

## EXTENSIONS OF REMARKS

### RECOGNIZING TRAVIS WAYNE CASH FOR ACHIEVING THE RANK OF EAGLE SCOUT

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Travis Cash, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Travis has been very active with his troop, participating in many Scout activities. Over the years Travis has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Travis Cash for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

### REINTRODUCTION OF THE WESTERN WATERS AND FARM LANDS PROTECTION ACT

#### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, I am today again introducing the Western Waters and Farm Lands Protection Act—a bill intended to make it more likely that the energy resources in our Western States will be developed in ways that are protective of vital water supplies and respectful of the rights and interests of the agricultural community.

Based on my previous legislation that was endorsed by the Colorado Farm Bureau and the American Farm Bureau Federation, it would do three things:

First, it would establish clear requirements for proper management of ground water that is extracted in the course of oil and gas development. Second, it would provide for greater involvement of surface owners in plans for oil and gas development and requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing energy development. And, finally, it would require developers to draft reclamation plans and post bonds top assure restoration of lands affected by drilling for federal oil and gas.

#### PURPOSES OF THE LEGISLATION

Madam Speaker, the western United States is blessed with significant energy resources. In appropriate places, and under appropriate conditions, they can and should be developed for the benefit of our country. But it is impor-

tant to recognize the importance of other resources particularly water—and other uses of the lands involved—and this bill responds to this need.

Its primary purposes: (1) to assure that the development of those energy resources in the West will not mean destruction of precious water resources; (2) to reduce potential conflicts between development of energy resources and the interests and concerns of those who own the surface estate in affected lands; and (3) to provide for appropriate reclamation of affected lands.

#### WATER QUALITY PROTECTION

One new energy resource is receiving great attention—gas associated with coal deposits, often referred to as coalbed methane. An October 2000 United States Geological Survey report estimated that the U.S. may contain more than 700 trillion cubic feet (tcf) of coalbed methane and that more than 100 tcf of this may be recoverable using existing technology. In part because of the availability of these reserves and because of tax incentives to exploit them, the West has seen a significant increase in its development.

Development of coalbed methane usually involves the extraction of water from underground strata. Some of this extracted water is reinjected into the ground, while some is retained in surface holding ponds or released and allowed to flow into streams or other water bodies, including irrigation ditches.

The quality of the extracted waters varies from one location to another. Some are of good quality, but often they contain dissolved minerals (such as sodium, magnesium, arsenic, or selenium) that can contaminate other waters—something that can happen because of leaks or leaching from holding ponds or because the extracted waters are simply discharged into a stream or other body of water. In addition, extracted waters often have other characteristics, such as high acidity and temperature, which can adversely affect agricultural uses of land or the quality of the environment.

In Colorado and other States in the arid West, water is scarce and precious—and use of extracted water has the potential to augment the supplies for irrigation and other purposes. Because I want to explore how that potential might be realized without reducing water quality or harming the environment, I have introduced a bill (H.R. 902) that would authorize research and demonstration efforts toward that end.

But, at the same time, it is vital that development of energy resources be accompanied by appropriate safeguards.

That is the purpose of the first part of the bill (Title I). That part would require those who develop federal oil or gas—including coalbed methane—under the Mineral Leasing Act to take steps to make sure their activities do not harm water resources.

Specifically, under section 101, oil or gas operators who damage a water resource—by contaminating it, reducing it, or interrupting it—would be required to provide replacement

water to the water users. And this section also specifies that water produced under a mineral lease must be dealt with in ways that comply with all Federal and State requirements.

Further, because water is so important, the bill requires oil and gas operators to make the protection of water part of their plans from the very beginning, requiring applications for oil or gas leases to include details of ways in which operators will protect water quality and quantity and the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states.

#### SURFACE OWNER PROTECTION

In many parts of the country, the owner of some land's surface does not necessarily own the underlying minerals. And in Colorado and other Western States, those mineral estates often belong to the Federal Government while the surface estates are owned by others, including farmers and ranchers.

This split-estate situation can lead to conflicts. And while I support development of energy resources where appropriate, I also believe that this must be done responsibly and in a way that demonstrates respect for the environment and overlying landowners.

The second part of the bill (Title II) is intended to promote that approach, by establishing a system for development of federal oil and gas in split-estate situations that resembles—but is not identical to—the system for development of federally owned coal in similar situations.

Under Federal law, the leasing of federally owned coal resources on lands where the surface estate is not owned by the United States is subject to the consent of the surface estate owners. But neither this consent requirement nor the operating and bonding requirements applicable to development of federally owned locatable minerals applies to the leasing or development of oil or gas in similar split-estate situations.

I believe that there should be similar respect for the rights and interests of surface estate owners affected by development of oil and gas and that this should be done by providing clear and adequate standards and increasing the involvement of surface owners.

Accordingly, the bill requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing developments related to such leases.

In addition, the bill requires that anyone proposing to drill for federal minerals in a split-estate situation must first try to reach an agreement with the surface owner that spells out what will be done to minimize interference with the surface owner's use and enjoyment and to provide for reclamation of affected lands and compensation for any damages.

I am convinced that most energy companies want to avoid harming the surface owners, so I expect that it will usually be possible for

• 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.

them to reach such agreements. However, I recognize that this may not always be the case—and the bill includes two provisions that address this possibility: (1) if no agreement is reached within 90 days, the bill requires that the matter be referred to neutral arbitration; and (2) the bill provides that if even arbitration fails to resolve differences, the energy development can go forward, subject to Interior Department regulations that will balance the energy development with the interests of the surface owner or owners.

As I mentioned, these provisions are patterned on the current law dealing with development of federally owned coal in split-estate situations. However, it is important to note one major difference—namely, while current law allows a surface owner to effectively veto development of coal resources, under the bill a surface owner ultimately could not block development of oil or gas underlying his or her lands. This difference reflects the fact that appropriate development of oil and natural gas is needed.

#### RECLAMATION REQUIREMENTS

The bill's third part (Titles III and IV) addresses reclamation of affected lands.

Title III would amend the Mineral Leasing Act by adding an explicit requirement that parties that produced oil or gas (including coalbed methane) under a federal lease must restore the affected land so it will be able to support the uses it could support before the energy development. Toward that end, this part of the bill requires development of reclamation plans and posting of reclamation bonds. In addition, so Congress can consider whether changes are needed, the bill requires the General Accounting Office to review how these requirements are being implemented and how well they are working.

And, finally, Title IV would require the Interior Department to—(1) establish, in cooperation with the Agriculture Department, a program for reclamation and closure of abandoned oil or gas wells located on lands managed by an Interior Department agency or the Forest Service or drilled for development of federal oil or gas in split-estate situations; and (2) establish, in consultation with the Energy Department, a program to provide technical assistance to State and tribal governments that are working to correct environmental problems caused by abandoned wells on other lands. The bill would authorize annual appropriations of \$5 million in fiscal 2005 and 2006 for the federal program and annual appropriations of \$5 million in fiscal 2005, 2006, and 2007 for the program of assistance to the states and tribes.

Madam Speaker, our country is overly dependent on fossil fuels, to the detriment of our environment, our national security, and our economy. We need to diversify our energy portfolio and make more use of alternatives. But in the interim, petroleum and natural gas (including coalbed methane) will remain important parts of our energy portfolio—and I support their development in appropriate and responsible ways. I believe this legislation can contribute to that by establishing some clear, reasonable rules that will provide greater assurance and certainty for all concerned, including the energy industry and the residents of Colorado, New Mexico, and other Western states. Following is a brief outline of its major provisions.

#### OUTLINE OF BILL

Section One—This section provides a short title (“Western Waters and Farm Lands Protection Act”), makes several findings about the need for the legislation, and states the bill’s purpose.

#### TITLE I.—PROTECTION OF WATER RESOURCES

Section 101 amends current law to make clear that extraction of water in connection with development of oil or gas (including coalbed methane) is subject to an appropriate permit and the requirement to minimize adverse effects on affected lands or waters.

Section 102 provides that nothing in the bill will—(1) affect any State’s right or jurisdiction with respect to water; or (2) limit, alter, modify, or amend any interstate compact or judicial rulings that apportion water among and between different States.

#### TITLE II.—PROTECTION OF SURFACE OWNERS

Section 201 provides definitions for several terms used in Title II.

Section 202 requires a party seeking to develop federal oil or gas in a split-estate situation to first seek to reach an agreement with the surface owner or owners that spells out how the energy development will be carried out, how the affected lands will be reclaimed, and that compensation will be made for damages. If no such agreement is reached within 90 days, the matter is to be referred to arbitration by a neutral party identified by the Interior Department.

Section 203 provides that if no agreement under section 202 is reached within 90 days after going to arbitration, the Interior Department can permit energy development to proceed under an approved plan of operations and posting of an adequate bond. This section also requires the Interior Department to provide surface owners with an opportunity to comment on proposed plans of operations, participate in decisions regarding the amount of the bonds that will be required, and to participate in on-site inspections if the surface owners have reason to believe that plans of operations are not being followed. In addition, this section allows surface owners to petition the Interior Department for payments under bonds to compensate for damages and authorizes the Interior Department to release bonds after the energy development is completed and any damages have been compensated.

Section 204 requires the Interior Department to notify surface owners about lease sales and subsequent decisions involving federal oil or gas resources in their lands.

#### TITLE III.—RECLAMATION

This title amends current law to require parties producing oil or gas under a federal lease to restore affected lands and to post bonds to cover reclamation costs. It also requires the GAO to review Interior Department implementation of this part of the bill and to report to Congress about the results of that review and any recommendations for legislative or administrative changes to improve matters.

#### TITLE IV.—ABANDONED OIL OR GAS WELLS

Section 401 defines the wells that would be covered by the title.

Section 402 requires the Interior Department, in cooperation with the Department of Agriculture, to establish a program for reclamation and closure of abandoned wells on federal lands or that were drilled for development of federally-owned minerals in split-estate situations. It authorizes appropriations of \$5 million in fiscal years 2005 and 2006.

Section 403 requires the Interior Department, in consultation with DOE, to establish a program to assist states and tribes to remedy environmental problems caused by aban-

doned oil or gas wells on non-federal and Indian lands. It authorizes appropriations of \$5 million in fiscal years 2008, 2009, and 2010.

#### ACKNOWLEDGING THE ACHIEVEMENTS OF THE 761ST TANK BATTALION, IN CELEBRATION OF BLACK HISTORY MONTH

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Mr. RANGEL. Madam Speaker, I rise today in recognition of the service, courage and commitment to the United States displayed by the men who fought in the 761st Tank Battalion in World War II. The 761st Tank Battalion, also known as the Black Panthers, made history as the first all black tank unit to see combat.

Like the pilots of the 332nd Fighter Group, more affectionately known as Tuskegee Airmen, the men of 761st enlisted for service during a period in United States history characterized by strict segregation and barbaric acts of violence perpetrated against people of color. At home and in the military, these men experienced discrimination, were relegated to menial service positions and were called to duty only in times of intense crisis. Federal law prohibited black soldiers from serving alongside white troops and although all black regiments were formed few expected to see combat.

Following the efforts of Louisiana General Leslie J. McNair, the commander of the Army Ground Forces and the Black Press, who successfully argued that “colored” units should be employed in combat, the U.S. Army began to experiment with segregated combat units. On October 10, 1944, the 761st landed in France on the Normandy Peninsula. They were the first battalion deployed. Thirty black officers and 676 black enlisted men were assigned to General Patton’s U.S. Third Army. Despite Patton’s vocalization of doubts surrounding the use of black soldiers, the soldiers of the 761st committed themselves to fighting for their country on behalf of their race; an action some undoubtedly hoped would change perceptions of black people as inferior and subhuman. The battalion first saw combat on November 7, 1944. For 183 days, these men engaged and defeated the German Army in towns throughout France and Germany.

