

EXTENSIONS OF REMARKS

HONORING ROBERT J. MCCARTHY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Ms. PELOSI. Madam Speaker, I rise to pay tribute to the life of Robert J. McCarthy, an outstanding San Franciscan and an outstanding American, who passed away on Sunday, September 14th.

Bob grew up in New York, attending the prestigious Jesuit school Regis High School in Manhattan. He attended Santa Clara University where, as editor of the school newspaper, he met and fell in love with Suzanne Bazzano, a co-ed working as the paper's office manager. After graduating from law school at the University of Chicago, he and Suzanne returned to the Bay Area, living in San Francisco and raising five children.

Bob's legal career and involvement in politics took off when he joined the San Francisco District Attorney's office in the mid-70s. As Chief Deputy, he became friends with a newly elected supervisor, DIANNE FEINSTEIN, a relationship that would last 30 years.

At FEINSTEIN's encouragement, Bob became general counsel to the local Democratic Party. His fundraising and people skills made him invaluable to countless campaigns in San Francisco. Members of the Board of Supervisors, Senatorial, Gubernatorial, and Presidential candidates relied on his generosity and counsel.

Over 25 years ago, McCarthy and restaurateur and political activist Angelo Quaranta started a tradition of Election Day luncheon, inviting all the elected officials, staff, commissioners, and other dignitaries in San Francisco. It is a place where rivalry ends and food and wine begins, and helps calm many a nervous candidate on Election Day.

In 1980, he formed with Lester Schwartz a general practice law firm which lasted until he died. Bob represented some of the largest developments in San Francisco. He was a generous donor to charities and served on the boards of numerous school, community, and religious organizations throughout the city. One of the highlights of his pro bono legal career was working to save the San Francisco Giants from being relocated to St. Petersburg, Florida.

I hope it is a comfort to his beloved wife Suzanne and his children Brendan, Matthew, Ryan, Margaret, and Bobby, and his many friends that so many mourn their loss and are praying for them at this sad time.

The following was printed in yesterday's RECORD and the end notes were inadvertently left off. The following is the statement in its entirety.

SUPPORTING PROPOSED REGULATIONS TO THE PUBLIC SAFETY OFFICERS' BENEFIT PROGRAM

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 17, 2008

Mr. MANZULLO. Madam Speaker, I rise to recognize the Department of Justice for recently proposed regulations relating to the Public Safety Officers' Benefit Program. The program provides death benefits for the survivors of public safety officers who die in the line of duty; and disability benefits to those officers who have been permanently and totally disabled by a catastrophic personal injury sustained in the line of duty, and thereby prevented from performing any gainful work; and also educational assistance benefits for surviving family members. Among other things, these proposed regulations will help to shore up the program against fraud and abuse by clarifying the requirements for certifications and their effect. I strongly support the mission of the Public Safety Officers' Benefit Program, and I commend the Department of Justice for keeping the regulations up to date and for taking action to ensure that the funds available go to those public safety officers (and their survivors) that deserve them. I would like to take a moment to comment on the statutory predicate for some of these regulations.

As the 9th Circuit Court of Appeals recognized,¹ Public Law 94-430 creates a "limited program," whose principal purpose is to help ensure that the families of "public" officers be protected from financial calamity that is likely to result from the death or permanent and total disability, in the line of duty, of the primary money-maker. The statute (including the two parallel 2001 benefits statutes, which do not, strictly speaking, amend the Public Law or directly affect the precise program it creates) enshrines various and competing policy considerations and purposes that it proposes to achieve by particular means that have been worked out, over the last 30 years and more, in the legislative process. Because no law pursues its ends at all costs, the limitations expressly or implicitly contained in its text and structure are no less an articulation of its purposes (and the intent, goals, and policies that inform it), than its substantive grants of authority are. Benefits under these statutes—charges on the public fisc—are to be granted fairly, but not speculatively, or beyond what the statutory language unequivocally requires and unequivocally expresses, or beyond the letter of the difficult judgments reached in the legislative process and clearly reflected in the statutory text. It is precisely to enable the Department to balance and harmonize these various considerations into a single workable and coherent program that the law confers extraordinary administrative and interpretive authority on the Department. For example, at least seven distinct statutory provisions—42 U.S.C. §§ 3796c(a) (twice), 3796(a) & (b), 3796d-3(a)

& (b), 3782(a)—expressly authorize the Department to issue program regulations and policies here, and the law expressly provides that those regulations and policies are determinative of conflict of law issues relating to the program, and that responsibility for making final determinations shall rest with the Department. Under the Public Law (as under the parallel 2001 statutes), the very right to a death or disability benefit, which the Supreme Court correctly has recognized as a legal "gratuity"² (and thus not "remedial" in nature), is not freestanding, but contingent, rather, upon a determination by the Department.

When Public Law 94-430 was enacted in 1976, only the Circuit Courts or the old Court of Claims (of similar rank) heard appeals from final rulings of the Department of Justice thereunder, which meant that only one level of judicial review ordinarily was available to claimants and the Department, alike. In 1982 (when the appellate functions of the Court of Claims generally were merged into the newly-created Court of Appeals for the Federal Circuit), jurisdiction over these appeals—apparently as a result of an oversight—was not transferred to the Federal Circuit, and thus (unlike the case with other administrative appeals, see, e.g., 28 U.S.C. §§ 1295, 1296), by default, lay in what is now the Court of Federal Claims, established under Article I of the Constitution, rather than Article III, with an additional level of appeals available in the Federal Circuit. Although there are notable and distinguished exceptions,³ over the past decade or so, many of the Federal Claims Court's rulings on these appeals applied the law incorrectly,⁴ sometimes disregarding the express terms of the relevant statute⁵ or implementing regulations,⁶ or binding and applicable Federal Circuit/Court of Claims precedent,⁷ and even Supreme Court precedent.⁸ To order the administering agency to pay on a claim when payment is not clearly warranted by the programmatic statutes and their implementing regulations and administrative interpretive superstructure is as much an affront to the law as for the agency not to pay when payment is clearly required by those statutes and regulations.

Overall, the sixteen opinions issued to date by the Federal Circuit (and its predecessor) under the statute⁹ indicate a proper understanding of the law and the application of the Chevron doctrine to the Department's determinations. (All but two of these opinions were affirmances of the administering agency; in *Demutiis*, the agency was affirmed on all points but a very minor one (relating to application of a (now-repealed) regulation),¹⁰ and the 1980 holding in *Harold*, which reversed the Department's determination, itself soon thereafter was rendered moot, as a practical matter, by a statutory amendment consonant with the Department's position.) For these reasons, the corrective proviso in the consolidated appropriations legislation, entrusting judicial appeals under Public Law 94-430 (and the two

• 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.

2001 statutes) exclusively to the Federal Circuit¹¹ (and returning to a single level of judicial review, as originally intended) should further the purposes of the program, reduce litigation costs for claimants and the taxpayers, and serve the interests of justice.

ENDNOTES

1. *Russell*, 637 F.2d 1261 (1980); *Holstine*, No. 80-7477 (Aug. 4, 1982), 688 F.2d 846 (table).

2. *Rose v. Arkansas State Police*, 479 U.S. 1, 4 (1986) (quoting legislative history).

3. E.g., *Dawson*, 75 Fed. Cl. 53 (2007); *LaBare*, 72 Fed. Cl. 111 (2006); *Cook*, No. 05-1050C (Jun. 15, 2006); *Porter*, 64 Fed. Cl. 143 (2005); *One Feather*, 61 Fed. Cl. 619 (2004); *Davison*, No. 99-361C, (Apr. 19, 2002); *Brister*, No. 01-180C (Mar. 27, 2002); *Yanco*, 45 Fed. Cl. 782 (2000); *Ramos-Vélez*, No. 93-588C (Jan. 31, 1995); *Chacon*, 32 Fed. Cl. 684 (1995); *Nease*, No. 91-1518C (Mar. 29, 1993); see also *Cartwright*, 16 Cl. Ct. 238 (1989); *Durco*, 14 Cl. Ct. 423 (1988); *Wydra*, No. 764-83C (Jan. 31, 1986); *Tafoya*, 8 Cl. Ct. 256 (1985); *North*, 555 F.Supp. 832 (1982). When appealed, these decisions invariably have been affirmed.

