

Thomasville defeated Farmville Central in the title contest, but this year the squad was led by someone who wasn't even supposed to start the game. Charnette Davis was surprised by Head Coach Eric Rader when she was tapped to be in the starting lineup, and Charnette responded by scoring 18 points and pulling down 11 rebounds to be selected as the game's MVP. Charnette was also named as the MVP of the Western Regional final.

This third crown capped a remarkable 30–1 season, and Coach Rader told the High Point Enterprise that, in his mind, the final outcome was never in doubt. "When you have the heart of a champion like these ladies do, they never lose," Rader told the newspaper. For the last three years, the Thomasville Bulldogs have not lost and can celebrate this "three-peat" with pride and honor. The citizens of the Sixth District congratulate Coach Rader and his assistants Sara Larrick, Holly Harvey and Kelvin Caraway. In addition to MVP Davis, every member of the Thomasville girls basketball team contributed to the third straight title, including Leah Harris, Impris Manning, Mary Allen, Brittany Marsh, LaShonda Cosby, Wudi Alford (who was named Most Outstanding Player for her 18-point performance in the championship game), Brittany Sanders, Tameka Thomas, Erin Crowder, Kendra Rutledge, Sha Harris, and Jenny Burgess. Providing valuable assistance all season long were managers Byron Lattimore, Andrew Oakley, Clifton Carroll, along with statistician Shanterra Robinson and video coordinator Jonathan Caraway.

Again, we congratulate Principal Dick Gurley, Athletic Director Woody Huneycutt, the coaches, players, students, faculty, staff, family and friends of Thomasville High School on the winning of their third straight 1–A girls basketball championship.

In keeping with our theme of threes, another high school in our district won its third boys basketball championship in five years and its second in a row. On February 28, Westchester Academy of High Point won the North Carolina Independent Schools Athletic Association (NCISAA) 2–A title. The Wildcats defeated Carolina Day of Asheville 74–52 at Ravenscroft High School in Raleigh. Even though this was not the first title for Westchester, Head Coach Pat Kahny said this one was significant. "This was special," Coach Kahny told the High Point Enterprise. "There was a lot of pressure trying to repeat as the number one seed, and there was pressure because we played before the biggest crowd all year."

The title contest culminated a tremendous 29–2 season for the Wildcats. Following two consecutive losses at a tournament in December, Westchester ran off 20 straight wins on its way to the championship. Leading the way to the title was Jacob Briles, who poured in 37 points in the championship game while Toby Grauel added 21. Coach Kahny, however, does not think the offensive firepower the determining factor in the outcome. "Our defense in the second quarter was the key," Coach Kahny told the Enterprise. We forced a number of turnovers and got several easy baskets in transition. They (Carolina Day) have a very good offensive team. To hold them to 23 points in the first half was a tremendous effort."

Coach Kahny and his assistants Ken Hyde and Adam Schwartz led that tremendous effort

all season long. In addition to Briles and Grauel, the members of the winning squad included Britt Hutchens, Myles Pearl, Kemil Kepinski, Will Moore, Dexter Garner, Coleman Team, Jack Vance, Emir Dukic, Jack Tucker, Anthony Peters, Robert Byrd, and Tuck Tucker. Supporting the squad all season long were managers Candice Gilliland, Andrea McNamara, Kathryn Thompson, and Jeff Galloway along with publicist Lore Fariss.

Once more, we are pleased to congratulate Headmaster Tommy Hudgins, Athletic Director Kahny, the coaches, players, students, faculty, staff, family and friends of Westchester Academy for winning the NCISAA 2–A boys basketball championship.

On a final note, Mr. Speaker, I am proud to acknowledge that either current or former staffers of mine are graduates of Trinity, Thomasville and Westchester. It makes their state championships all the more sweet, and we offer our heartfelt thanks for making us proud.

#### HONORING JOAN KERSCHNER

#### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Friday, April 2, 2004*

Mr. PORTER. Mr. Speaker, I stand before you today to recognize the achievements of Joan Kerschner, director of the Henderson District Public Libraries in Henderson, Nevada. It is a great honor to publicly recognize the achievements and contributions of this exceptional woman.

Joan Kerschner has been a leader in the library sciences field for many years. In 1972 she graduated with a master's degree from Indiana University in Library Science. Since her first job as a librarian she has helped both the young and old, using her skills and knowledge to provide the vast amount of information that can be found within our libraries for research projects, practical questions, and personal knowledge seekers.

Since her graduation in 1972 she has served on many councils and committees to help promote and further the use of libraries and library services. She, along with myself, is a firm believer in promoting the use of available knowledge to all those that seek it. She discovered the advantages of seeking knowledge through her job, but wanted to help those around her to discover it as well.

Since Joan's arrival in Henderson, she has helped bring about the opening of the first new public library since 1989. In 2001 she received the Henderson Economic Development Award for Public Person of the year. She has been a member of the Education Committee of the Henderson Chamber of Commerce and the Issues Committee of Henderson Development Association. This past year she served as president of the Henderson Rotary.