Although it would take years for historical records to be amended and rightfully reflect the courage and skill employed by the 761st we know now just how integral they were to achieving victory in WWII. Throughout their tour in combat the battalion helped to liberate more than 30 towns under Nazi control. Collectively, the men of the 761st were awarded 11 Silver Stars, 70 Bronze Stars, 250 Purple Hearts and a Medal of Honor. In 1945 a recommendation for a Presidential Unit Citation was submitted. President Jimmy Carter awarded it in 1978.

The men of the 761st fought for the right to represent this country during the Second World War. Before leaving and upon returning they continued to fight the bigotry, hatred and racism that served to thwart the great promises of this Nation. At all times they acted with dignity, conducting themselves admirably and

always with grace. Because of their efforts, and the efforts of other Black soldiers in segregated units, black soldiers now fight alongside white soldiers today.

I rise today in recognition of the efforts of the 761st battalion and in honor of Black History Month. I commend them for their resolve and hope that their courage, conviction and commitment forever be remembered by all.

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TRIBUTE TO AHEPA

**HON. SCOTT GARRETT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GARRETT of New Jersey. Madam Speaker, as AHEPA celebrates 85 years of service in the community, it gives me great pleasure to offer my heartfelt congratulations on your reaching this milestone.

Since its inception in 1922 as a voice against prejudice and hate, AHEPA has grown into a multinational organization that continues to spread the universal truths of Hellenism—humanity, freedom, and democracy—across the United States and around the world.

Many organizations begin with noble causes but waver in purpose as time and obstacles dampen their ambitions. Yet, in the face of depression, war, and the unavoidable hardships of growth and development, AHEPA has continued steadfastly to advocate for the principles of education, philanthropy, civic responsibility, and family and individual excellence—principles that are common to us all as Americans. From helping young people achieve their dreams of education to supporting philanthropy and public service to addressing the deepest needs of families, AHEPA's successes have been remarkable.

Today, while we would hope that prejudice no longer dwells on any streets or in any hearts of America, we live in an imperfect world and the original mission of AHEPA is still vital. Today, we need to keep the dreams of education alive. Today, we need to continue to foster the spirit of giving and volunteerism in our communities. And today, we need to persevere in spreading the hopeful message of freedom and democracy.

As a Member of Congress, I am proud to serve on the Congressional Caucus on Hellenic Affairs. In this capacity, I work with fellow caucus members to enhance and strengthen the United States' relationship with Greece and the Republic of Cyprus. The friendship between our nations has a long and rich history, and by continuing to further this important bond, we can stand together to advance the causes of liberty and democracy. In this worthy endeavor, I look forward to continuing to stand with you.

This 85th year is a time to reflect upon AHEPA's past successes and upon the many ways in which Greek-Americans have enriched the fabric of America. Equally important, it is a time to look forward with hope and anticipation to a future of continuing to build the vision that is AHEPA.

Congratulations on 85 years of success and best wishes for many more years ahead.

RECOGNIZING AUSTIN CONNOR  
CADE FOR ACHIEVING THE RANK  
OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Austin Cade, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Austin has been very active with his troop, participating in many Scout activities. Over the years Austin has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Austin Cade for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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INTRODUCTION OF BILL ON TAX  
TREATMENT OF EXCHANGES OF  
MUTUAL DITCH COMPANY  
SHARES

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill dealing with the tax treatment of exchanges of mutual ditch company stock, a subject of special importance to Coloradans who hold such stock in order to make beneficial use of water transported through the companies' ditches and associated structures.

The bill is cosponsored by my Colorado colleagues, Representatives SALAZAR, MUSGRAVE, and LAMBORN. I appreciate their assistance and support.

Madam Speaker, mutual ditch companies are unique to Colorado. They are not organized for profit, but for the mutual benefit of the shareholders and operate on the premise that the company owns the water rights and other property and the shareholders have the right to use the water. The Colorado Supreme Court has held that shares of stock in a mutual ditch company represent a definite and specific water right, as well as a corresponding interest in the structures by which the water right is beneficially used.

One such company, based in Windsor, in northeastern Colorado, is working to raise funds to improve the efficiency of its delivery system. To do so, it has contracted to give the City of Greeley and two local water districts part of its water in exchange for \$30 million, part in cash and part in the stock of a reorganized corporation. As part of this plan, the Windsor company's shareholders will exchange their stock for shares in the new corporation.

Other similar exchanges have occurred or will occur in the future. But there is concern that shareholders making such an exchange might be called upon to pay taxes in connection with such exchanges.

Federal tax law (Section 1031 of the Internal Revenue Code of 1986) allows a tax-free exchange of like-kind property held for productive use in a trade or business. Generally this does not apply to exchanges of stock. However, shares of Colorado mutual ditch companies are different from normal stock shares, and the Colorado Supreme Court has held that because a mutual-ditch shareholder is entitled to apply water to a beneficial use, mutual-ditch shares are real property (like real estate), not personal property (like normal stocks or bonds).

The mutual ditch companies say—and I think they are right—this means exchanges of their shares should be covered by the like-kind exchange exemption. Unfortunately, in 1986, the IRS's General Counsel ruled otherwise.

Since that ruling, however, the Colorado Supreme Court, in a 1997 decision, made it clear that under Colorado law mutual ditch company shares are real property.

The bill would remove any doubt on this point and make clear that Section 1031 of the Internal Revenue Code will apply to exchanges of shares in a Colorado mutual ditch, reservoir, or irrigation company covered by section 501(c)(12)(A) of the Code.

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CELEBRATING THE SCHOMBURG  
CENTER FOR RESEARCH IN  
BLACK CULTURE

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. RANGEL. Madam Speaker, I rise today to recognize the incredible work happening at the Schomburg Center for Research in Black Culture. This year marks the 80th anniversary of the Schomburg Center, a milestone worthy of celebration. Over the past 80 years the Schomburg has organized many firsts in African-American history including the first orchestra of classically trained black musicians (1971); established a scholar in residence program attracting many of the world's most renowned scholars and intellectual leaders; collected and exhibited hundreds of thousands of items for collections and galleries organized around important themes from the history and lived legacies of African-Americans and the African Diaspora. It is with great pride that I recognize the accomplishments of the Schomburg over the past 80 years.

This past summer, from June 19th through July 18th, the Schomburg held its second Schomburg-Mellon Humanities Summer Institute. A joint venture between the Schomburg Center and the Mellon-Mays Foundation, the Humanities Summer initiative is designed to increase the number of minority students interested in pursuing graduate degrees in the humanities in fields related to African-American and African Diaspora Studies. The Summer Institute identifies carefully selected prospective scholars and develops and nurtures their interest over the course of 3 years. Providing students with requisite intellectual skills and presenting them with challenges and orientations helpful in the pursuit of humanities careers, the summer institute fills a much needed role in attracting, retaining, and supporting the next generation of scholars and researchers concerned with issues relating to African Americans and the African Diaspora.

The students, culled from schools throughout New York City as well as from Historically Black Colleges and Universities throughout the country, spent the summer exploring the theme "Africana Age." They engaged in discussions, visits, and projects that compelled them to explore the dominant political, economic, and cultural periods of the 20th century; black achievements in social, artistic, and cultural realms that challenged the myth of white supremacy; efforts to forge political and cultural relationships among African peoples across boundaries; and commonalities and differences across time and geography. More than 25 distinguished scholars from around the country conducted seminars, facilitated conversations around works of art, tours of significant African-American landmarks, and aided in conducting research related to the aforementioned themes and subjects. Participating scholars created a research prospectus to aid them in fulfilling academic requirements during their senior year. They also worked both independently and collectively on research projects.

The Schomburg-Mellon Summer Institute continues to provide minority students with opportunities that are instrumental in becoming personally and professionally ready to compete in the ever expanding global marketplace. By providing minority students with mentors; providing them with requisite skills such as conducting research and writing research papers; creating rigorous academic programs rooted in historical truths about the contributions made by people of color; and championing them to fulfill their full potential, the Schomburg-Mellon Summer Institute its part to continue the legacy of producing compassionate and capable intellectual leaders.

The Schomburg-Mellon Summer Institute is but one of many initiatives aimed at uncovering and preserving truths in black culture. There is the annual book fair, a plethora of programs commemorating significant events and themes throughout African American history, and symposiums on important matters such as the African Burial Ground. This fall marks the sixth year of the Junior Scholars program. A program similar to the Summer Institute teaches history and culture while using insights gained to devise solutions to improving quality of life, for African Americans in particular, today. Another program dedicated to connecting youth with living legends, authors, scholars, artists, and business people in ways that show them they can choose to be anything they apply themselves to becoming while providing them with tools that will prove necessary along the way, the Junior Scholar's program epitomizes the Schomburg's commitment to preserving the legacy of descendants of Africa.

While celebrating the Schomburg and its achievements over the course of 80 years it is important to continue to invest in the production of even more scholars, thinkers, and leaders committed to the same goal.

IN RECOGNITION OF THE PUBLIC  
SERVICE OF JOHN NALLIN

**HON. SCOTT GARRETT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to recognize the tremendous public service of John Nallin as he prepares his retirement after 20 years with UPS.

During his proud career at UPS, he has served in a number of capacities, starting as a Systems Manager in Delivery Information Systems in 1987 and retiring now as Vice President and Information Services Corporate Repository & Architecture Portfolio Manager. Throughout his years with UPS, John Nallin has helped to make this company a high-tech leader, implementing cutting edge technologies and a progressive business strategy.

Prior to coming to UPS, at a time when the field of information technology was still in its infancy, John helped to execute a similar technological vision at AT&T, Asbach Consulting, American Cyanamid, and Tenneco Chemicals. He truly is one of the pioneers that helped to propel some of America's leading companies into a brave new world of high-tech advances.

John will surely be missed by his colleagues at UPS; but this corporate loss is without doubt the community's gain. John's public service dates back to his years as a United States Marine. And, he remains a community leader as a member of the Board of Directors of New Jersey Mental Health Association and the Board of Advisors for the American Cancer Society. His business acumen has been tapped for the Governor's Economic Growth Council and his generosity of heart has been enlisted as an active participant in a wide variety of United Way activities.

John plays a strong role in helping prepare tomorrow's leaders as well as a member of the New Jersey Institute of Technology Board of Overseers and as a founding member of the Berkeley Heights Education Foundation. And, he serves on the Ramapo College Board of Governors; a board on which I also proudly sit.

On the eve of his retirement from the corporate world, the community looks forward to continuing to work with John Nallin to make North Jersey an even better place in which to work, live, and raise a family.

RECOGNIZING ISAAC DAVID  
ZEILINGER FOR ACHIEVING THE  
RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Isaac Zeilinger, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Isaac has been very active with his troop, participating in many Scout activities. Over the years Isaac has been involved with Scouting, he has not only earned numerous merit

badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Isaac Zeilinger for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF BILL REGARDING  
MANAGEMENT OF ELK IN  
ROCKY MOUNTAIN NATIONAL  
PARK

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill to clarify the authority of the Secretary of the Interior with regard to managing elk in Rocky Mountain National Park.

Elk are a major attraction for visitors to Rocky Mountain National Park and nearby Estes Park, attracting thousands of people who come to enjoy viewing them and listening to the bulls bugle in late summer and early fall.