4. E.g., *Winuk*, 77 Fed. Cl. 207 (2007) (holding that the Department was required to accept, as legally sufficient certifications, instruments and language that would have been insufficient even for an ordinary certificate of service in court); *White*, 74 Fed. Cl. 769 (2006), appeal filed, No. 2007-5126; *Hillensbeck*, 74 Fed. Cl. 477 (2006) (holding that the position of the Department (which was actually correct, see, e.g., *Nease*, *supra*, slip op. at 5 n.4; 132 Cong. Rec. 27,928-929 (1986) (colloquy between Sens. Sasser and Thurmond) was “substantially unjustified”); *Bice*, 72 Fed. Cl. 432 (2006); *Groff*, 72 Fed. Cl. 68 (2006); *Messick*, 70 Fed. Cl. 319 (2006); *Hillensbeck*, 69 Fed. Cl. 369 (2006) (this holding immediately occasioned the enactment of corrective legislation, Pub. L. 109-162, §1164(a)(2)); *Cassella*, 68 Fed. Cl. 189 (2005); *Hawkins*, 68 Fed. Cl. 74 (2005) (this holding immediately occasioned the enactment of corrective legislation, see Pub. L. 109-162, §1164(a)(4)); *Hillensbeck*, 68 Fed. Cl. 62 (2005); *Bice*, 61 Fed. Cl. 420 (2004); *Davis*, 50 Fed. Cl. 192 (2001); *Demutiis*, 48 Fed. Cl. 81 (2000); *Davis*, 46 Fed. Cl. 421 (2000); *Greeley*, 30 Fed. Cl. 721 (1994); see also *Canfield*, No. 339-79C (July 27, 1982).

5. E.g., *Winuk*, 77 Fed. Cl. at 225 (directing the agency to pay only one of two living parents the full benefit amount, despite the statutory command that the amount be divided between living parents “in equal shares”), and at 224 (holding certain instruments to be legally sufficient certifications, even though they did not contain elements expressly required by the statute—e.g., “identification of all eligible payees of benefits,” and acknowledgment that the decedent actually was “employed by [the certifying] agency” itself), and at 220-21 (holding that “under the statute the [agency] is directed to expedite payment without further inquiry upon the requisite certification,” even though the statute distinguishes between “eligible payees of benefits” (i.e., individuals—potentially eligible for payment of benefits under the statute—for whom the certifications are made by the public safety agencies), on the one hand, and “qualified beneficiaries” (i.e., individuals whose claims the Department of Justice determines to qualify for benefits under the statute and implementing regulations, upon considering those certifications as prima facie evidence), on the other), and at 218-225 (holding that a certification under the 2001 statutes could go to status (i.e., that they authorize certification that an individual was an officer at the time of injury), even though, under those statutes, such certifications may go only to line-of-duty (i.e., properly speaking, they

authorize certification only that an individual, acknowledged otherwise to have the requisite status, “was killed or suffered a catastrophic injury” under the required circumstances); *Hillensbeck*, 69 Fed. Cl. 381-82 and 68 Fed. Cl. at 73-74 (holding, despite an express statutory reference to “public employee member of a rescue squad or ambulance crew,” that the agency committed legal error in understanding the statute to require members of rescue squads or ambulance crews to be public employees).

(6) E.g., *Winuk*, 77 Fed. Cl. at 222 (holding the agency to have committed legal error, “in the absence . . . of a regulatory definition of service to a public agency in an official capacity”); but see 28 C.F.R. §32.3 (containing a highly relevant definition of “Official capacity”), and at 220-21 (holding that “under the statute the [agency] is directed to expedite payment without further inquiry upon the requisite certification”); but see 28 C.F.R. §32.3 (definitions of “Eligible payee” ¶(1), “Employed by a public agency” ¶(1), & “Qualified beneficiary” ¶(1)(i), 32.6(b)(2)(ii), 32.53(b)(2)); *Bice*, 61 Fed. Cl. at 434 (finding the agency to have committed prejudicial legal error when it declined to consider action by a private non-profit memorial foundation chartered under State law to be “evidence [or a] finding[] of fact presented by [a] State, local, [or] Federal administrative [or] investigating agenc[y]” under since-repealed 28 C.F.R. §32.5).

(7) E.g., (a) *Winuk*, 77 Fed. Cl. at 221-22, 225 (giving dispositive effect to post-hoc State government action purporting to alter the actual facts at issue; but see *Chacon*, 48 F.3d 508, 513 (1995) (post-hoc State government actions “do not erase the fact[s]”); cf. also *Groff*, 493 F.3d 1343, 1355 (2007) (“post-mortem statements” of government agencies do not “transform [private parties] into government employees”), and at 218-21 (declaring it erroneous for the agency not to have understood “should” to mean “must”; but see *Maggit*, 202 F.3d 1370, 1378 (2000) (“should” in benefits law not understood to mean “must”), and at 224 (holding the decedent’s lack of any legal authority or legal duty to engage in public safety activity to be irrelevant to whether he was a public safety officer (as opposed to being a good Samaritan); but see *Amber-Messick*, 483 F.3d 1316, 1323-25 (2007) (public safety officer status turns on actual legal authority to engage in requisite public safety activity); *Cassella*, 469 F.3d 1376, 1386 (2006) (public safety officer status turns on whether one is “appointed for and given the authorization or obligation to perform [requisite public safety] duties”); *Hawkins*, 469 F.3d 993 (2006) (the decedent’s “actual responsibilities or obligations as appointed, rather than some theoretical authorizations, are controlling” for determining public safety officer status); *Howard*, 231 Ct. Cl. 507, 510 (1981) (“eligibility under the Act turns on whether the specific activity causing death was an inherent part of employment as an officer and whether it was required” of the decedent); *Budd*, 225 Ct. Cl. 725, 726-27 & n.6 (1980) (the activity causing “the death must be ‘authorized, required, or normally associated with’ an officer’s . . . duties”));

(b) *White*, 74 Fed. Cl. at 776-79 (terming “ridiculous” the agency’s position that the inchoate right to the gratuity expired upon the death of the statutory beneficiary prior to actually receiving it); but see *Simple*, 24 Ct. Cl. 422 (1889) (the inchoate right to a legal gratuity expires upon the death of a statutory beneficiary prior to actually receiving it); cf. also 16 Att’y Gen. 408 (1879);

(c) *Hillensbeck*, 74 Fed. Cl. at 481 (directly contrary to the precise rationale that informs the Federal Circuit’s reversal of the same judge, a few days earlier, in a substantially-similar case, *Hawkins*, 469 F.3d 993, 1002

(2006)), and at 482-84 (adjusting and awarding attorney fees in a manner directly contrary to the holding in *Levernier Constr.*, 947 F.2d 497, 503-04 (1997)); and

(d) *Davis*, 50 Fed. Cl. at 211 and 46 Fed. Cl. at 424-25 (declaring controlling language in *Budd*, 225 Ct. Cl. at 727 n.6, to be mere “dicta” and “non-precedential,” and either “erroneous[]” or “mistaken[]”); but see *Howard*, 229 Ct. Cl. at 510 (holding that same *Budd* language to be legally “dispositive”).

(8) E.g., *Winuk*, 77 Fed. Cl. at 225 (declaring the 2001 statutes to be “remedial laws”); *White*, 74 Fed. Cl. 773 (declaring P.L. 94-430 to be a “remedial statute”); *LaBare*, 72 Fed. Cl. at 124 (a correct ruling, overall, but unfortunately describing P.L. 94-430 as “remedial legislation”); *Bice*, 72 Fed. Cl. at 450 (declaring P.L. 94-430 to be a “remedial statute”); *Groff*, 72 Fed. Cl. at 79 (declaring P.L. 94-430 to be “remedial in nature”); *Bice*, 61 Fed. Cl. at 435 (declaring P.L. 94-430 to be a “remedial statute”); *Davis*, 50 Fed. Cl. at 208 (describing P.L. 94-430 in remedial terms); *Demutiis*, 48 Fed. Cl. at 86 (declaring P.L. 94-430 to be “remedial in nature”); but see *Rose*, 479 U.S. at 4 (holding the program benefit to be a legal “gratuity” (cf. *Lynch*, 292 U.S. 571, 577 (1934); 36 Att’y Gen. 227, 230 (1930))). No opinion of the Federal Circuit/Court of Claims describes the program as “remedial.”

