

For example, in January 2006, a Louisiana State University, LSU, Hurricane Center study concluded that an estimated 65 percent reduction in Katrina wind related damage to homes in Louisiana could have been avoided if structures had been built to current model building code standards.

Despite these benefits, most states have not enacted mandatory statewide building codes and related inspection and enforcement measures for both commercial and residential structures.

Additionally, where Statewide codes exist, it is not uncommon to allow individual jurisdictions, such as cities of a particular class, or counties, to deviate from the State standards, occasionally resulting in a weakening of the model minimum standards or to opt out of the standards altogether, leaving areas within a State more vulnerable than others.

As a result, State standards for construction, code-related inspection and enforcement vary widely across the country.

I am not typically a proponent of a one-size-fits all approach to public policy, but when it comes to public safety I believe it is important to set the standards high and for our communities to meet these standards.

WHAT THE SAFE BUILDING CODE INCENTIVE ACT OF 2007 WOULD DO

Under the current authorities in the Stafford Act, mitigation funds are generally available through two programs—the Hazard Mitigation Grant Program and the Pre-Disaster Mitigation Program. My legislation creates incentives within each of these programs for States to adopt and enforce the highest safety standards before disaster strikes.

After a disaster strikes a community or State and the Federal Government provides disaster relief funding, States with an approved Mitigation Plan are eligible to receive Hazard Mitigation Grant Program funding equal to 15 percent of the total Federal disaster relief spending for that event.

Additionally, a State may elect to prepare a more comprehensive Enhanced Mitigation Plan which would qualify the State for additional mitigation funding up to 20 percent of the amount awarded for grants.

Regardless of what the State mitigation plan is, under the Safe Building Code Incentive Act of 2007 a State would be eligible for an additional 4 percent of Federal disaster relief spending if it has adopted a mandatory Statewide building code and has effective enforcement measures in place.

However, if a State decides not to adopt a mandatory Statewide building code, it will not be penalized and would still be eligible to obtain a minimum 15 percent of the post-disaster mitigation funding under the HMGP.

My legislation merely serves as an incentive for States to seek additional funding of 4 percent by adopting a mandatory Statewide building code and implementing effective enforcement measures.

In addition, the Safe Building Code Incentive Act of 2007 will allow, as well as encourage, State, local and tribal governments to use PDM funds to establish building code enforcement programs prior to the occurrence of a disaster, which helps States to begin standardizing construction in previously unregulated areas.

In my view, this funding is well placed. A little prevention will go a long way and in the case of disaster relief funding it can save the taxpayers billions in recovery funds.

The benefit of stronger more up-to-date building codes is twofold.

The first benefit is by encouraging and providing stronger building codes, our buildings are more likely to withstand higher impacts and therefore remain intact if a storm hits a community.

The second benefit is that if a catastrophe does devastate a community, by enacting these stricter standards recovering communities would be eligible for more Federal funds under my proposed legislation.

The best case scenario is that a community will never be in a position to need these extra funds. But by enacting stronger building codes and encouraging more community plans we are taking a positive and proactive step in that direction.

In closing, as we reflect on the tragedy of Katrina and continue to rebuild the Gulf Coast region, we should also be viewing this as a time and an opportunity to rebuild a public policy that will serve the American taxpayer more efficiently as well as protect our communities more effectively.

I ask my colleagues to support the Safe Building Code Incentive Act of 2007.

TRIBUTE TO TG MISSOURI CORPORATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 22, 2007

Mrs. EMERSON. Madam Speaker, I rise today to congratulate TG Missouri Corporation in Perryville, Missouri on its 20th anniversary. This is a true milestone for a company which will continue to have a positive impact for many years to come.

Business operations such as TG Missouri's represent the cornerstone of Southern Missouri's rural economy. In 20 short years, TG Missouri has created significant opportunities by remaining committed to the best interests of the community, its customers and its employees. Perhaps most important, TG Missouri has provided job opportunities to roughly 1200 highly skilled and very dedicated workers, beginning as a company of just 35 people in 1987.

TG Missouri understands that its strengths come from its workforce. They have achieved success by relying on the unique skills of each individual who is associated with the company. I know that their success has been closely observed by others, and TG Missouri will serve as an example of responsible and quality business practices for years to come.

Madam Speaker, it is a great privilege to honor TG Missouri on 20 years of success. I am proud to express my congratulations today in the U.S. House of Representatives on TG Missouri's momentous anniversary and to wish them many more years of success.

TRIBUTE TO THE NEW ULRECHT REFORMED CHURCH

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 22, 2007

Mr. FOSSELLA. Madam Speaker, I rise today to honor the New Utrecht Reformed

Church in Brooklyn, New York on its 330th Anniversary.