Mr. Speaker, I commend Joan Kerschner on her achievements and her community contributions. I hope that all of my colleagues will support me in giving thanks to her for her contributions and example of what knowledge and information can accomplish for those that seek it in their lives.

#### THE VOIP REGULATORY FREEDOM ACT OF 2004

#### HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Friday, April 2, 2004*

Mr. PICKERING. Mr. Speaker, I rise today to introduce the "VoIP Regulatory Freedom Act of 2004," in conjunction with my colleague in the United States Senate, Mr. SUNUNU, who will be introducing the companion version of this bill in that Chamber today.

This act will grant regulatory freedom to a new and exciting technology known as voiceover-Internet-protocol, or VoIP, by prohibiting the imposition of unnecessary federal, state and local regulation in order to allow this emerging technology to grow and develop. VoIP has flourished and prospered thus far because of the relatively hands-off approach taken by regulators and concomitantly the effectiveness and robust nature of the competitive marketplace. In order to ensure the continued success of this new technology, and the concurrent benefits which it delivers to the American consumer, we must prevent the wholesale or even piecemeal application of outdated regulations.

VoIP is the technology that allows voice communications to be converted into "packets" and transported with data over an IP network, such as the public internet or a privately managed IP network, to the desired location using IP addressing. The end result is a more innovative and technologically-advanced service to the consumer, while also the most efficient and cost-effective method by which to communicate.

Because VoIP is predominantly interstate in nature, the bill provides for a prohibition of state and local regulation and taxation of the application. This in no way implies that states and localities do not play a very important role in our federalist system as it relates to telecommunications policy. Rather, because of the unique attributes of this technology, including its mobility in some instances, a general inability to decipher the actual origination of calls in other instances, and the irrelevant treatment of area codes when assigning numbers, it would be deleterious to impose a patchwork of 50 different sets of regulatory regimes on such a nascent and far-reaching technology.

Having said all that, I do recognize that there are specific types of VoIP applications that have the capability to send calls to or receive calls from the public switched telephone network ("PSTN"), which I refer to as "connected VoIP applications." By sending and receiving calls to the PSTN, providers of connected VoIP applications will have to assume some obligations, such as (1) some type of interprovider compensation; (2) contribution to the Universal Service Fund; (3) compliance with law enforcement access; and (4) industry consensus on social obligations such as 911 service, disability access, reliability and security.

First, in light of the capability to send calls to or receive calls from the PSTN, the bill recognizes an obligation on the part of providers of connected VoIP applications to compensate others for the use of their facilities and equipment on the PSTN through some sort of interprovider compensation, which will be determined by the Federal Communications Commission. When making this determination, the

FCC must take into account the differing geographic markets, especially the rural areas, which make up our country. The FCC will also be required to include a transition period, to allow the providers to adequately adjust to a new regime of compensation.

Second, by sending and receiving calls to the PSTN, providers of connected VoIP applications will be required to contribute to the overarching national goal of universal access to and affordable telephony for all Americans. When deciding upon the best methodology by which to assess such providers, the FCC will consider a variety of contribution methodologies. However, the main goal in applying USF to connected VoIP application providers is ensuring that the Fund is sustainable over the long term, and the FCC must seek to maximize to the greatest extent possible contributions into the Fund.

Under both scenarios, the bill will require the FCC to complete a rulemaking within 6 months to decide how such providers will meet their obligations. While this bill only addresses a small sliver of the overarching deficiencies associated with the universal service fund and the interprovider compensation regime, I intend to propose new legislation in the next few weeks that will tackle both issues head on and require a definitive conclusion to these perplexing problems.

Third, because of all the potential capabilities of this technology, we would be hard-pressed not to allow access by law enforcement. Especially in the day and age in which we live, including this time of war, we must always be thinking of our overall national security. Therefore, the bill would require the FCC to examine the technologically feasibility of requiring law enforcement access to such technology. If and when the FCC determines that it is technologically feasible and reasonable to do so, providers of connected VoIP applications will then be required to comply with law enforcement. While this may be somewhat burdensome on the industry, the value of our security far outweighs any burden which may be imposed. Security of our citizens will always be our number one priority.

In sum, the "VoIP Regulatory Freedom Act of 2004" bill will provide certainty in an area of the telecommunications industry that is significantly changing the way people communicate with one another. By establishing a new regime for this constantly-evolving technology, separate and apart from the outdated and archaic statutes and regulations applicable to traditional circuit-switched telephony, I believe we are laying the necessary groundwork for a new era of telecommunications.

Mr. Speaker, I look forward to working with you and other members of the House, as well as our colleagues in the Senate, to achieve a bipartisan consensus on this most important initiative.