(9) *Groff*, 493 F.3d 1343 (2007) (two cases); *Amber-Messick*, 483 F.3d 1316 (2007); *Cassella*, 469 F.3d 1376 (2006); *Hawkins*, 469 F.3d 993 (2006); *Demutiis*, 291 F.3d 1373 (2002); *Yanco*, 258 F.3d 1356 (2001); *Greeley*, 50 F.3d 1009 (1995); *Chacon*, 48 F.3d 508 (1995); *Canfield*, No. 339-79 (Dec. 29, 1982); *Russell*, 231 Ct. Cl. 1022 (1982); *Melville*, 231 Ct. Cl. 776 (1982); *Howard*, 231 Ct. Cl. 507 (1981); *Smykowski*, 647 F.2d 1103 (1981); *Morrow*, 647 F.2d 1099 (1981); *Budd*, 225 Ct. Cl. 725 (1980); *Harold*, 634 F.2d 547 (1980). No opinion was issued in *Bice*, 227 Fed. App’x 927 (2007); *Porter*, 176 Fed. App’x 111 (2006); or *One Feather*, 132 Fed. App’x 840 (2005).

(10) Without opinion, in *Bice*, the Federal Circuit affirmed the Federal Claims Court judgment, which was based entirely on a misapplication of this same now-repealed regulation.

(11) In providing that the “appeals from final decisions of the Bureau” that it refers to specifically include those “under any statute authorizing payment of benefits described under subpart 1” of Pub. L. 90-351, title I, part L (i.e., the 2001 statutes), the legislation (among other things) is framed to counter the holding in *Winuk*, 77 Fed. Cl. at 220-21, that “under the statute the [agency] is directed to expedite payment without further inquiry upon the requisite certification,” as a result of which holding the Department was ordered by the court to accept as “certified” purported “facts” that were known not to be true, and, further, to accept such “certification” not as mere prima facie evidence (rebuttable by other evidence) of those purported “facts,” but as dispositive and binding on the Department, thus purporting to deny it its legal authority to render meaningful, substantive “final decisions” under those statutes.

HONORING BRADLEY NEW

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Bradley New of Gladstone, Missouri. Bradley is 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 1354, and earning the most prestigious award of Eagle Scout.

Bradley has been very active with his troop, participating in many scout activities. Over the many years Bradley 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 Bradley New for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF REPRESENTATIVE
MICHAEL McNULTY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. RANGEL. Madam Speaker, I rise today to recognize and celebrate the illustrious congressional career of a friend—a fellow New Yorker, Democrat, and member of Ways and Means—Representative MICHAEL McNULTY, who for nearly 40 years has served his constituents in the Empire State superbly well. That four-decade-long résumé boasts posts as mayor of Green Island, New York, as a State assemblyman, and since 1988, a widely respected and beloved U.S. Congressman. He leaves us at the end of this year the same as he was when he first entered these Halls—unblemished in record and integrity, full of vigor and focus, impassioned about and pre-eminently concerned with the uplift of those he served.

As chairman of the Social Security Subcommittee, he maintained his unrelenting commitment to the program and the senior citizens whose livelihoods depend on it. Having worked with MIKE closely on the committee, I can vouch for his incredible work ethic and delicate parsing of the issues. The vivacity he brought to the job interwoven with his serious, reflective intellect has served the committee well—has served the country well. He is a fervent champion of working families, a man of impeccable credentials and record on those matters of import to the middle class.

On this day, his birthday, it is with honor that I join the chorus of colleagues, friends, and family who today laud his very many accomplishments. It is with cheer and celebration in our hearts that we wish MIKE well in retirement. His presence will still be felt in the next Congress: in the hearts of those he touched, on those issues he left an indelible mark, on the legacy he leaves behind for us all to emulate.

CITIZENSHIP DAY

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. HONDA. Madam Speaker, as chair of the Congressional Asian Pacific American Caucus, I rise to celebrate Citizenship Day.

Today, we celebrate our allegiance to the United States of America, a country that hon-

ors freedom, opportunity, and justice for all; whose promise of opportunity has inspired people—from around the world—throughout our history, to leave their homelands to take part in the American dream.

Citizenship Day gives us the opportunity to reflect upon our country and its dream.

From our founding and at our very core, America has always been a nation of immigrants, documented and undocumented, who have made great contributions to our Nation. They built our transcontinental railroad that injected new life and industry into the American West, and their entrepreneurship and labor spurred the economy in our early American cities.

By now, we should know that “immigrant” is not a dirty word. In 2006, the Boston Globe reported that immigrants started one in four venture-backed companies since 1990, and two in five in high technology. Foreign-born entrepreneurs have certainly made their mark in my district in Silicon Valley, helping to found companies including Intel, Ebay, Yahoo and Google.

Their contributions are also felt in the small business sector, as immigrants are one of the fastest-growing segments of small business owners in the U.S. Immigrant women are starting businesses at a rate 57 percent higher than native-born women. And immigrant men start businesses at a rate 71 percent higher than native-born men.

Looking toward our future with our aging workforce and our Social Security crisis, we need their contributions now more than ever. And despite this tough economy and in this tough economy, their entrepreneurial spirit is helping to keep our American dream alive.

After all, generation after generation of immigrants have taken oath to become American citizens with love of country and commitment to America’s promise. The faster we embrace each generation, the faster they become integrated as new Americans, and the stronger we are as a truly united country.

That is why I introduced The Strengthening Communities through Education & Integration Act. The Act would invest in adult education programs for English-language learners, including civics programs that teach newcomers about the rights and responsibilities of citizenship. As a former principal and school teacher, I know the importance of investing in our youth. This bill would ensure that our Nation’s children and schools have adequate funding and resources for vital literacy programs for English-language learners. It would assist schools with teacher recruitment for English-language learners. It would provide tax incentives for employers to offer training and ESL programs to their employees, and would support State and local initiatives in English-language and civics education.

My legislation is supported by a broad coalition of business groups, labor unions, literacy and education coalitions, immigrant advocacy organizations, Asian American and Hispanic advocates, and faith-based organizations, all who realize the importance of integrating new American communities.

In the spirit of Citizenship Day, I invite you to join me as a cosponsor of H.R. 6617.

HONORING JOSEPH RICHEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joseph Richey of Parkville, Missouri. Joseph is 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 1314, and earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph 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 Joseph Richey for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO BARRY GOTTEHRER,
JOURNALIST, AUTHOR, NEW
YORK CITY POLITICAL CRU-
SADER, AND FRIEND

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. EVERETT. Madam Speaker, during my four decades in journalism and politics, I’ve been blessed with many friends, but few have impacted me personally as much as Bronx-born journalist turned political crusader, Barry Gottehrer, who passed away in April at the age of 73.

Barry Gottehrer was what all good journalists aspire to be but few are fortunate enough to attain—a real force for change. During the racial turmoil of the mid 1960’s, Barry Gottehrer combined a young reporter’s burning ambition with a mission to force America’s largest city to confront its darkest problems. He soon directly challenged the world he reported on, employing his skills as a gifted negotiator to unite a politically fractured city.

While at The New York Herald Tribune, Barry Gottehrer penned a powerful series of stories starkly but accurately profiling New York as a “City in Crisis.” According to The New York Times, his work was credited with bringing New York mayor John Lindsay to office. But that was just the beginning. Barry Gottehrer joined the Lindsay administration and reached out to dialogue with the unsavory from New York’s criminal underworld to its street gangs.

Gottehrer’s efforts to keep New York’s disparate and sometimes warring factions from turning the city into chaos are chronicled in his 1975 book, “The Mayor’s Man.” He summed up his work this way: “. . . during those feverish days of the 1960s and early 1970s when hundreds of our cities went up in flames, when rebellion and disorder swept through our streets, our public schools, our college campuses . . . when the very fabric of our country seemed ready to shred, I was the Mayor’s Man at the brink of this revolution—a white in

a world of black and brown, a moderate in a world of revolutionaries, trying to bring change where change seemed needed most, trying to buy time until the change would come.”