But while the elk are a true asset, their numbers are a concern, Property damage and human safety concerns in Estes Park have increased as elk increasingly use parks, golf courses, and yards in close proximity to people and they are also causing adverse effects on the other resources of the park itself. This has led the National Park Service to consider possible steps to address this by reducing the number of elk within the park. My bill is intended to resolve a question that has arisen about how this might be done.

Some historical perspective is useful in understanding the situation.

Elk, or wapiti, are native to the area that includes Rocky Mountain National Park, but hunters had all but eliminated them by the 1870s—and by early in the Twentieth Century, wolves, their only significant predator in the area, had disappeared as well.

They were reintroduced in 1913 and 1914, shortly before Rocky Mountain National Park was established in 1915. Since then, because of the lack of any significant predation—by wolves, other animals, or people—the park's elk population has flourished. By the early 1930s, it had increased so much that the National Park Service became concerned about resulting deteriorating vegetation conditions on their winter range.

Starting in 1944, the elk population was limited, primarily by having rangers cull the herd by shooting some of the elk but also by some trapping and transplanting. For the next 25 years, the number of elk using Rocky Mountain National Park was maintained between 350 and 800 animals.

This ended in 1969, when a "natural regulation" policy—meaning no active management within the park—was instituted. In part, this was because the National Park Service thought hunting in adjacent areas would control the elk population in and near the park.

But since then, the park's elk numbers have continued to increase and vegetation changes have been observed, particularly a decline in willow and aspen on the elk's primary winter range.

As a result, the National Park Service has been reconsidering the appropriate size for the park's elk population and ways to address the problem of chronic wasting disease, CWD, a fatal brain disease known to affect deer and elk, which has been detected in elk within the park. Research begun in 1994 was aimed at gathering critical information needed to provide a scientific basis for a new management plan.

I have been following this matter with interest, and last year I wrote the National Park Service about the four alternatives discussed in their draft environmental impact statement, DEIS, on the subject.

As I said in that letter, while I am not a wildlife biologist, my own observations and discussions of the matter with both nearby residents and people with some professional expertise led me to conclude that the document correctly identified adverse consequences for aspen trees and other vegetation that would result from continued high elk densities in the park. Accordingly, as my letter said, I support action to reduce the numbers of elk in the park to something like the numbers that would be expected under natural conditions.

One option discussed in the DEIS would be release of a limited number of gray wolves, in order to return a natural predator that could control elk numbers. However, the DEIS notes that this would involve "numerous uncertainties," including "whether park managers could effectively control wolf behavior and movements and keep wolves in the park," which I think is a source of valid concern for ranchers who operate on nearby lands and for other park neighbors. And, in any case, the DEIS indicates that it would still be necessary for there to be "lethal reduction"—meaning shooting of elk—at least for some time because the small number of wolves would not be enough to accomplish the desired reduction in the number of elk in the park.

So, as I noted in my letter, I readily understand why this has not been identified as the preferred alternative.

Instead, the DEIS said it would be preferable to have people cull the elk herd by "lethal reduction"—meaning the shooting of selected animals to reduce the overall numbers to a more appropriate level.

The DEIS identified two "lethal reduction" scenarios, differing mainly in the number of elk to be shot: 100 to 200 annually over 20 years or 200 to 700 elk annually for four years and after that 25 to 150 elk annually for 15 years. The DEIS says "adaptive use of wolves" could eventually become part of the second scenario, and it identified it as the preferred alternative.

I think the DEIS did a good job of providing reasons for that choice. However, as I said in my letter, I think serious consideration should be given to some changes in its implementation—particularly by exploring ways to increase participation by Colorado sportsmen and sportswomen.

There are several reasons I think this should be explored, especially the potential for significant savings to the taxpayers.

The DEIS estimates that implementing the preferred alternative would cost between about \$16.55 million and \$18.26 million over the next 20 years, with "labor" accounting for between \$6.55 million and \$7.37 million of those totals. Evidently, these "labor" costs would be mostly for compensating the people

doing the shooting, between 3 and 10 FTEs, with a smaller amount for administration (1.5 FTEs).

As I indicated in my letter, I think the National Park Service should explore the possibility that those costs could be substantially reduced by offering qualified Coloradans an opportunity to take part—under the strict guidance and direction of the National Park Service—either without compensation or for less compensation than the amounts on which the DEIS estimates were based.

Having reviewed my letter and other public comments on the DEIS, the National Park Service is now moving toward a decision on how to go about reducing the number of elk in Rocky Mountain National Park. That is what they should be doing.

But I am concerned that some of their statements in a recent meeting with Colorado wildlife officials suggest they have mistakenly concluded that they do not have the legal authority to act along the lines I suggested. My bill is intended to make it clear that they do have that authority.

At the meeting, the National Park Service distributed a paper entitled "Legal Analysis of Hunting within Rocky Mountain National Park." I am not a lawyer, and I do not dispute the accuracy of that paper. But I do dispute its relevance—because what is involved here is not "hunting," as that term is generally used, but instead a plan to reduce elk numbers by having people selected by the National Park Service and acting in accordance with its instructions shoot specified numbers of animals over specified periods of time.

So, the question is not whether the National Park Service plans to have elk shot—it does. The question is whether the National Park Service has the authority to consider allowing qualified Coloradans—specifically, those who have hunting licenses and who meet whatever qualifications the National Park Service may set—do the shooting.

My bill would resolve that question by making it clear that the laws applicable to Rocky Mountain National Park do not prevent the National Park Service from doing that.

It also would require the National Park Service to consult with the Colorado Division of Wildlife regarding the possible participation of that state agency in implementing the new plan for managing elk in the park. I have included that provision because, while management of the park is and should remain the sole responsibility of the National Park Service, I think the Service should at least discuss the matter to see whether the Division of Wildlife can be helpful in addressing this matter of concern to both agencies and the public.

I think my bill can help the National Park Service to move forward to resolve a real management problem in a cost-effective manner.

For the benefit of our colleagues, here is an outline of the legislation:

Section 1 provides definitions of terms used in the bill

Section 2 states that nothing in the laws applicable to management of Rocky Mountain National Park is to be construed as prohibiting the Interior Department from using the services of qualified individuals, as volunteers or under contract, from assisting in implementation of the new elk and vegetation management plan by using lethal means to reduce the park's elk population. The term "qualified indi-

viduals" means people with Colorado resident big-game hunting licenses who have whatever other qualifications the National Park Service may set after consulting with the Colorado Division of Wildlife. This section would not require the National Park Service to use the services of qualified Coloradans, but it would make clear that there is no legal obstacle to their doing so.

Section 3 would require the National Park Service to consult with the Colorado Division of Wildlife regarding that state agency's possible participation in implementing the new plan to manage elk in the park. This would not require such participation, but it would require the National Park Service to consider it.

Section 4 states that nothing in the bill is to be construed as applying to the taking of wildlife within the park for any purpose other than implementation of the new elk management plan.

IN RECOGNITION OF SISTER  
BARBARA SUESSMAN

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 16, 2007

Ms. VELÁZQUEZ. Madam Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the life and work of a tremendous role model, advocate, and longtime resident of Brooklyn, Sister Barbara Suessman.

Born on February 26, 1937 in Brooklyn, Barbara attended St. Agnes High School in Rockville Center before joining the "Dominican Sisters" in 1956. It was through her involvement with the Dominican Sisters that led Sister Barbara to hear her calling and two years later, she pronounced her religious vows and embarked on a life dedicated to serving the underprivileged.

Sister Barbara held a strong belief that through active involvement with New York City's youth she would be most effective in serving the community. It was this conviction that led her to commit her life to working with various community organizations, schools, and ministries.

She spent the next twelve years teaching in several schools in Brooklyn and Queens. While she valued her years teaching the community's children, Sister Barbara wanted to take on more of an active role training peers how to mentor each other. In 1970, she accepted the position of supervisor at the Brooklyn Diocese sponsored "New School," offering special leadership training. After four years, she left to take over as Program director of the Brooklyn group home, Martin de Porres, where she remained until 1979.

Sister Barbara's dedication to the community's youth was undying—she always sought out additional ways to serve. She was instrumental in founding "Project Bridge," a program under the auspices of Christian Charities aimed at addressing the teen pregnancy problem in New York City. Over time, this modest program grew into a full-service organization with numerous locations around the city, providing services to teenage boys, as well as girls, who are pregnant, parenting, or at-risk of becoming parents.

In 1995, Sister Barbara began yet another endeavor, taking the position of Director of Finance with her Dominican Congregation, and

upon completion of her term, devoted the rest of her time with us to consulting for various religious congregations.

Sister Barbara dedicated her entire life to serving others. She used the power of her beliefs and commitment to instill hope and inspiration in all who knew her.

Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor the life and contributions of Sister Barbara Suessman.

RECOGNIZING JAMES EDWARD  
LEACH FOR ACHIEVING THE  
RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Leach, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam, Speaker, I proudly ask you to join me in commending James Leach for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRESS MUST CO-SIGN ACT

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, I am today introducing a bill to require focused, careful consideration and separate Congressional approval of a form of back-door spending that could leave the taxpayers exposed to serious financial liability.

It is cosponsored by our colleagues Mr. WALZ, Mr. FLAKE, Ms. MCCOLLUM, Ms. MALONEY, Ms. BACHMANN, Mr. GARRETT, Mr. LAMBORN, Mr. KLINE, Ms. MUSGRAVE and Mr. MILLER of Florida. I greatly appreciate their assistance and support.

The bill, entitled the "Congress Must Co-Sign Act" deals with proposals to have the Department of Transportation lend a billion dollars—or more—for any one purpose.

It would require greater transparency regarding such loans and a separate Congressional vote to approve each such loan, even if it had received preliminary approval either on its own or as part of a larger measure.

The purpose is to increase Congressional accountability and to reduce the chance the taxpayers will find themselves stuck with the bill if the lender should default on one of these loans.

The bill would require the Secretary of Transportation to provide Congress advance written notice at least 60 days before any De-

partment of Transportation funds can be used to make a loan in an amount greater than \$1 billion. This notice would have to include information about the purpose, the authority and the terms and conditions of the loan.

And the bill would require that after receiving the notice, Congress would have to pass legislation approving the loan before the Transportation Department could go forward and lend the money.

This is not just a theoretical matter—one such mega-loan is now being processed within the Administration. And that fact illustrates the need to broaden the focus in the debate about "earmarks" and special tax breaks. We in Congress need to take a harder look not just at direct spending and the indirect spending through the tax code, but also at backdoor spending through the lending of taxpayer dollars.

In all these areas, there is a need for greater transparency and accountability. That's why I have introduced H.R. 595, the "Stimulating Leadership in Controlling Expenditures"—or "SLICE"—Act, to enact a constitutionally sound version of a line-item veto for individual spending items.

It's also why I have introduced H.R. 905, the Commission on Unfair Tax Breaks and Subsidies—or "CUTS"—Act, which would provide another way to require action to increase equity and accountability in the federal budget.

And that is why I am introducing this bill today—not because I am convinced that the pending loan, or some similar loans in the future, would not be appropriate, but because I think it's essential that a decision to approve such a mega-loan should be made in a careful, deliberate way with full discussion of the merits and potential risks and a separate vote here in the Congress. At the end of the day, I might vote to approve the pending loan or some other loan of that type, or I might conclude that the potential costs outweigh the likely benefits. My purpose is not to prejudge the result, but to require a better, more open way of making a decision.

The federal budget remains awash in a sea of red ink and we are continuing to add to the Nation's towering pile of debt. People in Colorado and across the country expect greater transparency and accountability from their elected officials and our decisions on spending. This bill would take an important step in that direction and I think it deserves the support of all our colleagues.