Dutch settlers formed the town of New Utrecht, one of the original five towns of Brooklyn, in the mid 1600's and eventually, under the authority of the Reformed Church in the Netherlands, established the New Utrecht Cemetery in 1654. These same settlers gathered as a congregation in 1677 under the name of the Reformed Dutch Church of New Utrecht Long Island, which is the fourth oldest congregation in Brooklyn. It was later renamed the New Utrecht Reformed Church, the name it carries to this day.

The history of the church is detailed and storied, including being seized and occupied by the British during the Revolutionary War and used as a hospital. There is even a weathervane that bears the bullet holes sustained during the Battle of Long Island.

The Church also provided care and assistance to the Continental Army and General Woodhull, who eventually died inside the hospital. The Daughters of the American Revolution have since raised a statue of General Woodhull on the grounds of the Church cemetery.

In 1783, when the British evacuated Brooklyn, the New Utrecht Reform Church was privileged to be the first location to have the Betsy Ross flag flown over its grounds. To this day, the same liberty pole flies an American flag nearly 224 years after the British evacuation.

Not only did the New Utrecht Reform Church play a vital role in the Revolutionary War but also played an important role in the Civil War by sponsoring Company H of the 14th New York Regiment of the Union Army. To this day, the lives of these brave Union soldiers are memorialized in the church's sponsorship of the New York State Military Company H Brooklyn 14th Regiment re-enactment troop.

In 1910, the New Utrecht Reformed Church founded the oldest continuous Boy Scout Troop in the nation; Troop 20 and its counterpart, Cub Scout Pack 20. The congregation continues its commitment to provide safe harbor for our community's youth through support of the scouting program and many other community events centered on the enrichment of children's lives.

Throughout its long history, New Utrecht has opened its doors to new immigrants arriving on our shore: the Italian congregation in 1947; the Chinese congregation in the 1980's; the Korean congregation in the early 1990's and the Russian congregation in the 1980s.

Madam Speaker, New Utrecht Reformed Church has been a mainstay in the Brooklyn community for 330 years and has impacted the lives of countless individuals. On this 330th anniversary, I would like to honor the church for its contributions to the people of Brooklyn and to the United States with the hope of another 330 years to come.

INTRODUCTION OF THE "BROADBAND CENSUS OF AMERICA ACT OF 2007"

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 22, 2007

Mr. MARKEY. Madam Speaker, I rise to introduce the "Broadband Census of America

Act of 2007." The legislation introduced today reflects the version of the bill as approved by the House Subcommittee on Telecommunications and the Internet less than two weeks ago. The bill will continue to undergo refinement in the Energy and Commerce Committee and my ongoing goal is to work toward a bipartisan, consensus bill.

The objectives of this bill are two-fold. First, to gain a better assessment of how America is doing in broadband service deployment and adoption, the bill will obtain information on the types and speed of broadband service subscribers utilize and the extent of such adoption for the residential and business market in areas at the 5-digit zip code level. Second, the bill will seek to develop a national, interactive map of broadband service availability for use by consumers. This map will help to identify areas of the country where service does not exist and also assist consumers in ascertaining which broadband service providers are available in their neighborhood.

I believe at this point there is growing consensus—if not unanimity—around the fact that current data collection methods used by the Federal Communications Commission (FCC) are inadequate and highly flawed. Currently, the FCC counts a single broadband subscriber in a 5-digit zip code as indicating the entire zip code has broadband availability, even if the sole subscriber is a business and not a residential consumer. This can lead to highly inaccurate and overly generous notions of actual broadband availability and use, particularly in rural areas where zip codes are quite large.

In addition, under almost any set of measurements, the United States lags other nations not only in availability and speed but also in the value. The 50 Megabit per second service in Japan, for instance, is available to Japanese consumers for roughly \$30. Here in the U.S., consumers typically pay \$20 for about 1 Megabit of service and \$30 to 40 for roughly 4 Megabits of service. This legislation will task the FCC with identifying tiers of increasing data transmission speeds, for both upstream and downstream attributes. These tiers will describe existing broadband service capability deployed in the Nation and are designed to the extent possible to correspond to a service's ability to support qualitatively different applications and services. Identifying such tiers and the services which apply to them will enable policymakers to gauge the broadband service speeds that are being subscribed to by residential consumers and by small and large businesses and will also allow for trends to be seen in such adoption over a period of time.

The lack of such information today leaves policymakers largely in the dark about the nature and extent of broadband service deployment and adoption in urban, suburban, and rural areas of the country. The state of knowledge around the status of broadband services in the United States directly affects the ability of policymakers to make sound decisions. For instance, the Federal government can do a much better job in reforming multi-billion dollar grant and subsidy programs—whether at the Rural Utilities Service or at the FCC—if we have better data on where we truly need to target government assistance. Similarly, States can focus limited State resources for economic assistance, computer adoption, and broadband promotion if ample and accurate data is available indicating where such resources should be deployed.