After feeling his power to affect change had reached its limit, Barry Gottehrer left New York's City Hall and went on to work in government affairs roles in New York and Washington, DC. His legacy lives on in his books and in the memory of those who marveled at his daring belief that working for good was not impossible. I was honored to have met Barry after coming to Congress and I will always be grateful for our friendship.

RECOGNIZING JEFFERY WEHR, AN
“AMERICAN STAR OF TEACHING”

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to join with the community of Odessa, Washington in celebrating the accomplishments of Jeffrey Wehr. Today, the U.S. Department of Education is recognizing Mr. Wehr as an American Star of Teaching for his work as the science teacher at Odessa High School.

Mr. Wehr is known for being an exceptional motivator, challenging students daily to think and achieve at their highest levels. During his time as a teacher, he has increased enrollment in science courses and has inspired students to rethink how they view science. His students have also received numerous awards in science research and have dramatically improved their science scores on State assessments. It is important we have teachers like Mr. Wehr to train this country's next generation of scientists and engineers so we can remain competitive in a global marketplace.

Madam Speaker, I am so pleased to join with the U.S. Department of Education in recognizing his passion, dedication, and commitment to helping our students achieve their full potential. I commend Mr. Wehr for emphasizing the importance of receiving a science education. I invite my colleagues to join me in congratulating Mr. Wehr on this outstanding achievement.

HONORING THE LIFE AND WORK
OF CONGRESSMAN JOHN SEIBERLING

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. REGULA. Mr. Speaker, I rise to express my condolences to the family and friends of Congressman John Seiberling and to pay tribute to his work here in the Congress. Congressman Seiberling passed away on August 2, 2008, at the age of 89.

John represented Ohio's 14th Congressional District, the district just north of the one I represent, from 1971 through 1987. He was an active member of the House Resources Committee and worked on a number of natural resource and environmental issues through this assignment. He cared deeply about the pres-

ervation of our national heritage and protecting the natural environment. He carried out these priorities through his work on the committee, but one effort in particular stands out as a legacy for the people of northeast Ohio.

As an innovator when it came to protecting natural resources and open space, John introduced legislation that would create a 33,000-acre national recreation area between the two population centers of Cleveland and Akron, Ohio. He asked me to serve as his partner as the Republican cosponsor of the legislation. We worked together to pass the bill, and on December 27, 1974, with President Gerald Ford's signature, the Cuyahoga Valley National Recreation Area was established.

Today, this area, now the Cuyahoga Valley National Park, is one of the most frequently visited national parks within the entire national park system and serves as a respite to the residents of the densely populated cities of Cleveland and Akron and their surrounding suburbs, as well as many national park visitors from other States.

John's innovation and vision in understanding that people thirst for open spaces in their communities brought about the Cuyahoga Valley National Park. Today it is a gift to the people of northeast Ohio and a true legacy of his work.

We are grateful for John's life and accomplishments and wish his family, especially his wife, Betty, who was his inspiring supporter, peace with his passing.

HONORING BRANDON MATSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brandon Matson of Blue Springs, Missouri. Brandon is 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 1058, and earning the most prestigious award of Eagle Scout.

Brandon has been very active with his troop, participating in many scout activities. Over the many years Brandon 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 Brandon Matson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

DEPARTMENT OF VETERANS AFFAIRS ENERGY SUSTAINABILITY ACT OF 2008

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. BUYER. Madam Speaker, today, I introduced the Department of Veterans Affairs Energy Sustainability Act of 2008, to establish within the Department of Veterans Affairs, VA, a strategic plan for energy sustainability and

an Office of Energy Management. As our country looks to a new energy future, I believe it is vitally important to encourage smart energy use and take steps to become more aware of how we spend our money for our energy. The office would be under the direction of a Deputy Assistant Secretary, who would report to the Assistant Secretary for Management. The bill would also create an Energy Advisory Committee consisting of VA officials and private sector experts on energy management. Disabled veterans would also receive increased specially adaptive housing and auto grants for energy efficient systems and vehicles.

The Office of Energy Management, with the advice and recommendations of the Energy Advisory Committee, would be responsible for helping VA meet a number of specific goals such as compliance with Presidential Order 13423, VA Directive 0055, and formulating long term, sustainable energy plans for VA. The office would also establish a database to track VA's energy and water consumption. The bill would authorize the office to directly utilize the expertise of national laboratories, such as those at Lawrence Livermore and Oakridge.

Addressing our Nation's energy problem calls for multi-faceted solutions—including alternative fuels. My bill would authorize the installation of alternative fuel stations at VA facilities, and require a feasibility study regarding the installation of energy efficient and renewable energy systems in Department buildings. Such systems include solar technologies and energy efficient roof and building envelope systems that might utilize ballasted or vegetated roof systems.

In an effort to assist our Nation's veterans in their efforts to become more energy efficient, my bill would provide an additional amount of up to \$10,000 for high efficiency systems for veterans who qualify for specially adaptive housing grants under section 2101 (a)(2) of title 38, United States Code. Additionally, it would provide veterans who qualify for a specially adapted auto grant, under section 3902(a) of title 38, United States Code, the additional amount necessary to purchase alternative fuel vehicles.

Finally, VA would be authorized to conduct a pilot program for the sale of air pollution emission reduction incentives, also known as emission reduction credits, and would be authorized to retain proceeds from the sales. America's veterans should benefit from the VA's efforts to produce cleaner energy.

Madam Speaker, as the cost of fossil fuels rise and resources become more scarce, our Nation must provide services for our veterans in an energy efficient manner. A sustainable energy program at VA will conserve energy and financial resources that can be used to provide care for our veterans. I encourage my colleagues to support the Department of Veterans Affairs Energy Sustainability Act of 2008.

PERSONAL EXPLANATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. BISHOP of New York. Madam Speaker, earlier today I was detained by a previously

scheduled commitment in my district. Due to my absence, I request unanimous consent for the record to reflect that had I been here, I would have voted in the following manner:

Rollcall vote No. 600, I would have voted "nay";

Rollcall vote No. 601, I would have voted "nay."

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mrs. MCCARTHY of New York. Madam Speaker, yesterday I was meeting with constituents off the House of Representatives campus and missed three votes. I would like the RECORD to reflect how I would have voted.

Rollcall No. 602 on suspending the rules and passing H. Res. 1335, celebrating the 120-year partnership between Government and State veterans homes, I would have voted "yea."

Rollcall No. 603 on suspending the rules and passing S. 2339, designating the Department of Veterans Affairs clinic in Alpena, Michigan, as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic", I would have voted "yea."

Rollcall No. 604 on suspending the rules and passing H.R. 1594, designating the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic, I would have voted "yea."

GREAT LAKES LEGACY REAUTHORIZATION ACT OF 2008

SPEECH OF

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 17, 2008

Mrs. MILLER of Michigan. Madam Speaker, as we all know, the Great Lakes have suffered as a result of years of industrial pollution that entered their waters. Through the Clean Water Act and other important measures we have begun the work necessary to reverse that trend.

However, much work needs to be done. The 2007 State of the Great Lakes report recorded the status of the Great Lakes ecosystem as mixed. In other words, the ecosystem displays both good and degraded features. Stopping pollution from entering the water is one thing. Beginning the efforts to restore the ecosystem from the damage it incurred is another.

Undoing that damage will require an extensive amount of work. One of the best tools in our arsenal to achieve that goal is the Great Lakes Legacy Act. This act, which authorizes funds to clean up contaminated sediment sites in U.S. Areas of Concern (AOCs), was spearheaded by my Great Lakes State colleague, Mr. EHLERS.

The projects that are funded under this act are devoted to prevention and remediation of contaminated sediment. As a result of projects done under this act, nearly 800,000 cubic yards of contaminated sediments have been

removed from AOCs. It is clear that this program has been successful and that is why it has been endorsed by numerous Great Lakes groups.