EXPRESSING SORROW OF THE  
HOUSE AT THE DEATH OF THE  
HONORABLE CHARLIE NORWOOD,  
MEMBER OF CONGRESS FROM  
THE STATE OF GEORGIA

SPEECH OF

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 14, 2007*

Mr. SENSENBRENNER. Mr. Speaker, it is with deep sadness that I mourn the loss of my friend and colleague, Congressman CHARLIE NORWOOD. CHARLIE was a tenacious fighter in Congress who would not back down from his beliefs. More important than his work in the House of Representatives, he was a dedicated husband, loving father of two sons and a grandfather of four.

CHARLIE served his country proudly in Vietnam and was a decorated veteran. Upon his return to the states, he practiced dentistry and helped countless Georgians. In 1994, he brought his compassion and conservative values to Washington. I soon learned that CHARLIE NORWOOD was a man of impressive character and conviction, with a Southern charm and heart of gold.

CHARLIE NORWOOD was a fervent believer in tackling the problem of illegal immigration, and I enjoyed working with him to pass immigration reform. CHARLIE made a valuable contribution to the House's immigration bill in the 109th Congress by including parts of his CLEAR Act in the legislation. I shared his belief that we should direct local law enforcement to help us apprehend the illegal immigrants in this country who are criminals.

CHARLIE courageously battled cancer for a number of years, and he was an inspiration to many, including his colleagues on both sides of the aisle. I am pleased that I had the opportunity to work with CHARLIE, and my wife Cheryl and I extend our deepest sympathies to Gloria Norwood and their entire family.

RECOGNIZING RYAN DANIEL HARRIS  
FOR ACHIEVING THE RANK  
OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Ryan Harris, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many scout activities. Over the years Ryan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Ryan Harris for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCING THE IRAQ  
CONTINGENCY PLANNING ACT

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, this week the House has considered a resolution focused on the President's plan to escalate the war in Iraq by committing more troops. That certainly deserves the debate it has received.

I voted for the resolution disapproving of the escalation plan because I think that plan is misguided and will not be effective in the context of the civil war that has emerged in Iraq.

Of course, I'm not under any illusion that the president will listen to the resolution's message. He has made clear his intention to move

forward, and many troops are already in place or heading to their new positions.

I think that is a tragic error, one that I will work to correct. But at the same time we—both the Administration and the Congress—must consider what may come next.

That is why I am today introducing legislation to require that Congress be informed about the extent to which the Administration is doing the planning that is needed if we are to be prepared to respond to what our intelligence agencies tell us may be further catastrophic developments in Iraq and the region.

You'd think it wouldn't be necessary for Congress to legislate to make sure the Pentagon plans for contingencies. And when, at a recent Armed Services Committee hearing, I asked Secretary Gates whether they were doing that, his answer, while vague, was reassuring.

But vague reassurances aren't enough, and I am following up with this bill because I don't want a repeat of the performance that led the Administration to launch a war in Iraq without a plan for what would come after initial military success.

The Bush Administration was warned—by the Defense Intelligence Agency, the Pentagon's Joint Staff, the State Department's Bureau of Intelligence and Research, and the CIA's National Intelligence Council, among others—that U.S. troops could face significant postwar resistance.

And in February, 2003 an Army War College report warned that without an "overwhelming" effort to prepare for the U.S. occupation of Iraq, "The United States may find itself in a radically different world over the next few years, a world in which the threat of Saddam Hussein seems like a pale shadow of new problems of America's own making."

But despite these warnings, the Bush Administration rushed ahead without a comprehensive plan in place to secure and rebuild the country once our military had achieved its initial objectives.

We all know where that has led us—to the point where, according to the just-released National Intelligence Estimate (NIE) on Iraq, we're faced with a deteriorating situation in Iraq in which "Iraqi society's growing polarization, the persistent weakness of the security forces and the state in general, and all sides' ready recourse to violence are collectively driving an increase in communal and insurgent violence and political extremism."

And now we are being warned that things well may get even worse.

Specifically, the NIE states that as Iraq's security environment worsens, three prospective security paths could emerge—chaos leading to partition, the emergency of a Shia strongman, or anarchic fragmentation of power.

Madam Speaker, the NIE is the Administration's own document, and the most authoritative written judgment of the Director of National Intelligence with respect to Iraq. I think it must be taken seriously, and I think we in Congress must demand to be told—specifically and in detail—just how the Administration is preparing to respond should any one of those contingencies occur.

That is what my legislation calls for. It would require that by June 30th of this year the Administration inform the House and Senate Armed Services Committees just how the Department of Defense and other agencies

would respond to each of the three scenarios identified by the NIE, with an explanation of the proposed role of U.S. troops under each scenario, including a comprehensive analysis identifying and justifying the number of U.S. troops needed in each case.

As a member of the Armed Services Committee, I want assurances that this Administration is thinking about and planning for troubling possibilities they themselves have depicted. No one wants chaos or increased violence in Iraq, but it would be irresponsible not to plan for those possibilities. While looking at Iraq through rose-colored glasses may make us feel better, we will only do right by our men and women in uniform if we plan for likely contingencies, however unpalatable.

Of course, this legislation isn't intended to solve the larger problem of Iraq. To do that, we need a policy aimed at escalating diplomatic and political efforts and lightening the U.S. footprint in Iraq. But so far the President instead is continuing to embrace the idea that the solution is more troop.

Defense Secretary Gates has said that we'll know within months whether or not that escalation has been successful. So it isn't too soon to begin planning now for what may come next. And it is high time for Congress to insist that the Administration is responding to that essential.

#### TRIBUTE TO DAN E. STRAIGHT

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. UDALL of Colorado. Madam Speaker, I rise today to note the passing of Dan E. Straight. Although Mr. Straight did not reside in my district, he worked on an issue within my district that was dear to his heart—the preservation and reopening of the Rollins Pass road over the Continental Divide near Winter Park, Colorado.

Mr. Straight passed away last week. He led a full life that included patriotic service to our country. He served in the U.S. Air Force for years and saw action in World War II, Korea and Vietnam. He also served his community through work with the Boy Scouts, the American Red Cross and his local Rotary.

And because he loved history and the outdoors, he was a champion for the reopening of the Rollins Pass road. Also known as the Moffat Road due to its proximity to the Moffat railroad tunnel, this road was used as a stage and narrow gauge railroad corridor taking passengers from Colorado's east slope communities to the homesteads, resources and recreational activities on the western slope. Rollin Pass contains historic railroad features such as dramatic trestles that span creek valleys and a feature aptly called the Needle Eye Tunnel near the top. Due to age, rock fall has occurred in the tunnel and it has remained closed.

Due to Mr. Straight's efforts, I included language in the James Peak Wilderness and Protection Area Act to allow for the reopening of the Rollins Pass road to two-wheel drive vehicles. Conversations are occurring between the acted countries and the U.S. Forest Service in this regard. I had the pleasure of meeting Mr. Straight as we were working on this legisla-

tion. It was clear that he had a love for this road, this state and this country and he served it all with distinction and passion.

Madam Speaker, I have attached a story from the Longmont Times-Call newspaper noting his passing.

[From the Daily Times—Call, Feb. 9, 2007]

#### LONGMONT LOSES 'THE COLONEL'

(By Trevor Hughes)

LONGMONT.—Dan E. Straight, a retired Air Force colonel and tireless advocate of reopening Rollins Pass Road over the Continental Divide to Winter Park, died suddenly Wednesday. He was 84.

A longtime local resident, Straight volunteered with groups ranging from the American Red Cross to the Boy Scouts. He helped launch the Twin Peaks Rotary.

Originally from Greeley, Straight and his family settled in Longmont around 1976 after he retired from the Air Force, for which he had flown more than 29 types of aircraft. The front fuselage of one of them, a B-26B Marauder nicknamed "Flack Bait," is displayed at the Smithsonian.

Straight, known locally to many as "The Colonel," was one of many pilots of the storied World War II bomber. He flew one mission in the bomber, on Valentine's Day 1945, carrying his young daughter's shoe in his pocket so she'd always be near.

Straight often regaled high school students with stories from his service during World War II, Korea and Vietnam, according to his family.

He and Juanita also were Red Cross volunteers who helped Special Transit transport people in Longmont and Boulder County to medical appointments.

But it was perhaps his 25-year presidency of the Rollins Pass Restoration Association that brought Straight the most local attention. The pass, along an old railroad grade and through the Needle's Eye Tunnel, offers a shortcut between Boulder and Grand counties.

The 23-mile route fell out of use by trains in 1928, when the 6.2-mile Moffat Tunnel was completed. With the tracks removed in the late 1920s, trains gave way to cars, and for decades the pass and tunnel drew sightseers and travelers from across the Front Range.

Part of the Needle's Eye Tunnel collapsed in 1979, but it was re-opened to cars in 1987 before another partial collapse that injured a sightseer closed it again in 1990.

"I'm just amazed at the people who built it," Straight said in 2003.

Technically difficult to pull off at 11,000 feet, the tunnel-stabilization project entailed drilling eight-foot holes into the tunnel walls and roof, then gluing in inch-thick steel rods.

The 1990 collapse injured an area firefighter who was hit by falling rocks from the roof of the tunnel's southern entrance.

The cause: a single missing rock bolt. Ironically, the space where the missing bolt should be is clearly visible in the commemorative photos given to association members. Straight took that photo, a signed copy of which hangs in the Times-Call newsroom.

Despite the setback, Straight remained committed to reopening the tunnel, and negotiations among local officials about fixing it continue to this day.

"That was his favorite mission in life," said his daughter Su Eckhardt.

She added that Straight was involved in many other endeavors, including the Longmont Rotary Club, Westview Presbyterian Church, the Masons, the Shriners, the St. Vrain Photographic Society and the Salvation Army.

"He made a commitment beyond simply joining and paying dues," she said.

Clark Misner served as project manager for the Rollins Pass reopening in 1987. Now the county's transportation director, he said Straight's love of railroads and the old wagon route over Rollins Pass prompted his interest in the project.

"He was a really decent guy, a straight shooter, no pun intended," Misner said. "He was direct about what he thought should happen. He was honest and just a good guy."

Memorial services will be held at 2 p.m. Saturday, Feb. 10, at Westview Presbyterian Church, with the Rev. Bruce McQueen officiating. Military honors will be presented by the Mile High Honor Guard, USAF.

In lieu of flowers, the family suggests memorial donations to the American Red Cross, the Boy Scouts, the Rollins Pass Restoration Association, Shrine Children's Hospitals or Westview Presbyterian Church in care of Ahlberg Funeral Chapel, 326 Terry St., Longmont 80501.

RECOGNIZING HAYDEN OSWALD  
FOR ACHIEVING THE RANK OF  
EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Hayden Oswald, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 59, and in earning the most prestigious award of Eagle Scout.

Hayden has been very active with his troop, participating in many Scout activities. Over the many years Hayden has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Hayden Oswald for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ON OBSERVING THE 2007 NATIONAL  
SALUTE TO HOSPITALIZED VET-  
ERANS WEEK

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. MILLER of Florida. Madam Speaker, I rise today to honor our nation's veterans as we observe the National Salute to Hospitalized Veterans Week.

Each year, during the month of February, our nation's hospitalized veterans are recognized for their brave service to this nation. However, each day I am thankful for their selfless service as they put their lives on the line to defend our freedom at home. Many gave the ultimate sacrifice, and many returned home injured. Over 98,000 veterans currently receive daily care in a Department of Veterans Affairs medical center, clinic, or nursing home. It is to these brave and women we extend our deepest gratitude.