CONGRESSIONAL HUMAN RIGHTS CAUCUS (CHRC) BRIEFING ON PROPOSED UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES: STATEMENT BY CHRC CO-CHAIR, CONGRESSMAN TOM LANTOS

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 2, 2004

Mr. LANTOS. Mr. Speaker, on March 30th, the Congressional Human Rights Caucus held a groundbreaking Members Briefing entitled, "International Disability Rights: The Proposed UN Convention." This discussion of the global situation of people with disabilities was intended to help establish disability rights issues as an integral part of the general human rights discourse. The briefing brought together the human rights community and the disability rights community, and it raised awareness in Congress of the need to protect disability rights under international law to the same extent as other human rights through a binding UN convention on the rights of people with disabilities.

The Caucus welcomed as expert witnesses Deputy Assistant Secretary of State Mark P. Lagon; the Permanent Representative of the Republic of Ecuador to the United Nations, Ambassador Luis Gallegos; the United Nations Director of the Division for Social Policy and Development in the Department of Economic and Social Affairs, Johan Schölvinc; the distinguished former Attorney General of the United States, former Under-Secretary General of the United Nations and former Governor of Pennsylvania, the Honorable Dick Thornburgh; the President of the National Organization on Disability (NOD), Alan A. Reich; Kathy Martinez, a member of the National Council on Disabilities (NCD); and a representative of the United States International Council on Disabilities (USCID) and Executive Director of Mental Disability Rights International, Eric Rosenthal. I intend to place their important statements in the CONGRESSIONAL RECORD, so that all of my colleagues may profit from their expertise, and I ask that my own statement at the briefing be placed at this point of the CONGRESSIONAL RECORD.

Good morning, ladies and gentlemen. I would like to welcome you to today's Congressional Human Rights Caucus Briefing on international disability rights and the proposed UN Convention.

I would like to thank the Co-Chair of the Bipartisan Disabilities Caucus, James Langevin, as well as my good friends Peter King, Betty McCollum, Jim Moran and Jim Cooper for attending this important briefing. We all owe a special thanks to our former colleague, the former Chairman of the House International Relations Committee, Benjamin Gilman, for his active participation in this briefing. His support for this noble cause is invaluable.

This is the first time that the Congressional Human Rights Caucus has held a briefing on international disability rights. While I am very pleased that the Caucus is holding this groundbreaking briefing today, the mere fact that this is the first of its kind highlights an important shortcoming of the work of the human rights community, which, so far, has largely been absent in its support for the disability community.

Ladies and gentlemen, an estimated 600 million people in the world have a disability

of various types and degrees. The day-to-day life of 25 percent of the world's population is affected by disability—affecting entire families, not just individuals. 80 percent of the world's people with a disability live in developing countries, where only 1 percent to 2 percent have access to the necessary rehabilitation services. The majority of an estimated 150 million children with disabilities worldwide remain deprived of learning opportunities. Only 2 percent of children who have disabilities in developing countries are attending schools or have access to rehabilitation facilities.

These facts only begin to describe the global disparities in the living conditions of persons with disabilities. According to the recent State Department's Country Reports on Human Rights Practices, in the People's Republic of China, some protection laws were passed and attention to disability issues raised, particularly in light of the upcoming Special Olympics in 2007. However, a wide gap exists between protection laws and the practical implementation. Additionally, some remaining legal provisions outrightly contradict those protection laws. The Maternal and Child Health Care Law prohibits the marriage of persons with certain specified contagious diseases or certain acute mental illnesses. If doctors find that a couple is at risk of transmitting disabling congenital defects to their children, the couple may marry only if they agree to use birth control or undergo sterilization. Doctors frequently force parents of children with disabilities to place those children in state-run institutions, which cannot provide adequate rehabilitation. Government statistics showed that almost one-quarter of the approximately 60 million persons with disabilities live in extreme poverty. The Higher Education Law enables universities to legally exclude disabled candidates for higher education. Other countries also have codified laws to prevent discrimination against persons with disabilities, but fail to implement them. Traditional myths and misconceptions further compound harsh living conditions for people with disabilities. For example, in Zimbabwe according to traditional beliefs, persons with disabilities are considered bewitched, and reports of children with disabilities being hidden when visitors arrive are common.

In response to the existing global discrepancies, the UN set non-binding standards in 1993 through the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (UN res48/96). To further strengthen international standards, the General Assembly established an Ad Hoc Committee in 2001, which is charged with the drafting of a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities. The Ad Hoc Committee is chaired by Ambassador Luis Gallegos, whom we welcome today to this briefing. Currently, 27 countries and 12 representatives of NGOs participate in a working group, which is considering draft proposals for such a convention, and which reports to the Ad Hoc Committee.

Unfortunately, some critics have come forward and spoken out against this noble effort, characterizing it as either needless, naive, or too complex for an international solution. Arguments such as: "Are we really going to tell the poorest countries of the world that they now have to build ramps for people in wheelchairs, when they barely can feed their citizens?" do not only miss the purpose of a Convention, but also do not recognize the realities on the ground.

To address the latter point on the practical implications first, I am fully convinced that poor and developing countries can only move forward in their development if they include