This program has been very good for the Great Lakes and we need to build on those successes to meet the challenges. While some great work has been done so far, we have only seen one spot de-listed as an Area of Concern; 31 Areas of Concern remain in the U.S. alone and 5 more are split between the U.S. and Canada. For these areas to be dealt with, it will take an incredible investment at the Federal level.

This legislation increases the authorization for this program up to \$150 million annually. While I support that, I think we must also do our due diligence on the appropriations side of the ledger. Over the past few years, we seem to have settled at around the \$30–35 million level, even though we are currently authorized at \$50 million per year.

We also need to make sure that there is sufficient participation at the State and local level to complement Federal efforts. With the economy in Michigan being what it is, State and local governments are barely able in many cases to perform their basic functions, let alone take on ambitious restoration projects. This bill makes some improvements which will help in meeting the non-Federal requirements.

In closing, Madam Speaker, this has been a very successful program. I am glad to see that we are reauthorizing it at a higher level. I urge my colleagues to support this legislation.

HONORING SAMUEL ANDERSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Samuel Anderson of Blue Springs, Missouri. Samuel is 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 1696, and earning the most prestigious award of Eagle Scout.

Samuel has been very active with his troop, participating in many scout activities. Over the many years Samuel 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 Samuel Anderson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, on Monday, September 15, 2008, I was unavoidably detained and thus I missed rollcall votes Nos. 589 through 591. Had I been present, I would have voted in the following manner:

On rollcall vote No. 589 on H. Res. 1200, honoring the dedicated and outstanding work of military support groups across the country for their steadfast support of the members of our Armed Forces and their families, I would have voted "aye."

On rollcall vote No. 590, on H. Con. Res. 390, of which I am a cosponsor, honoring the 28th Infantry Division for serving and protecting the United States, I would have voted "aye."

On rollcall No. 591, H.R. 6889, to extend the authority of the Secretary of Education to ensure continued access to Federal student loans, for 1 year, I would have voted "aye."

IN HONOR OF THE REVEREND DR. WALTER A. JONES, SR., SENIOR PASTOR AND ORGANIZER OF THE MAJORITY BAPTIST CHURCH ST. ALBANS, NEW YORK

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MEEKS of New York. Madam Speaker, it is with great pleasure that I rise to commemorate the retirement and service of a great man of God, a great American, a great New Yorker, a dear friend and one of my constituents, the Reverend Dr. Walter A. Jones, Sr., senior pastor and organizer of the Majority Baptist Church, in St. Albans, NY.

The Reverend Dr. Jones rose from humble beginnings to a position of honor and distinction among our Nation's Baptist ministers. As a man of the cloth, his service and commitment to his church and the community that it serves have helped to improve the quality of life and spiritual condition of the people who reside there.

The Reverend Dr. Jones is a product of his hometown primary schools in Spartansburg, SC, and is a graduate of both the Friendship College of Rock Hill, SC, and the City College of New York, and has studied psychology at York College in Jamaica, NY. Reverend Jones received his ministerial training at the New York Theological Seminary of New York City, and his initial theological education began under the guidance of his spiritual mother, the late Reverend Dr. Katherine Brazley.

The Reverend Dr. Jones is the former president of the Baptist Ministers Conference of Queens, and he is a member of the Baptist Ministers Conference of Greater New York. Additionally, Reverend Dr. Jones is a member of the Eastern Baptist Association, the Ministers Conference of Hampton University, the Empire Convention of New York State and the National Baptist Convention. The Reverend Dr. Jones is also a member of the American Baptist Churches of New York City.

The Reverend Dr. Jones is married to Mrs. Doris L. Hope-Jones and they are the proud parents of two sons and a daughter.

The Reverend Dr. Walter A. Jones, Sr., senior pastor and organizer of the Majority Baptist Church, in St. Albans, NY, has been a pillar of strength, vision and hope in the St. Albans community, and I congratulate him on his many years of service to the church and our community.

A TRIBUTE TO THE CIVILIAN
CONSERVATION CORPS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mrs. EMERSON. Madam Speaker, today I am honored to join with you and recognize the 75th anniversary of one of the most successful New Deal programs initiated by President Franklin Delano Roosevelt. In the spring of 1933, while the United States was in the throes of the Great Depression, Congress and President Roosevelt created the Civilian Conservation Corps. CCC provided assistance to unemployed Americans by enrolling them in public works projects to better our Nation's infrastructure.

The diverse mission of the CCC directed its participants to conduct public works projects throughout the entire United States. This was not a hand-out, but a hand-up, earned by Americans looking for help in dire economic circumstances. The CCC had a positive result in our region by not only upgrading the infrastructure, but by providing a means where young men and women could help themselves by earning a good living and improving their communities. Nationally, the ranks of the CCC would eventually swell to over 500,000 enrollees at one time.

In southern Missouri, the CCC completed many projects. From cabins and trails at Big Spring, to a football stadium in Jackson, to sidewalks all over southern Missouri, the proof of the hard work and determination of CCC enrollees is still evident today. These projects instilled a strong work ethic into the participants of the CCC, which undoubtedly prepared this generation for the impending struggle that our Nation would face in World War II. Along with the work ethic implicit in the CCC, the program put enrollees to work in the community on basic education tasks like teaching, reading and writing to illiterate peers.

While the CCC ceased to exist after the start of World War II, the concepts and principles established by the program would be reflected in future programs like Job Corps. It is important for our Nation to reflect on the origins of the CCC and the how it has made our Nation a better place to live by bettering the lives of both the participants and our entire Nation.

40TH ANNIVERSARY OF
SADDLEBACK COLLEGE

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GARY G. MILLER of California. Madam Speaker, on September 23, 2008, Saddleback College in Mission Viejo, CA will be celebrating 40 years of providing the communities across southern California with access to quality higher education. Since 1968, Saddleback College has provided access to learning opportunities that promote student success, intellectual growth, individual expression, and a dynamic and diverse environment of innovation and collegiality. I congratulate them on 40 years of success in giving students the skills they need to succeed in a dynamic economy.

The Saddleback College faculty and staff, renowned for its experience and expertise, work every day to help students succeed in beginning their bachelor's degrees and training for careers. They have given more than half million students an opportunity to explore the more than 300 academic programs and opportunities for lifelong learning through community education and emeritus classes for senior citizens.

In 1968, Governor Ronald Reagan, who spoke at the dedication of the new campus, stated, "We are here today to dedicate something more than just another college: We are here to dedicate an institution of opportunity and fulfillment. It is the function of education to help each individual grow to the maximum extent of his capabilities, to help him fulfill his great potential—and it is our job as responsible citizens to provide that opportunity. That this community has decided to move ahead in providing this opportunity is an action which I commend—and an action which will provide great rewards for the community."

I commend Saddleback's commitment to high educational standards, accountability, and results. I look forward to celebrating many more anniversaries with them in the years to come.

OUR NATION'S SECURITY IS IN
GOOD HANDS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. WILSON of South Carolina. Madam Speaker, on September 16th, General Ray Odierno took command of Multi-National Force—Iraq. His predecessor, General David Petraeus will soon assume the role of Combatant Commander of the United States Central Command.

By any measure of success, General Petraeus' leadership of allied forces in Iraq has been extraordinary. Under his command and the surge of U.S. forces last year, the Iraqi military, its civilian leadership, and its economy have begun to turn around. Violence is down. Relative order has been restored to cities and towns across Iraq. And Al Qaeda has been dealt tremendous psychological and military setbacks.

The recent handover of Al Anbar Province to Iraqi control and the announcement from President George W. Bush that American troop levels in Iraq could be reduced in the beginning of next year are signs that our strategy is working. However, there is a difficult road ahead for the Iraqi people. I am grateful that General Odierno will be leading our forces and helping this young democracy overcome external and internal threats. Our soldiers, sailors, airmen, and Marines under his command and American families all around this Nation can be confident of General Odierno's proven record of steady and sound leadership.

Iraq is a different country today than it was just a little over a year ago. This is due to an Iraqi people who are fed up with the hopeless terrorism of militant extremists and have stood up against it. And, just as importantly, it is due to the incredible sacrifice of our troops under the command of General Petraeus. I know his wisdom and strength will serve him well and

our Nation well as he assumes the command of CENTCOM.