The price of freedom can be high, but soldiers fighting for our country believe freedom

is worth every bit of that price and more. They are the reason we can sleep at night here at home, knowing full well that when we wake up the next day liberty will still be the cornerstone upon which this nation stands. We, as a nation, owe them a debt of gratitude, and I hope that Americans all over the world will take a moment this week to remember what our soldiers put on the line for our liberty here at home.

The National Salute Chairman for this year is none other than famous singer and actor Jerry Reed. I have great confidence that Mr. Reed's memorable face, humor, and famous singing and songwriting will draw increased attention to Salute to Hospitalized Veterans Week, and I applaud his dedication to such a noteworthy cause. His leadership will be vital to informing others about our hospitalized veterans.

Madam Speaker, on behalf of the United States Congress, it is a great honor for me to personally salute those who have borne the battle while we recognize the 2007 Salute to Hospitalized Veterans Week.

EXPRESSING SORROW OF THE  
HOUSE AT THE DEATH OF THE  
HONORABLE CHARLIE NORWOOD,  
MEMBER OF CONGRESS FROM  
THE STATE OF GEORGIA

SPEECH OF

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 14, 2007*

Mr. SESSIONS. Mr. Speaker, I rise today to join my fellow colleagues in mourning the passing of Congressman CHARLIE NORWOOD. My friend and the honorable representative for the people of the Ninth District of Georgia passed away on Tuesday after his long battle with lung disease and cancer. This Chamber, and the State of Georgia has lost a friend and one of our most capable and dedicated Members. Even before CHARLIE came to Congress in the election of 1994, he was a courageous individual and public servant. The former Army dentist was a decorated officer serving in Vietnam, having been awarded the Combat Medical Badge and two Bronze Stars for his service.

Words cannot fully express the sorrow that is felt by those who have known and loved CHARLIE. My heart goes out to CHARLIE's wife, Gloria, their two sons, Charles and Carlton, and their four grandchildren. I also will be keeping CHARLIE's staff in my thoughts and prayers, as I had the pleasure of working with Dr. NORWOOD on a variety of issues, and his staff was always a delight to work with. I can only imagine how tough it is for them, and all of CHARLIE's family and friends right now during this difficult time. I will be keeping CHARLIE's memory in my thoughts and prayers. He was always a dear friend of mine, someone who I looked to for his opinion and judgment.

CHARLIE is now leaving us for a better place, but he leaves behind a lasting legacy, and shoes that can never be filled. We have lost a hero and a champion, God bless.

RECOGNIZING GARLAND AND  
MILDRED KING

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize two outstanding constituents of Missouri's Sixth Congressional District: Garland and Mildred King of Harrison County, MO. Garland and Mildred celebrated their 74th wedding anniversary on December 3, 2006.

Garland and Mildred King were married on December 3, 1932 in Trenton, MO. They have 6 children, 14 grandchildren, 24 great grandchildren, and 1 great-great grandchild on the way. They have owned a family farm in Harrison County for 64 years.

Garland and Mildred King have been outstanding citizens of Harrison County and northwest Missouri. They are dedicated and active members of Melbourne Baptist Church where Garland is a deacon.

Madam Speaker, I proudly ask you to join me in recognizing Garland and Mildred King. Their marriage of 74 years is inspirational, and I am honored to represent them in the United States Congress.

FORGETTING THE LESSONS OF  
HISTORY

**HON. NEIL ABERCROMBIE**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. ABERCROMBIE. Madam Speaker, the following 1984 speech by former Secretary of Defense Caspar Weinberger provides an important perspective on the use of military force in Iraq.

THE USES OF MILITARY POWER''

(By Caspar W. Weinberger)

Thank you for inviting me to be here today with the members of the National Press Club, a group most important to our national security. I say that because a major point I intend to make in my remarks today is that the single most critical element of a successful democracy is a strong consensus of support and agreement for our basic purposes. Policies formed without a clear understanding of what we hope to achieve will never work. And you help to build that understanding among our citizens.

Of all the many policies our citizens deserve and need to understand, none is so important as those related to our topic today the uses of military power. Deterrence will work only if the Soviets understand our firm commitment to keeping the peace, . . . and only from a well-informed public can we expect to have that national will and commitment.

So today, I want to discuss with you perhaps the most important question concerning keeping the peace. Under what circumstances, and by what means, does a great democracy such as ours reach the painful decision that the use of military force is necessary to protect our interests or to carry out our national policy?

National power has many components, some tangible, like economic wealth, technical pre-eminence. Other components are intangible such as moral force, or strong national will. Military forces, when they are

strong and ready and modern, are a credible and tangible addition to a nation's power. When both the intangible national will and those forces are forged into one instrument, national power becomes effective.

In today's world, the line between peace and war is less clearly drawn than at any time in our history. When George Washington, in his farewell address, warned us, as a new democracy, to avoid foreign entanglements, Europe then lay 2-3 months by sea over the horizon. The United States was protected by the width of the oceans. Now in this nuclear age, we measure time in minutes rather than months.

Aware of the consequences of any misstep, yet convinced of the precious worth of the freedom we enjoy, we seek to avoid conflict, while maintaining strong defenses. Our policy has always been to work hard for peace, but to be prepared if war comes. Yet, so blurred have the lines become between open conflict and half-hidden hostile acts that we cannot confidently predict where, or when, or how, or from what direction aggression may arrive. We must be prepared, at any moment, to meet threats ranging in intensity from isolated terrorist acts, to guerrilla action, to full-scale military confrontation.

Alexander Hamilton, writing in the *Federalist Papers*, said that it is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means, which may be necessary to satisfy them. If it was true then, how much more true it is today, when we must remain ready to consider the means to meet such serious indirect challenges to the peace as proxy wars and individual terrorist action. And how much more important is it now, considering the consequences of failing to deter conflict at the lowest level possible. While the use of military force to defend territory has never been questioned when a democracy has been attacked and its very survival threatened, most democracies have rejected the unilateral aggressive use of force to invade, conquer or subjugate other nations. The extent to which the use of force is acceptable remains unresolved for the host of other situations which fall between these extremes of defensive and aggressive use of force.

We find ourselves, then, face to face with a modern paradox: The most likely challenge to the peace—the gray area conflicts—are precisely the most difficult challenges to which a democracy must respond. Yet, while the source and nature of today's challenges are uncertain, our response must be clear and understandable. Unless we are certain that force is essential, we run the risk of inadequate national will to apply the resources needed.

Because we face a spectrum of threats from covert aggression, terrorism, and subversion, to overt intimidation, to use of brute force, choosing the appropriate level of our response is difficult. Flexible response does not mean just any response is appropriate. But once a decision to employ some degree of force has been made, and the purpose clarified, our government must have the clear mandate to carry out, and continue to carry out, that decision until the purpose has been achieved. That, too, has been difficult to accomplish.

The issue of which branch of government has authority to define that mandate and make decisions on using force is now being strongly contended. Beginning in the 1970s Congress demanded, and assumed, a far more active role in the making of foreign policy and in the decision-making process for the employment of military forces abroad than had been thought appropriate and practical before. As a result, the centrality of decision-making authority in the Executive

branch has been compromised by the Legislative branch to an extent that actively interferes with that process. At the same time, there has not been a corresponding acceptance of responsibility by Congress for the outcome of decisions concerning the employment of military forces.

Yet the outcome of decisions on whether and when and to what degree to use combat forces abroad has never been more important than it is today. While we do not seek to deter or settle all the world's conflicts, we must recognize that, as a major power, our responsibilities and interests are now of such scope that there are few troubled areas we can afford to ignore. So we must be prepared to deal with a range of possibilities, a spectrum of crises, from local insurgency to global conflict. We prefer, of course, to limit any conflict in its early stages, to contain and control it but to do that our military forces must be deployed in a timely manner, and be fully supported and prepared before they are engaged, because many of those difficult decisions must be made extremely quickly.

Some on the national scene think they can always avoid making tough decisions. Some reject entirely the question of whether any force can ever be used abroad. They want to avoid grappling with a complex issue because, despite clever rhetoric disguising their purpose, these people are in fact advocating a return to post-World War I isolationism. While they may maintain in principle that military force has a role in foreign policy, they are never willing to name the circumstance or the place where it would apply.

On the other side, some theorists argue that military force can be brought to bear in any crisis. Some of these proponents of force are eager to advocate its use even in limited amounts simply because they believe that if there are American forces of any size present they will somehow solve the problem.

Neither of these two extremes offers us any lasting or satisfactory solutions. The first undue reserve would lead us ultimately to withdraw from international events that require free nations to defend their interests from the aggressive use of force. We would be abdicating our responsibilities as the leader of the free world responsibilities more or less thrust upon us in the aftermath of World War II war incidentally that isolationism did nothing to deter. These are responsibilities we must fulfill unless we desire the Soviet Union to keep expanding its influence unchecked throughout the world. In an international system based on mutual interdependence among nations, and alliances between friends, stark isolationism quickly would lead to a far more dangerous situation for the United States: we would be without allies and faced by many hostile or indifferent nations.

The second alternative employing our forces almost indiscriminately and as a regular and customary part of our diplomatic efforts would surely plunge us headlong into the sort of domestic turmoil we experienced during the Vietnam war, without accomplishing the goal for which we committed our forces. Such policies might very well tear at the fabric of our society, endangering the single most critical element of a successful democracy: a strong consensus of support and agreement for our basic purposes.

Policies formed without a clear understanding of what we hope to achieve would also earn us the scorn of our troops, who would have an understandable opposition to being used in every sense of the word casually and without intent to support them fully. Ultimately this course would reduce their morale and their effectiveness for engagements we must win. And if the military were to distrust its civilian leadership, re-

cruitment would fall off and I fear an end to the all-volunteer system would be upon us, requiring a return to a draft, sowing the seeds of riot and discontent that so wracked the country in the '60s.

We have now restored high morale and pride in the uniform throughout the services. The all-volunteer system is working spectacularly well. Are we willing to forfeit what we have fought so hard to regain?

In maintaining our progress in strengthening America's military deterrent, we face difficult challenges. For we have entered an era where the dividing lines between peace and war are less clearly drawn, the identity of the foe is much less clear. In World Wars I and II, we not only knew who our enemies were, but we shared a clear sense of why the principles espoused by our enemies were unworthy.

Since these two wars threatened our very survival as a free nation and the survival of our allies, they were total wars, involving every aspect of our society. All our means of production, all our resources were devoted to winning. Our policies had the unqualified support of the great majority of our people. Indeed, World Wars I and II ended with the unconditional surrender of our enemies. . . . The only acceptable ending when the alternative was the loss of our freedom.

But in the aftermath of the Second World War, we encountered a more subtle form of warfare in which, more often than not, the face of the enemy was masked. Territorial expansionism could be carried out indirectly by proxy powers, using surrogate forces aided and advised from afar. Some conflicts occurred under the name of "national liberation," but far more frequently ideology or religion provided the spark to the tinder.

Our adversaries can also take advantage of our open society, and our freedom of speech and opinion to use alarming rhetoric and disinformation to divide and disrupt our unity of purpose. While they would never dare to allow such freedoms to their own people, they are quick to exploit ours by conducting simultaneous military and propaganda campaigns to achieve their ends.

They realize that if they can divide our national will at home, it will not be necessary to defeat our forces abroad. So by presenting issues in bellicose terms, they aim to intimidate western leaders and citizens, encouraging us to adopt conciliatory positions to their advantage. Meanwhile they remain sheltered from the force of public opinion in their countries, because public opinion there is simply prohibited and does not exist.

