our economy. Today, in particular, I extend my greetings to the many organic producers and retailers who have gathered in Washington, D.C. this week to participate in the annual organic conference.

Organic agriculture has come a long way over the past 20 years largely because of the determination and hard work of our Nation's many organic producers. To put this issue in perspective, the amount of organic cropland in the United States has more than doubled in the 1990s, and the annual growth rate of the organic industry in the United States has been greater than 20 percent for the past decade. Sales of organic food and beverages accounted for over \$9 billion in 2002 and are expected to exceed \$20 billion by 2005. The increase in organic production and sales is a reflection of the profitability and high consumer demand for organic food.

While the organic industry would not be where it is today without the efforts of its growers and retailers, Congress has an integral role in ensuring that consumers have confidence in the products they are buying. Many of my colleagues remember that the U.S. Department of Agriculture helped to usher in a new era for the organic industry with the implementation last November of the first ever national organic standards. With these new standards, farmers in my home State of Maine were able to sell their organic products to retailers in other States with confidence that the organic label will be recognized by consumers in those States. Consumers now know that when they buy an organically la-

beled product, it was produced in a healthy and environmentally friendly manner.

From what I heard from farmers in my State over the August recess, I can say that the organic rule has been a tremendous benefit to growers both small and large. In Maine, organic agriculture accounts for an important part of the State's \$673 million agriculture-related sales. Several blueberry growers in Downeast Maine have recognized the profitability of organic agriculture and have begun to add organic production. Consumer interest in organic milk has led many dairy farmers to switch to organic milk. Six years ago, only one dairy farmer in Maine produced organic milk—now, such milk accounts for over 10 percent of the State's entire dairy production. These are but a few examples of the success of organic agriculture from my State, demonstrating the enormous potential for growth in the organic sector.

Here in Congress, we must continue to help the organic agriculture sector grow. The organic community celebrated the implementation of the national organic rule; however, the continuing success of this rule will depend on Congress' commitment to fund the USDA's National Organic Program. The modest increase for the National Organic Program in the Senate Fiscal Year 2004 Agriculture appropriations bill is a step in the right direction. Likewise, investments in organic research and development through the Organic Production and Marketing Data Collection will help the organic industry move forward by leaps and bounds.

With organic producers visiting from nearly all 50 States, I hope many of my colleagues will have an opportunity to hear from an organic farmer, rancher, or retailer in their home State. Again, I extend my welcome to all those involved in the national organic conference.

ADDITIONAL STATEMENTS

65TH ANNIVERSARY OF
INTERIOR'S INDIAN CRAFT SHOP

• Mr. CAMPBELL. Madam President, as a Native American, artist and craftsman, it is an honor for me to speak today in recognition of the 65th anniversary of the Indian Arts and Crafts Shop at the U.S. Department of the Interior.

Established with the help of the Indian Arts and Crafts Board, the Crafts Room first opened its doors in 1938 and has served as an outlet for Native American artists to market their excellent products to the world.

With the help of the Indian Crafts Shop, today's market for Indian-made goods is roughly \$1 billion, with thousands of Native American artists creating authentic arts and crafts conveying the beauty of the Native culture to the peoples of the world.