The sacrifice of our troops on the ground in Iraq has been tremendous. The loss of life in the pursuit of a stable and secure Iraq has been difficult to bear for this Nation and, in particular, our military families. Americans should be eternally grateful for our brave troops and their families and for the freedoms and blessings they protect and defend. The best plan to protect American families and Iraqi families is to defeat terrorism overseas at the source.

HONORING CORIDEN BRYANT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Coriden Bryant of Blue Springs, Missouri. Coriden is 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 1306, and earning the most prestigious award of Eagle Scout.

Coriden has been very active with his troop, participating in many scout activities. Over the many years Coriden 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 Coriden Bryant for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THANKS TO GIL BALDWIN FOR A
JOB WELL DONE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. BRADY of Pennsylvania. Madam Speaker, as Chairman of the Joint Committee on Printing, I would like to take this opportunity to recognize Mr. Ernest Gilman Baldwin, Associate Director for Program Management in the Office of the Chief Information Officer at the Government Printing Office. Gil, as he is known to his friends and colleagues, is retiring next month following 35 years of dedicated Federal service at the GPO in support of the Congress, Federal agencies, and the American public.

Beginning in the Congressional Record Index Office in 1973, Mr. Baldwin joined GPO's Superintendent of Documents organization in 1974. There he spent most of his career working with the Federal Depository Library Program (FDLP), the oldest and most respected free Government information program in the world, which makes available for public use the official publications of this House and of the Senate, as well as those of the executive and judicial branches. Mr. Baldwin rose through the ranks to become Director of Library Programs in 1998, along the way winning the respect and affection of GPO's staff and librarians in more than 1,200 depository libraries located in every State and congressional district.

While Director, Mr. Baldwin began the FDLP's transition to electronic document distribution, building a staff with an extraordinary ability to work in partnership with depository librarians and the citizens they serve. The transition to a more electronic FDLP has resulted in significantly increased public access to publications produced by the Government, extending the reach of the Federal Depository Library Program farther than at any time in its history. Mr. Baldwin managed this transition with eagerness, care, and a sense of adventure that inspired his staff and his colleagues in the library profession. In recognition of his leadership, he was honored in 2005 with the James Bennett Childs Award for lifetime contributions to the profession of Government documents librarianship, by the Government Documents Round Table of the American Library Association.

For the last 4 years, Mr. Baldwin has brought his experience and leadership to the team developing GPO's Federal Digital System (FDsys), which will bring to maturity GPO's long transition into the digital age.

Next month, Mr. Baldwin will retire from a long and distinguished career of public service. I ask my colleagues to join me in conveying our thanks and appreciation to Gil Baldwin, and our best wishes for a healthy and happy retirement.

INTRODUCTION OF THE AMERICA
RESOLUTION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. CONAWAY. Madam Speaker, yesterday was Constitution Day. On that day, 221 years ago in a cramped hall in Philadelphia, 39 men signed their names to a document that would forever change the course of human events.

The United States Constitution is one of the most remarkable covenants ever authored by man. Grounded firmly in the Age of Enlightenment, the Constitution gave physical form to the radical ideas of Montesquieu, Locke, and Paine, who believed that the rights of man come from God and that legitimate governments arise from the consent of the governed. Our Founding Fathers blended these philosophies with common sense and tough compromises to create a new form of government dedicated to the ideas of liberty, the rule of law, civic responsibility, and popular sovereignty.

For over 200 years, the ideas the Founders wove through our Constitution have been considered sacred. Each Constitution Day presents us with an opportunity to pause and reflect on the extraordinary document these men drafted to provide us with a unified and stable Nation. In their wisdom, they sought to protect the rights and liberties of individuals by dividing power and authority between the States and the national government. The result is a system of shared roles designed to prevent any one element from gaining too much power.

Yet today, the document at the very foundation of our Republic is often considered only as an afterthought during our debates. Even though every Member, staffer, and officer of the House of Representatives has taken an

oath to support and defend the Constitution and to bear true faith and allegiance to it, too often we ignore its many constraints on our authority in the name of political expediency.

It is essential that we never forget the guiding principles established in our Constitution and that is why yesterday I introduced the AMERICA Resolution, A Modest Effort to Read and Instill the Constitution Again.

The AMERICA resolution requires all staff and officers of the House to read the Constitution once a year and encourages all Members of Congress to do the same. Just as we require Members and staff to know how to act ethically, we should require Members and staff to know how to act constitutionally.

It is my hope that this small yearly effort will renew and deepen our appreciation for the genius of the Constitution and the divisions and constraints on power contained within it. The AMERICA Resolution is meant to remind lawmakers, and our staff that advises us, to stay within our country's founding framework as we conduct legislative business.

Today I call on all Members of Congress to join me and rededicate ourselves to our founding principles of limited, constrained governance as enshrined in our Constitution. By studying our founding document, we will continue the legacy of these great men and their groundbreaking ideas, as well as develop the habits of citizenship that keep the Constitution alive and relevant for a new generation of Americans.

I urge you all to join me and support the AMERICA Resolution.

TRIBUTE TO RAYMOND E. DAY

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MOORE of Kansas. Madam Speaker, I rise to honor the service and sacrifice of an honorable and proud American, Mr. Raymond E. Day. Mr. Day is an 84-year-old World War II veteran living in Kansas City, Missouri. In February 1945 Mr. Day was assigned to the 155th Machine Gunner's Battalion, 5th Marine Division during the assault on the island of Iwo Jima, as part of Operation Detachment.

The mission of Operation Detachment was to secure two strategic airfields, located on the well-defended and heavily fortified island. On February 23, just 4 days after arriving on Iwo Jima, Mr. Day's machine gun position took nearly a direct hit, knocking his gunner's mate, Irra Arrington, unconscious, and rendering the gun inoperable.

After successfully reviving Irra, the pair continued the fight, destroying several nearby enemy positions. The pair often dodged obstacles such as barbed wire and land mines and repeatedly came under relentless attack from Japanese small arms fire, mortar fire, and artillery barrages. Again, just a few short hours later, both men were injured when an enemy artillery round destroyed their position. Mr. Day was wounded by shrapnel in the hip and left leg.

Both men were evacuated to a nearby merchant marine vessel, treated for their wounds and returned to duty on the island. Mr. Day continued to fight, despite his wounds, risking death or permanent injury because that was

his job, to keep the battlefield moving forward as American forces moved to secure the island.

Earlier this year, I was contacted by my constituent, Norman Polsky, with a request for assistance to obtain the Purple Heart medal for his friend, Raymond Day. After researching medical records, reviewing morning reports, I have learned that Raymond Day's files were destroyed during the 1973 fire at the National Personnel Records Center. There exists no record of Mr. Day's injuries or treatment for the wounds he sustained in action either in his medical records file or in existing morning reports.

It is a shame that Mr. Day is still without the Purple Heart Medal, despite the fact that he bears the scars from the residuals of shrapnel embedded in his leg and hip, not to mention the painful memories that America's warriors guard so closely for a lifetime.

It is for these reasons that I ask my colleagues to join me in honoring Mr. Raymond E. Day. Without the service and sacrifice of Mr. Day, and the men and women of the "greatest generation," our Nation would not be as resilient and flourishing as it is today. By continuing his mission, despite being wounded, Mr. Day lends great credit to himself, the 5th Marine Division, and the United States of America.

HONORING THE LIFE OF ERBY
WALKER

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. LEWIS of Georgia. Madam Speaker, I rise today to pay tribute to one of Atlanta's greatest icons. A humble man who loved his job and worked hard to be the best he could be, Erby Walker became one of downtown Atlanta's most beloved figures. Presidents, celebrities, athletes and Atlantans alike came to know Erby Walker as the heart and soul of the Varsity, Atlanta's most famous drive-in diner and a downtown landmark.

Erby Walker started his career at the Varsity in 1952 sweeping up after customers at the tender age of 15.