Our freedom presents both a challenge and an opportunity. It is true that until democratic nations have the support of the people, they are inevitably at a disadvantage in a conflict. But when they do have that support they cannot be defeated. For democracies have the power to send a compelling message to friend and foe alike by the vote of their citizens. And the American people have sent such a signal by re-electing a strong Chief Executive. They know that President Reagan is willing to accept the responsibility for his actions and is able to lead us through these complex times by insisting that we regain both our military and our economic strength.

In today's world where minutes count, such decisive leadership is more important than ever before. Regardless of whether conflicts are limited, or threats are ill defined, we must be capable of quickly determining that the threats and conflicts either do or do not affect the vital interests of the United States and our allies. . . . And then responding appropriately.

Those threats may not entail an immediate, direct attack on our territory, and our

response may not necessarily require the immediate or direct defense of our homeland. But when our vital national interests and those of our allies are at stake, we cannot ignore our safety, or forsake our allies.

At the same time, recent history has proven that we cannot assume unilaterally the role of the world's defender. We have learned that there are limits to how much of our spirit and blood and treasure we can afford to forfeit in meeting our responsibility to keep peace and freedom. So while we may and should offer substantial amounts of economic and military assistance to our allies in their time of need, and help them maintain forces to deter attacks against them usually we cannot substitute our troops or our will for theirs.

We should only engage our troops if we must do so as a matter of our own vital national interest. We cannot assume for other sovereign nations the responsibility to defend their territory without their strong invitation when our freedom is not threatened.

On the other hand, there have been recent cases where the United States has seen the need to join forces with other nations to try to preserve the peace by helping with negotiations, and by separating warring parties, and thus enabling those warring nations to withdraw from hostilities safely. In the Middle East, which has been torn by conflict for millennia, we have sent our troops in recent years both to the Sinai and to Lebanon, for just such a peacekeeping mission. But we did not configure or equip those forces for combat they were armed only for their self-defense. Their mission required them to be and to be recognized as peacekeepers. We knew that if conditions deteriorated so they were in danger, or if because of the actions of the warring nations, their peacekeeping mission could not be realized, then it would be necessary either to add sufficiently to the number and arms of our troops in short to equip them for combat, . . . or to withdraw them. And so in Lebanon, when we faced just such a choice, because the warring nations did not enter into withdrawal or peace agreements, the President properly withdrew forces equipped only for peacekeeping.

In those cases where our national interests require us to commit combat force we must never let there be doubt of our resolution. When it is necessary for our troops to be committed to combat, we must commit them, in sufficient numbers and we must support them, as effectively and resolutely as our strength permits. When we commit our troops to combat we must do so with the sole object of winning.

Once it is clear our troops are required, because our vital interests are at stake, then we must have the firm national resolve to commit every ounce of strength necessary to win the fight to achieve our objectives. In Grenada we did just that.

Just as clearly, there are other situations where United States combat forces should not be used. I believe the postwar period has taught us several lessons, and from them I have developed six major tests to be applied when we are weighing the use of U.S. combat forces abroad. Let me now share them with you:

First, the United States should not commit forces to combat overseas unless the particular engagement or occasion is deemed vital to our national interest or that of our allies. That emphatically does not mean that we should declare beforehand, as we did with Korea in 1950, that a particular area is outside our strategic perimeter.

Second, if we decide it is necessary to put combat troops into a given situation, we

should do so wholeheartedly, and with the clear intention of winning. If we are unwilling to commit the forces or resources necessary to achieve our objectives, we should not commit them at all. Of course if the particular situation requires only limited force to win our objectives, then we should not hesitate to commit forces sized accordingly. When Hitler broke treaties and remilitarized the Rhineland, small combat forces then could perhaps have prevented the holocaust of World War II.

Third, if we do decide to commit forces to combat overseas, we should have clearly defined political and military objectives. And we should know precisely how our forces can accomplish those clearly defined objectives. And we should have and send the forces needed to do just that. As Clausewitz wrote, "no one starts a war or rather, no one in his senses ought to do so without first being clear in his mind what he intends to achieve by that war, and how he intends to conduct it."

War may be different today than in Clausewitz's time, but the need for well-defined objectives and a consistent strategy is still essential. If we determine that a combat mission has become necessary for our vital national interests, then we must send forces capable to do the job and not assign a combat mission to a force configured for peacekeeping.

Fourth, the relationship between our objectives and the forces we have committed their size, composition and disposition must be continually reassessed and adjusted if necessary. Conditions and objectives invariably change during the course of a conflict. When they do change, then so must our combat requirements. We must continuously keep as a beacon light before us the basic questions: "Is this conflict in our national interest?" "Does our national interest require us to fight, to use force of arms?" If the answers are "yes," then we must win. If the answers are "no," then we should not be in combat.

Fifth, before the U.S. commits combat forces abroad, there must be some reasonable assurance we will have the support of the American people and their elected representatives in Congress. This support cannot be achieved unless we are candid in making clear the threats we face; the support cannot be sustained without continuing and close consultation. We cannot fight a battle with the Congress at home while asking our troops to win a war overseas or, as in the case of Vietnam, in effect asking our troops not to win, but just to be there.

Finally, the commitment of U.S. forces to combat should be a last resort.

I believe that these tests can be helpful in deciding whether or not we should commit our troops to combat in the months and years ahead. The point we must all keep uppermost in our minds is that if we ever decide to commit forces to combat, we must support those forces to the fullest extent of our national will for as long as it takes to win. So we must have in mind objectives that are clearly defined and understood and supported by the widest possible number of our citizens. And those objectives must be vital to our survival as a free nation and to the fulfillment of our responsibilities as a world power. We must also be farsighted enough to sense when immediate and strong reactions to apparently small events can prevent lion-like responses that may be required later. We must never forget those isolationists in Europe who shrugged that "Danzig is not worth a war," and "why should we fight to keep the Rhineland demilitarized?"

These tests I have just mentioned have been phrased negatively for a purpose they are intended to sound a note of caution that we must observe prior to committing forces to combat overseas. When we ask our military forces to risk their very lives in such situations, a note of caution is not only prudent, it is morally required.

In many situations we may apply these tests and conclude that a combatant role is not appropriate. Yet no one should interpret what I am saying here today as an abdication of America's responsibilities either to its own citizens or to its allies. Nor should these remarks be misread as a signal that this country, or this Administration, is unwilling to commit forces to combat overseas.

We have demonstrated in the past that, when our vital interests or those of our allies are threatened, we are ready to use force, and use it decisively, to protect those interests. Let no one entertain any illusions if our vital interests are involved, we are prepared to fight. And we are resolved that if we must fight, we must win.

So, while these tests are drawn from lessons we have learned from the past, they also can and should be applied to the future. For example, the problems confronting us in Central America today are difficult. The possibility of more extensive Soviet and Soviet-proxy penetration into this hemisphere in months ahead is something we should recognize. If this happens we will clearly need more economic and military assistance and training to help those who want democracy.

The President will not allow our military forces to creep or be drawn gradually into a combat role in Central America or any other place in the world. And indeed our policy is designed to prevent the need for direct American involvement. This means we will need sustained Congressional support to back and give confidence to our friends in the region.

I believe that the tests I have enunciated here today can, if applied carefully, avoid the danger of this gradualist incremental approach, which almost always means the use of insufficient force. These tests can help us to avoid being drawn inexorably into an endless morass, where it is not vital to our national interest to fight.

But policies and principles such as these require decisive leadership in both the Executive and Legislative branches of government and they also require strong and sustained public support. Most of all, these policies require national unity of purpose. I believe the United States now possesses the policies and leadership to gain that public support and unity. And I believe that the future will show we have the strength of character to protect peace with freedom.

In summary, we should all remember these are the policies indeed the only policies that can preserve for ourselves, our friends, and our posterity, peace with freedom.

I believe we can continue to deter the Soviet Union and other potential adversaries from pursuing their designs around the world. We can enable our friends in Central America to defeat aggression and gain the breathing room to nurture democratic reforms. We can meet the challenge posed by the unfolding complexity of the 1980s.

We will then be poised to begin the last decade of this century amid a peace tempered by realism, and secured by firmness and strength. And it will be a peace that will enable all of us ourselves at home, and our friends abroad to achieve a quality of life, both spiritually and materially, far higher than man has even dared to dream.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE CHARLIE NORWOOD, MEMBER OF CONGRESS FROM THE STATE OF GEORGIA

SPEECH OF

**HON. HENRY E. BROWN, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 14, 2007*

Mr. BROWN of South Carolina. Mr. Speaker, I join my colleagues in mourning the passing of CHARLIE NORWOOD. As a Member of Congress from the neighboring state of South Carolina, I was fortunate enough to serve with CHARLIE and see firsthand his dedication to public service. Coming to Congress with a medical background, CHARLIE championed issues regarding a patients' bill of rights which was designed to give people better access to healthcare. As a decorated Vietnam Veteran, CHARLIE was a fighter. He fought for 12 years as a member of Congress on behalf of his constituents. I worked with CHARLIE on a number of issues including education, military, and veterans' issues. As Subcommittee Chairman of Health on the Veterans' Affairs Committee, I had the pleasure of participating in a Town Hall meeting with the veterans from his district.

Diagnosed with cancer in 2006, CHARLIE continued to serve the people of Georgia bravely and honorably in the HOUSE OF REPRESENTATIVES despite his ill health. He fought to the end, and in his final days, he returned home to be with his family.

CHARLIE will be sorely missed, but his legacy will never be forgotten. My thoughts and prayers are with his wife Gloria and his two children during this sad time.

RECOGNIZING RUTH ELVIRA DOBBINS

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GRAVES. Madam Speaker, I proudly ask you to join me in recognizing Ruth Elvira Dobbins of Sibley, Missouri. Ruth celebrated her 80th Birthday on January 17th and it is my privilege to offer her my warmest regards on achieving this important milestone. Ruth is a fine citizen of Missouri and the Sibley community. It is an honor to represent Ruth in the United States Congress, and I wish her all the best on this birthday and many more in the future.

THE PRESIDENT'S FY 2008 BUDGET

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. LANGEVIN. Madam Speaker, I rise today to express my disappointment with the President's budget proposal for Fiscal Year 2008. The President has said repeatedly that he wants to work with the new leadership in Congress, but his budget request tells a dif-

ferent story. It is clear evidence that he has little interest in making the hard choices facing our Nation and that he continues to favor tax cuts for the wealthy at the expense of working Americans.

One of the most notable changes in this budget as compared with those of previous years is the inclusion of supplemental spending requests for military operations in Iraq and Afghanistan. I do appreciate this development, as it will enhance Congressional oversight, which has been sorely lacking in the past. However, this improvement does not alter my deep opposition to the President's plan to augment existing force levels in Iraq by 21,500 troops, a number that could increase significantly once additional support forces are considered. It has become evident that the problem in Iraq cannot be solved by more U.S. troops. As the Iraq Study Group and other experts have concluded, it requires a diplomatic and economic solution, as well as a renewed commitment by the Iraqi government to take greater control of its own security situation. Consequently, Congress will carefully scrutinize the supplemental funding request so that we continue to provide our men and women in uniform with the resources they need to remain safe and effective while moving toward a swift conclusion of our military operations in Iraq. The American people have asked us to act, and we will do so in the coming months.

Sadly, the remainder of the budget demonstrates the President's misplaced priorities and inability to operate within realistic expectations. Once again, the President claims he can have it both ways by making permanent tax cuts for the wealthiest while reaching a balanced budget by 2012. However, the numbers just don't add up. The President doesn't balance his budget through responsible decision-making; he does it by hoping for economic growth that may or may not occur. In fact, the non-partisan Congressional Budget Office estimates that the President has overestimated revenue projections in 2012 by more than \$150 billion, and that his budget would actually result in yet another deficit. One hundred and fifty billion dollars is more than a rounding error; it is wishful thinking.