This is precisely what has happened in Kentucky. ConnectKentucky has been a wildly successful effort and has demonstrated the palpable benefits to mapping broadband for various public policy benefits.

The risks of not developing national data will undermine our goal of achieving a national plan for universal, affordable broadband. This, in turn, adversely affects consumers and communities across the Nation. The benefits of higher speeds, lower prices, and more choices for broadband services include greater economic opportunity, job creation, worker productivity, access to health care and educational resources, promotion of innovation, and global competitiveness.

Madam Speaker, I look forward to working with Energy and Commerce Committee Chairman JOHN DINGELL, Ranking Member JOE BARTON, Telecommunications and the Internet Subcommittee Ranking Member FRED UPTON, as well as my other House colleagues on this bill as the process continues.

U.S. SENATE CONFIRMATION OF
LESLIE SOUTHWICK

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 22, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I rise today to express my strong opposition to the nomination of Leslie Southwick, now being considered by the U.S. Senate.

In an attempt, yet again, to place someone for a lifetime seat on the Federal bench, which has traditionally been racially ignorant and insensitive towards civil rights, the President has risen to the occasion and nominated Leslie Southwick.

This will be his third nomination, of a Mississippian, to the Fifth Circuit since 2001. However, none of his nominations aid in rectifying the egregious problem with the lack of diversity on Mississippi's Federal bench.

Mississippi has the highest African-American population, 37 percent, of any state in the country. In spite of the hundreds of African-American lawyers and judges in Mississippi, there has never been an African-American, nor any other minority from Mississippi, appointed to represent Mississippi on the Fifth Circuit Court of Appeals in the history of this country.

This is a fight worth having. The Fifth Circuit has the highest percentage of minority residents of any circuit. At the same time, its civil rights jurisprudence is far to the right. The recent events in Jena, LA, show the racism in the criminal justice system within the jurisdiction of the Fifth Circuit. We cannot afford a nominee hostile to civil rights on this or any other Court.

There is a history with this seat. The President is intent on placing someone hostile to civil rights in the Mississippi seat on this Court. Charles Pickering and Michael Wallace were nominated but couldn't get confirmed because of their civil rights records. This is the third try by the Administration, and the pattern is very clear.

Instead of stepping up to the plate and nominating someone capable of delivering fair and impartial decisions on civil rights, the President has slapped Mississippians in the

face with the recent nomination of Southwick. Just look to Southwick's controversial opinions.

In *Richmond v. MS Dep't of Human Services*, a white employee was fired for using the phrase "good ole nigger" toward an African-American co-worker. When the white employee was fired, a hearing officer reinstated the employee. In upholding the reinstatement, the majority (which Southwick joined) concluded that using the phrase "good ole nigger" was equivalent to calling the other employee her "teacher's pet." This opinion was unanimously reversed by the Mississippi Supreme Court. And this is Bush's No. 1 draft pick?

Southwick's rulings on race discrimination in jury selections are equally disturbing. In such cases there is a noticeable pattern of prejudice. Southwick upheld claims that the defense struck white jurors on the basis of their race while rejecting claims that the prosecution was racially motivated in striking African-American jurors. On one hand, Southwick allows prosecutors to strike African-American jurors when the motivation is clearly racial, *McWilliams v. Mississippi*, or when the prosecution cites non-racial reasons for the strikes, *Davis v. Mississippi*. Yet, Southwick denies the defenses warranted attempts to strike white jurors even when the defense uses the same non-racial reasons for the strikes, *Webb v. Mississippi*. And this is the President's No. 1 draft pick?

The aforementioned cases exemplify several opportunities Southwick has had to make a judicious decision befitting such a high court but failed to do so.

Such views must not be tolerated or encouraged through a nomination to a lifelong post representing the judicial integrity of our nation. By this nomination, the Administration is attempting to reward judicious incompetence and great shortsightedness toward civil rights issues.

It's almost as if the President believes that Mississippi does not have any competent African-American lawyers. To think that a state overflowing with highly capable African-American attorneys cannot fill this Mississippi seat is simply preposterous.

Again, I express my sincere opposition to the nomination of Leslie Southwick to Mississippi's Fifth Circuit Court of Appeals. Mississippi needs a nominee who will not look to discourage or impede its growth, but instead, support and empower Mississippi's legacy.

TRIBUTE TO HERBERT
HENDERSON

HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 22, 2007

Mr. RAHALL. Madam Speaker, West Virginia recently lost an outstanding son, Herbert Henderson. Herb passed away last week, but today I rise to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable man who, over his many years, was a torchbearer in the dual causes of spreading equality and ensuring justice.

The unfortunate news of his passing has brought sadness to so many throughout West Virginia, including those who did not have the