Back then the diner was segregated—whites worked the counter, blacks worked in the back—but in 1964 the diner was integrated and Erby Walker was promoted to the counter, the first black man to work there. And work he did. He worked so hard that the owners of the Varsity sent Erby and his family to Disney World, all expenses paid—twice. He received awards, honors and recognitions—he was even inducted into the Atlanta Convention and Visitors Bureau Hospitality Hall of Fame.

It was Erby who first asked, "What'll ya have?"—a question still asked today when customers approach the counter and just one of the many phrases Erby coined as he shaped the Varsity into a place as famous for its unique vernacular as for its food.

Over the years, I have brought many friends to the Varsity. When I brought former President Clinton, Erby greeted him warmly, saying, "What'll ya have, Mr. President?"

Erby Walker loved his job; he loved the Varsity and, most of all, he loved Atlanta and the thousands of customers she brought to his

counter every day. Madam Speaker, Erby Walker was an Atlanta icon and his service to his community must not be forgotten.

HONORING READE MONTGOMERY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Reade Montgomery of Blue Springs, Missouri. Reade is 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 1058, and earning the most prestigious award of Eagle Scout.

Reade has been very active with his troop, participating in many scout activities. Over the many years Reade 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 Reade Montgomery for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THE PRAIRIE ROSE CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION SALUTES CONSTITUTION WEEK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MOORE of Kansas. Madam Speaker, the week of September 17–23 has been officially designated as Constitution Week. This marks the 221st anniversary of the signing of our Constitution.

The guardian of our liberties, our Constitution established our republic as a self-governing Nation dedicated to rule by law. This document is the cornerstone of our freedom. It was written to protect every American from the abuse of power by government. Without that restraint, our founders believed the republic would perish.

The ideals upon which our Constitution is based are reinforced each day by the success of our political system to which it gave birth. The success of our way of government requires an enlightened citizenry.

Constitution week provides an opportunity for all Americans to recall the achievements of our founders, the nature of limited government, and the rights, privileges and responsibilities of citizenship. It provides us the opportunity to be better informed about our rights, freedoms and duties as citizens.

Madam Speaker, at this time I particularly want to take note of the outstanding work of the Prairie Rose Chapter of the Kansas Society of the Daughters of the American Revolution, which is actively involved in the Third Congressional District in events this week commemorating Constitution Week. The Prairie Rose Chapter has been involved with this effort in our communities for a number of years and I commend them for doing so.

Our Constitution has served us well for over 200 years, but it will continue as a strong, vibrant, and vital foundation for freedom only so long as the American people remain dedicated to the basic principles on which it rests. Thus, as the United States continues into its third century of constitutional democracy, let us renew our commitment to, in the words of our Constitution's preamble: "form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity. . . ." I know that the Prairie Rose Chapter of the Kansas Society of the Daughters of the American Revolution joins with me in urging all Americans to renew their commitment to, and understanding of, our Constitution, particularly during our current time of crisis, when Americans are fighting overseas to defend our liberties here at home.

HONORING BRANDON MESSINA

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brandon Messina of Blue Springs, Missouri. Brandon is 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 1175, and earning the most prestigious award of Eagle Scout.

Brandon has been very active with his troop, participating in many scout activities. Over the many years Brandon 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 Brandon Messina for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING 75 YEARS OF EFFECTIVE STATE-BASED ALCOHOL REGULATION

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 17, 2008

Mr. STUPAK. Mr. Speaker, I rise in support of H. Con. Res. 415, which would celebrate 75 years of effective state-based alcohol regulation since the repeal of Prohibition.

On May 5, 2008, I introduced H. Con. Res. 341 with the gentleman from North Carolina, Mr. COBLE, to recognize the 75th anniversary of the repeal of Prohibition and to commemorate the effective state-based regulation of alcohol.

This legislation has 98 cosponsors.

In order to bring the resolution to the floor today, Mr. COBLE and I re-introduced it as H. Con. Res. 415.

I thank the gentleman from North Carolina for working with me on this important resolution.

In 1919, the 18th amendment prohibited "the manufacture, sale or transportation of intoxicating liquors."

During Prohibition, the United States experienced a dramatic increase in illegal activity including unsafe black market alcohol production, a growth in organized crime, and increasing noncompliance with alcohol laws.

It was not uncommon for consumers to fall victim to counterfeit or tainted alcohol, with disastrous results including blindness or brain damage.

For example, the patent medicine Jamaica ginger, or "Jake," was often consumed by those desiring to circumvent the ban on alcohol. In response, the Treasury Department mandated changes in the formula to make it undrinkable.

In an attempt to fool government testing, unscrupulous vendors would sometimes adulterate their Jake with an industrial plasticizer. As a result, tens of thousands of victims suffered paralysis of their feet and hands—usually, this paralysis was permanent.

Other amateur distillers used old automobile radiators to distill liquor, and the resulting product was dangerously high in lead salts—which usually led to fatal lead poisoning.

On December 5, 1933, the United States ratified the 21st amendment, repealing Prohibition and restoring the control of alcohol regulation to the States.

For 75 years, this regulatory system has allowed each state to adopt individual laws that fit the beliefs of the residents of each State.

State lawmakers, regulators, law enforcement officers, and public health officials in each State have developed and implemented effective policies that have protected consumers and encouraged safe and responsible consumption.

While the United States now enjoys the safest and most responsible alcohol distribution network in the world, cases of tainted or counterfeit alcohol continue to occur across the globe.

Just yesterday in the United Kingdom, a police raid found 1,100 bottles of fake vodka that may blind consumers, many using the SPAR Imperial label.

British officials believe it is likely that more of the vodka is on the market. Small shops and stores in particular have been told to be on the lookout.

The potential for counterfeit alcohol and unscrupulous vendors remains a threat throughout the world today, and presents a real danger to consumers.

The state-based system for regulating alcohol in the United States has served as one of the safest and most responsible systems for protecting consumers from tainted or counterfeit alcohol.

I think it is fitting to salute the State lawmakers, regulators, law enforcement officers, and public health officials that have made this regulatory system successful.

I'd like to thank the Judiciary Committee, specifically Chairman JOHN CONYERS and Ranking Member LAMAR SMITH, for their support in allowing us to consider this resolution today.

I urge my colleagues to join me in recognizing the 75th anniversary of the repeal of Prohibition, and in commemorating the effective state-based system of alcohol regulation.

Vote "yes" on this important resolution.

VETERAN VOTING SUPPORT ACT

SPEECH OF

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 17, 2008

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of H.R. 6625, the Veteran Voting Support Act. I want to thank my colleague, Chairman BRADY, for sponsoring this important legislation.

We have a special duty to make it easier, not harder, for all our citizens to participate in this great democracy. I was utterly appalled to learn that earlier this year, the Department of Veterans Affairs was blocking non-partisan voter registration organizations from its facilities.

Congressional and public outrage forced the VA to revise its policy. However, their "new" directive still falls short of providing the voting assistance our veterans deserve. This is simply unacceptable. H.R. 6625 requires the VA to actively offer voter registration and assistance opportunities to our veterans.

Every day our soldiers risk life and limb to protect our liberties and defend our freedoms. When they come home, we owe them the most sacred of freedoms—the right to vote. We must do everything in our power to help them register and participate in this historic election.

HONORING JAMES BLEDSOE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Bledsoe of Blue Springs, Missouri. James is 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 1763, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many 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 Bledsoe for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ADA AMENDMENTS ACT OF 2008

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 17, 2008

Mr. GEORGE MILLER of California. Madam Speaker, I rise today in strong support of final passage of S. 3406, the ADA Amendments Act of 2008.

Since 1990, the Americans with Disabilities Act has provided protection from discrimina-

tion for millions of productive, hard-working Americans so that they may fully participate in our Nation's schools, communities and workplaces.

Among other rights, the law guaranteed that workers with disabilities would be judged on their merits and not on an employer's prejudice.

But since the ADA's enactment, several Supreme Court rulings have dramatically reduced the number of individuals with disabilities who are protected from discrimination under the law.

Workers like Carey McClure, an electrician with muscular dystrophy who testified before our committee in January, have been determined by an employer be "too disabled" to do a job, yet courts have said that these individuals are not disabled enough. This is the terrible "catch-22" that Congress will change with passage of this bill.