What does the average Rhode Islander get from all of that deficit spending? Unfortunately, it's not much. The President's decision to extend tax cuts for the wealthiest Americans would cost hundreds of billions of dollars in lost revenue, necessitating drastic cuts to important services and resulting in a massive middle-class tax increase. By choosing to extend certain tax cuts expiring in 2010 instead of fixing the Alternative Minimum Tax, the President has made clear that his priorities are with the richest Americans and not the middle class.

Our Nation's most vulnerable populations would also be harmed by the proposed budget. The President has called for \$78 billion in cuts to Medicare and Medicaid, venerable programs that provide vital health care services to the elderly, the disabled and the poor. Part of those cuts would come from an 8 percent reduction in Medicare reimbursement rates to physicians. Congress has blocked such cuts in the past because we know how devastating they would be to our health care system, yet the President appears oblivious to how dangerous they would be. When I am in Rhode Island, I hear constantly from doctors about how proposed cuts to Medicare reimburse-

ment rates would result in their inability to treat Medicare patients. My State's 16 hospitals would not be able to meet the needs of the community, and our senior citizens would suffer as a result. While I agree that we need to address the long-term solvency of Medicare, any reforms should be implemented in a way that benefits, not damages, our Nation's health care system.

The budget would also threaten to repeal health insurance for Rhode Island children. Rhode Island is one of 18 States that have implemented the State Children's Health Insurance Program to exceed minimum federal standards. Rhode Island's program, Rite Care, has leveraged SCHIP funding to provide health insurance to children in families up to 250 percent of the poverty level, as well as to additional populations such as pregnant women and parents. We have worked hard to bring our insurance coverage rate for children to 94 percent—above the national average of 88 percent. The President's budget would penalize States that are succeeding under SCHIP and increase the uninsured rate among children when we should be going in the opposite direction.

As chairman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, I am concerned that the budget proposal does not invest appropriately in important homeland security initiatives. Despite tragedies experienced in Madrid and London, we continue to ignore the importance of rail security; the Transportation Security Administration budget contains only \$41 million for surface transportation security. The Bush Administration has also proposed cutting biodefense-related programs and the Department of Homeland Security's Science and Technology Directorate, both of which will help protect our Nation from emerging threats. Additionally, the budget would reduce funding for programs important to State and local law enforcement in Rhode Island, including the State Homeland Security Grant Program, which awarded \$45.2 million to Rhode Island from 2003 to 2006, and the Law Enforcement Terrorist Prevention Program, LETPP, from which Rhode Island received \$11.5 million in funding from 2004 to 2006. Despite their proven effectiveness in reducing crime in our communities, the Community Oriented Policing Service, COPS, and Justice Assistance Grants, JAGs, would also experience cuts in this budget proposal. The COPS program helps Rhode Island's law enforcement agencies hire police officers, enhance crime fighting technology, and support crime prevention initiatives, while JAG supports State and local drug task forces, community crime prevention programs and prosecution initiatives. In 2006 alone, Rhode Island received \$1.6 million in JAG funding and \$790,000 in COPS funding that helped keep Rhode Island families safe. An important component of homeland security includes providing our state and local law enforcement with the resources they need to be effective, and I will fight to block these proposed cuts.

A budget is more than a simple ledger of revenue and spending. It is a demonstration of priorities. In this case, the President's priorities are out of touch with what the American people want. The new leadership in Congress is ready to craft a budget that will support strengthening our national defense and will

carefully examine our ongoing commitment in Iraq while not losing sight of those priorities that need to be met here at home. Our budget will reflect the values and needs of working Rhode Islanders. I will fight to properly fund SCHIP so that Rite Care can continue to support our state's most vulnerable patients, and I will fight the drastic proposed physician payment cuts under Medicare so that we do not jeopardize the health and well-being of our Nation's seniors.

Working to put our Nation back on solid financial footing will take time and dedication, and I am up to the challenge. I will fight for a fair budget that benefits all Americans. I look forward to advocating for all Rhode Islanders in the coming months.

INTRODUCTION OF THE REIT INVESTMENT DIVERSIFICATION AND EMPOWERMENT ACT

**HON. JOSEPH CROWLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. CROWLEY. Madam Speaker, along with my good friends and colleagues, Representatives CANTOR, POMEROY and REYNOLDS, I introduce the REIT Investment Diversification and Empowerment Act, RIDEA. This legislation will continue the tradition of Congress to periodically review and amend the tax rules governing REITs to ensure that they are able to operate within the competitive norms of the marketplace. In an effort to keep REITs competitive, this bill addresses several issues tied to REIT investment diversification and empowerment. The legislation would make several minor, but important, changes in the REIT tax rules to permit REITs on behalf of their shareholders to continue to compete with other real estate companies in international and domestic markets.

In 1960, Congress created the REIT rules to allow average investors to obtain the benefits of owning large-scale, income producing real estate such as shopping malls, apartment communities and office buildings. REITs are typically publicly traded companies that pass through their earnings to individual shareholders. The vision of Congress has come to fruition: The equity market capitalization of REITs as of December 31, 2006 was \$438 billion—up from only \$1.4 billion at the end of 1971. Investment professionals such as Burton Malkiel of Princeton University, Jeremy Siegel of the Wharton School at the University of Pennsylvania and David Swensen, the manager of the Yale Endowment, have recommended that individual investors should maintain a discrete allocation of REITs as part of a diversified portfolio to maximize performance while lowering investment risk.

Commercial real estate plays an essential part in the national economy, producing about 6 percent of the gross domestic product according to the Federal Reserve Board. REITs have grown to be an essential component of the real estate marketplace and provided investment opportunities for everyone to invest in where we work, live and shop. REITs own all types of income producing real estate, from community shopping centers to landmarks such as Roosevelt Field on Long Island, Tyson's Comer in Virginia, and Queens Plaza, in my home borough of Queens, NY.

REITs are subject to a number of rules to ensure their primary focus is commercial real estate activities. At least 75 percent of a REIT's assets must be comprised of rental real estate, mortgages, cash items and government securities. A REIT also must satisfy two income tests. First, at least 75 percent of a REIT's annual gross income must consist of real property rents, mortgage interest, gain from the sale of a real estate asset and certain other real estate-related sources. Second, at least 95 percent of a REIT's annual gross income must be derived from the income items from the above 75 percent test plus other "passive income" sources such as dividends and any type of interest.

For over three decades, the IRS has recognized that real estate investments abroad qualify as "good assets" and generate "good income" under the REIT tax rules. With that said, the treatment of foreign currency gains directly attributable to overseas real estate investment is not altogether clear, but its correct characterization is becoming increasingly important as REITs continue investing in the most attractive marketplaces for their shareholders. Similarly, as more and more countries begin to authorize REIT-like approaches to real estate investment, it is important that U.S. tax rules allow U.S. REITs to invest in these businesses without negatively affecting their own REIT status.

I do not believe this bill is controversial. The three previous changes to the REIT rules made over the past decade have been sponsored by many Members on both sides of the aisle, and we expect that RIDEA will follow in these bipartisan footsteps. It is also important to note that this bill is endorsed by the National Association of Real Estate Investment Trusts and the Real Estate Roundtable.

Madam Speaker, this is an opportunity for us to provide REITs the flexibility needed to remain competitive and to make other minor, but important, changes to the REIT rules. I urge my colleagues on both sides of the aisle to join me in supporting these changes.

Madam Speaker, I ask unanimous consent that the text of the bill and a detailed summary of its provisions be printed in the RECORD.

The REIT Investment Diversification and Empowerment Act ("RIDEA") includes five titles: Title I—Foreign Currency and Other Qualified Activities, Title II—Taxable REIT Subsidiaries, Title III—Dealer Sales, Title IV—Health Care REITs, and Title V—Foreign REITs.

As the REIT market develops and as REITs continue to expand their overseas investments, the issue of the correct characterization of foreign currency gains, and other types of non-specified income and assets, has become even more important. Title I would in effect codify existing law concerning the income derived, and assets held, by REITs in connection with their REIT-permissible activities outside of the U.S.

Specifically, Title I would treat as qualified REIT income foreign currency gains derived with respect to its business of investing in "real estate assets" outside of the U.S. Today REITs can achieve approximately the same results by establishing a "subsidiary REIT" in each currency zone in which it operates and securing a private letter ruling from the IRS. RIDEA would allow a REIT to obtain the same result by operating a qualified business unit that satisfies the 75 percent income and asset tests.

Title I also would provide the IRS with authority to determine whether certain types of foreign currency gains were qualifying income, as well as to provide that certain items of income not specifically listed in the REIT gross income provisions should not be taken into account in computing a REIT's gross income.

Under current law, even if a REIT were to earn a substantial amount of certain types of income that are not specified in the gross income baskets, the REIT could jeopardize its REIT status—even though these types of income may be directly attributable to the REIT's business of owning and operating commercial real estate. Examples include amounts attributable to recoveries in settlement of litigation and "break up fees" attributable to a failure to consummate a merger. The IRS has issued private letter rulings to taxpayers holding that the particular type of income should be considered either qualifying income or should be ignored for purposes of the REIT rules.

Under this provision, I would expect that the IRS would conclude, for example, that dividend-like items of income such as Subpart F income and income produced by holding stock of a passive foreign investment company either are considered qualified income for purposes of the REIT income tests are not taken into account for purposes of these tests.

Furthermore, Title I would conform the current REIT hedging rule to also apply to foreign currency gains, apply those rules for purposes of both REIT gross income tests and would make conforming changes to other REIT provisions reflecting foreign currency gains.

Title II would increase the limit on taxable REIT subsidiaries, TRS, securities from 20 percent to 25 percent, as originally contemplated in the REIT Modernization Act of 1999. The rationale for a 25 percent limit on TRSs remains the same today. The dividing line for testing a concentration on commercial real estate in the REIT rules has long been set at 25 percent, and even the mutual fund rule uses a 25 percent test. It is not too often that an industry requests Congress to increase the amount of income it can earn to a double level of taxation.

Title III updates the rules that require a REIT to be a long-term investor in real estate. A REIT is subject to a 100 percent tax on net income from sales of property in the ordinary course of business—"prohibited transactions" or "dealer sales". In 1976, Congress recognized the need for a bright line safe harbor for determining whether a REIT's property sale constituted a prohibited transaction. Congress further liberalized these rules in 1978 and 1986 to better comport with industry practice and to simplify a REIT's ability to sell long-term investment property without fear of being taxed at a 100 percent rate. The current safe harbor exceptions for rental property and timber provide that a sale may avoid being classified as a prohibited transaction if it meets several requirements, including that the REIT own the property for at least 4 years and that each year it sell either less than seven properties or 10 percent of its portfolio, as measured by tax basis.

Largely because commercial real estate is increasingly recognized as a separate asset class that provides substantial diversification

and performance benefits for retirement savings, the real estate market has achieved greater levels of liquidity than ever before. This increased liquidity has provided real estate owners who have invested for the long term with more and more opportunities to maximize value by selling assets sooner than originally expected. REITs that rely on the safe harbor have been precluded from selling some of their investment assets because of the current 4-year requirement.

The safe harbor is intended to provide a clear dividing line between a REIT acting as an investor rather than a dealer. However, the 4-year requirement is arbitrary and not consistent with other Code provisions that define whether property is held for long term investments, e.g., the 1-year holding period to determine long-term capital gains treatment for individuals, and the 2-year holding period to distinguish whether the sale of a home is taxable because it is held for investment purposes. A 2-year holding period better reflects current economic realities.

In addition, the 10 percent limit that is now based on tax basis negatively impacts companies that are the least likely to have engaged in "dealer" activity. The most established REITs have typically held their properties the longest, resulting in low adjusted bases due to depreciation or amortization deductions. Thus, the aggregate bases of all the REITs properties will be relatively much lower for purposes of the safe harbor exception than for a REIT that routinely turns over its properties every 4 years. Accordingly, the REIT that holds its properties for the longer term is penalized.

In 1999, Congress adopted a provision that utilizes fair market value rules for purposes of calculating personal property rents associated with the rental of real property. The measurement change in Title III to the 10 percent test from tax basis to fair value is fully consistent with this 1999 provision.

Title IV parallels the treatment under the REIT rules of health care facilities to lodging facilities. Payments made from a subsidiary owned by a REIT to that REIT usually are not considered qualified income for REIT purposes. Congress in 1999 carved out an exception under which a REIT may establish a TRS that can lease lodging facilities from a REIT holding a controlling interest, with the payments to the REIT considered good "rents" under the REIT rules. Under these rules, a TRS is not allowed to operate or manage lodging or health care facilities; instead an independent contractor must do so.

When this change was made in 1999, health care operators did not object to bearing the risks associated with being liable as a long-term lessee. Recently, many operators of health care assets such as assisted living facilities have indicated that they would rather be independent operators of the facilities and instead rely on a REIT to bear all real estate-related financial risks. Most health care REITs now believe that the TRS restriction is interfering with their ability to manage their operations in the most efficient manner.

Title IV would allow a REIT's TRS to lease health care facilities from its controlling REIT so long as the facilities are operated and managed by an independent contractor. It also clarifies that a TRS's mere possession of a license which, for example, is sometimes required for State purposes, is not considered the operation or management of the facilities.

Governments around the world have recognized the success of REITs in the United States as creating "liquid real estate" for the first time in history. More than 20 countries have adopted REIT legislation, with the United Kingdom making the leap on January 1 and Germany expected to follow suit later this year. Although the Tax Code treats stock in a U.S. REIT as a qualified asset that generates qualifying income, current law does not afford the same treatment to the stock of non-U.S. REITs.

Instead of investing abroad either directly or in a joint venture, a U.S. REIT might want to invest through a REIT organized in that country. However, a company could lose its status as a U.S. REIT if it owns more than 10 percent of a foreign REIT's securities, even though the foreign company is the equivalent of a U.S. REIT. A U.S. REIT should have the flexibility in deciding what form its overseas real estate investment should take.

Title V would allow a U.S. REIT to acquire securities in a foreign REIT so long as that REIT has the same core attributes as a U.S. REIT. The Treasury Department would have the responsibility to analyze the foreign laws and rules to determine if the REITs organized in a particular country meet this test, much as it does in determining whether entities organized abroad are "per se" corporations under the "check the box" entity classification rules. In making these determinations, the Secretary should take into account whether the laws, stock market requirements, or market preferences in a country imbue listed foreign REITs with these characteristics: (1) At least 75 percent of the company's assets must be invested in real estate assets; (2) the foreign REIT either receives a dividends paid deduction or is exempt from corporate level tax; and (3) the foreign REIT is required to distribute at least 85 percent of its taxable income to shareholders on an annual basis.

Madam Speaker, I am pleased to introduce this bipartisan legislation.

#### SUPPORT COMPREHENSIVE IMMIGRATION REFORM

**HON. GABRIELLE GIFFORDS**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Ms. GIFFORDS. Madam Speaker, I rise today to express my support for some provisions of President Bush's FY08 budget request regarding illegal immigration.

His plan includes hiring 3,000 new Border Patrol agents, improving technology and infrastructure along the border, and helping end the failed "catch and release" policy. The President's proposal also offers assistance to State and local law enforcement agencies.

My district in Southern Arizona continues to bear the burden of our Nation's failed immigration policy, especially in our schools, hospitals, and law enforcement agencies. The President's ideas will, to some degree, help alleviate this crisis.

However, these policies must be a part of a comprehensive immigration reform plan to effectively secure the border and stop illegal immigration.

We not only need better border security and more support for border patrol agents, but also

employer sanctions for those knowingly hiring illegal immigrants and a guest worker program. Most importantly, we need fair compensation for border communities struggling with the costs of illegal immigration.

I applaud the President for reaching out to Congress on this issue, and I look forward to working with the administration and Republicans and Democrats in Congress to pass comprehensive immigration reform.

#### HONORING ALAMEDA COUNTY LIBRARY PROGRAM

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. STARK. Madam Speaker, I rise today to pay tribute to the Alameda County Library. The Library's Write to Read Youth Literacy program at Juvenile Hall in San Leandro, CA, was honored on January 22, 2007 at a White House Ceremony in conjunction with the 2006 Coming Up Taller Awards. The Library's 8-year effort to help incarcerated youths read and write won a \$10,000 Federal grant, the Coming Up Taller award, and plaudits at the White House Ceremony.

The Coming Up Taller Awards recognize and support outstanding community arts and humanities programs that celebrate the creativity of America's young people, and provide them with new learning opportunities and a chance to contribute to their communities. The awards also highlight the contributions that historians, scholars, librarians, and visual and performing arts make to families and communities by mentoring children.

The Alameda County Library's Write to Read Youth Literacy program at Juvenile Hall has introduced the joy of reading to more than 4,000 incarcerated youths. Founded in 1999, Write to Read motivates and inspires young people housed in the Alameda County Juvenile Hall to strengthen their reading skills and make meaningful connections to authors and books that can positively influence the choices they make in their own lives.

Offered 3 days a week, the Write to Read program enables youths to take books to their rooms, meet with authors, and engage in tutoring and book discussions.

Alameda County Librarian Jean Hofacket was present at the White House ceremony to receive the library award along with Amy Cheney, juvenile hall librarian, and Hannah Kefala of Alameda, a former juvenile hall resident who now attends Chabot College in Hayward.

Ms. Kefala said meeting authors through the program helped her learn "my human rights" and gave her pointers "on how to improve my future." Her comments are a testament to the success of the Alameda County Library's Write to Read Youth Literacy program at Juvenile Hall.

I join the community in applauding the Alameda County Library's success and contributions to make a positive difference in the lives of youth incarcerated at the Juvenile Hall.

## DELETING ONLINE PREDATORS

**HON. MARK STEVEN KIRK**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. KIRK. Madam Speaker, today I am introducing the Deleting Online Predators Act of 2007, H.R. 1120. This legislation is a critical step to empower parents to exercise more control over what their children do on the Internet and to protect them from Internet predators.

In Lake County, IL, we have seen what can happen when Internet predators are able to make contact with children. In October 2005, Joseph Caprigno molested a 14 year-old boy he met on the Internet. Caprigno, a 40 year-old man, arranged to meet the boy in a 7–11 parking lot in an Internet chat room. In January a 20 year-old man, Michael Zbonski, molested a 16 year-old girl he met on MySpace.com. Frighteningly, not only did he communicate with this girl for 2 years on the Internet, he admitted to having a sexual relationship with one of the victim's underage friends.

The Deleting Online Predators Act is a commonsense piece of legislation designed to empower parents to play a more active role in their children's activities online. The bill calls on the Federal Trade Commission to issue consumer alerts and establish a unique Web site to better educate parents as to the dangers posed by Internet predators. Parents are the first and most important line of defense against these predators, and it is imperative to arm them with timely and accurate information to protect their children.

This bill also requires schools to prevent children from accessing social networking Web sites and chat rooms unless they are doing so for a legitimate educational purpose and are under adult supervision. It also requires public libraries to prevent children from accessing these Web sites unless they have the permission of a parent. I believe this is an entirely appropriate action to help parents determine what their children can and cannot do online. It seems foolish for the taxpayer to subsidize what amounts to a loophole by which children can circumvent their parent's wishes and unwittingly expose themselves to Internet predators.

Madam Speaker, Lake County also offers one more case that plainly demonstrates the need for this legislation. The Lake County State's Attorney recently filed Aggravated Criminal Sexual Abuse charges against two

teachers who are accused of soliciting and arranging to molest underage students at the school where they taught. Jason Glick and James Lobitz didn't just molest two underage students, they arranged to do so using school-owned computer equipment and resources during school hours.

The cases against Jason Glick and James Lobitz are still pending, but by passing this bill, we can send a message to parents that just as we wouldn't allow sexual predators to roam the halls of a school, we will not allow them to infiltrate our schools over the Internet.

RECOGNIZING UWCHLAN TOWNSHIP POLICE CHIEF PATRICK DAVIS UPON HIS RETIREMENT

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. GERLACH. Madam Speaker, I rise today to recognize and congratulate Uwchlan Township Police Chief Patrick Davis upon his retirement after more than 30 years of dedicated service to the people of Chester County and southeastern Pennsylvania.

Chief Davis has been one of the most prominent and important law enforcement officials in the 6th Congressional District, a trustworthy member of our public safety community and shining example of a selfless public service.

Chief Davis' broad range of experience and knowledge about the community was forged during more than three decades fighting crime in southeastern Pennsylvania. His distinguished career began in 1976 as a patrol officer with the Thornbury Township Police Department. A year later, he joined the Uwchlan Township Police Department, the start of an outstanding career that saw him rise through the ranks before eventually becoming chief of police in 1994.

As police chief in Uwchlan Township, he oversaw the actions of 26 full-time employees and helped keep our neighborhoods, streets and schools safe from crime and violence. I'm sure his son Andrew and wife Kathy are as proud of him as we are.

So I ask, Madam Speaker, that my colleagues join me in celebrating the exemplary career of Uwchlan Township Police Chief Patrick Davis. I'd like to personally thank him for his years of distinguished service to the community and congratulate him on a well-deserved retirement.

TRIBUTE TO A LIFETIME OF SERVICE BY MR. LESTER FOX OF SOUTH BEND, INDIANA

**HON. JOE DONNELLY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 16, 2007*

Mr. DONNELLY. Madam Speaker, today I pay tribute to an outstanding citizen of South Bend, Indiana, Lester J. Fox, who devoted his life to the service of his community. During the 1940's he served as a union leader at the Studebaker Corporation which led him to a new career as advocate for the unemployed, the elderly and the underserved.

He became director of Project ABLE in 1963 after the closing of the Studebaker plant, the largest employer in South Bend at the time. The experimental project developed and implemented a network of services for the many unemployed older workers left in the wake of this economic disaster.

With the newly created "War on Poverty" in 1965, Fox established the Regional Office of Economic Opportunity in Atlanta, Georgia, implementing the Economic Opportunity Act in six southeastern states over a two year period.

Fox returned to South Bend to become President and CEO of REAL Services, Inc., an organization that assesses the status and needs of the older adult population in Saint Joseph County. The agency's role was broadened twice, once to include the area Agency on Aging in five North Central Indiana counties, administering the Older American's Act and legislation related to the aged and disabled, and again in 1990, to manage the Community Action Agency serving low-income families.

Lester Fox has been awarded the Sagamore of the Wabash, the highest honor bestowed by governors of Indiana, on four separate occasions by four different governors. In 1996, Les was inducted into the South Bend Community Hall of Fame.

Fox has served on numerous boards, has been a member of the White House Conference on Aging, and was a Consultant to the U.S. Senate Committee on Aging.

So, today, on behalf of the citizens of northern Indiana, I thank Les Fox for his years of unselfish dedication. As he retires from 40 years as President of REAL Services, I pay special tribute to a man who exemplifies self sacrifice and serves as a role model for us all.