S. 3406, like H.R. 3195 passed in June, remedies this situation in several ways by reversing flawed court decisions to restore the original congressional intent of the ADA. Workers with disabilities who have been discriminated against will no longer be denied their civil rights as a result of these erroneous court decisions.

We expect that individuals will find it much easier to meet the determination of disability under the amended ADA.

In order to achieve the remedial purpose of the ADA as a civil rights law, S. 3406 re-establishes the scope of protection to be generous and inclusive. The bill returns the proper emphasis to whether discrimination occurred rather than on whether an individual's impairment qualifies as a disability.

S. 3406 ensures that individuals who reduce the impact of their impairments through means such as hearing aids, medications, or learned behavioral modifications will be considered in their unmitigated state.

For people with epilepsy, or diabetes, or other conditions who have successfully managed a disability, this means the end of the "catch-22" that Carey McClure and so many others have encountered when seeking justice.

For our returning war veterans with disabilities, S. 3406 will ensure their transition back to civilian life will not include another battle here at home—a battle against discrimination on the basis of disability.

And students with physical or mental impairments will have access to the accommodations and modifications they need to successfully pursue an education.

Much of the language contained in S. 3406 is identical to the House-passed H.R. 3195. This includes provisions concerning mitigating measures, episodic conditions, major life activities, treatment of claims under the "regarded as" prong, regulatory authority for the definition of disability, and the conforming amendments to Section 504 of the Rehabilitation Act.

In the House Committee Reports on H.R. 3195, we clarify that an individual who is "regarded as having such an impairment" under the third prong of the definition is not subject to the functional test (i.e., required to establish that the perceived or actual impairment substantially limits a major life activity) set forth in the first prong. Thus, an individual with an actual or perceived impairment who is disqualified from a job, program, or service and al-

leges that the adverse action was based upon his or her impairment is covered by the ADA as a member of the protected class, and therefore entitled to bring a claim.

In clarifying the scope of protection under the third prong of the definition, we also established that reasonable accommodations or modifications do not need to be provided for those individuals who qualify for coverage only because they have been "regarded as" having a disability. We are confident, as is the Senate, that individuals who need accommodations or modifications will receive them because those individuals will now qualify for coverage under the first or second prongs (under the less demanding interpretation of "substantial limitation") when accommodations or modifications are still required. Our clarification regarding the provision of modifications here does not shield qualification standards, tests, or other selection criteria from challenge by an individual who is disqualified based on such standard, test, or criteria. As is currently required under the ADA, any standard, test, or other selection criteria that results in disqualification of an individual because of an impairment can be challenged by that individual and must be shown to be job-related and consistent with business necessity or necessary for the program or service in question.

Other small differences in the findings and purposes in S. 3406, as well as the rule of construction related to the broad coverage of the act, correspond to similar language in H.R. 3195 and support the objectives as described in the House Committee Education and Labor Report.

As such, our committee report continues to reflect the intent of the legislation and should be regarded as a valid interpretation, with one exception—the definition of "materially restricts."

This difference between the two bills resides in the attempt to correct the current interpretation of "substantially limits."

The EEOC regulations define the term "substantially limits" as "unable to perform" or "significantly restricted." In the Toyota case (Toyota Motor Manufacturing, Kentucky, Inc. v. Williams, 534 U.S. 184 (2002)), the Supreme Court interpreted "substantially limits" to mean "prevents or severely restricts."

Both the House and the Senate clearly expect the courts and the agencies to apply a less demanding standard when interpreting "substantially limits," even though the two chambers took divergent, but not inconsistent, approaches.

S. 3406 rejects both of these definitions as too demanding and too narrow, and directs the courts and the agencies to interpret the term "substantially limits" consistently with the findings and purposes of the ADA Amendments Act.

H.R. 3195 defines "substantially limits" to mean "materially restricts." While the committee believed inclusion of this language would send a strong signal that "while the limitation imposed by an impairment must be important, it need not rise to the level of severely restricting or significantly restricting the ability to perform a major life activity" (House Committee on Education and Labor Report 110-730 part 1, at 9), our colleagues in the Senate disagreed.

In his statement, Senator KENNEDY notes that the term "materially restricts," and the House committee report's references to a

spectrum or range of severity “set an inappropriately high standard for the determination of whether an individual is substantially limited in a major life activity and pose the risk of confusing the threshold determination of who is covered by the act.” (154 Cong. Rec. S8355 (daily ed September 11, 2008)). This was certainly not our intention.

We also agree with the Senate managers that “such terms encourage the courts to engage in an inappropriate level of scrutiny as to the severity of an impairment when determining whether an individual has a disability.” (Senate Statement of Managers to Accompany S. 3406, Endnote 14.) We intend that the ADA Amendments will have the opposite effect, by reducing the depth of analysis related to the severity of the limitation of the impairment and returning the focus to the question of discrimination.

S. 3406 also includes a restatement of current law related to fundamental alterations in order to assure institutions of higher education that the ADA Amendments Act does not change the principle that entities need not make modifications to policies, practices or procedures that would fundamentally alter the nature of programs or services, as is true under current law.

For example, a university would not be expected to eliminate academic requirements essential to the instruction being pursued by a student, although the school may be required to make modifications in order to enable students with disabilities to meet those academic requirements. Current regulations provide that “Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.” (Senate Statement of Managers to Accompany S. 3406, Endnote 14)

Educational, testing, certification and licensing entities covered by the ADA also maintain discretion to establish appropriate and reasonable documentation requirements related to the determination of disability, as is true under current law. In June 2008, the Department of Justice offered that “a testing entity should accept without further inquiry documentation provided by a qualified professional who has made an individualized assessment of the applicant. Appropriate documentation may include a letter from a qualified professional or evidence of a prior diagnosis, accommodation, or classification, such as eligibility for a special education program.” (Examinations and Courses, 73 Federal Register 34539 (June 17, 2008))

Once an individual has established that he or she experiences (or has a record of) a physical or mental impairment that substantially limits a major life activity, such individual is entitled to reasonable and appropriate modifications in policies, practices or procedures so long as the modifications in question do not fundamentally alter the nature of the program or service.

We expect that the less demanding standard applied to the definition of disability will allow students and licensure candidates with documented disabilities to more readily access appropriate accommodations on examinations when needed.

Last, we must remember that the ADA definition of disability applies also to our public el-

ementary and secondary schools. We believe that most schools currently operate in a manner consistent with the original congressional intent of Section 504 of the Rehabilitation Act and the ADA and should be minimally affected by the change in definition. We do not anticipate a need for extensive changes to the current regulations and published guidance provided by the Office of Civil Rights at the Department of Education.

This legislation has broad support: Democrats and Republicans, employers, civil rights groups, and advocates for individuals with disabilities. I'm pleased we were able to work together to get to this point.

In particular, I would like to thank the members of the Employer and Disability Alliance, including the Leadership Conference on Civil Rights, the Epilepsy Foundation, the American Association of People with Disabilities, the Bazelon Center for Mental Health Law, the U.S. Chamber of Commerce, HR Policy Association, the National Association of Manufacturers, and the Society for Human Resource Management for their hard work and long hours of negotiation with each other and with our staff.

Of course, much credit is due to Majority Leader HOYER and Congressman SENSENBRENNER for their leadership and tenacity in the House; and Senator HARKIN, Senator KENNEDY and Senator HATCH for their skill in moving this legislation through the Senate with unanimous support.

It is time to restore the original intent of the ADA and ensure that the tens of millions of Americans with disabilities who want to work, attend school, and fully participate in our communities will have the chance to do so.

I look forward to passage of this legislation.

HONORING CHRISTOPHER SAVING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Christopher Saving of Parkville, Missouri. Christopher is 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 1395, and earning the most prestigious award of Eagle Scout.

Christopher has been very active with his troop, participating in many scout activities. Over the many years Christopher 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 Christopher Saving for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

EARMARK DECLARATION

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. BARTLETT of Maryland. Madam Speaker, pursuant to the Republican Leadership

standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 6599, FY 09 Military Construction and Veterans Affairs Appropriations.

Bill Number: H.R. 6599.

Account: Air National Guard/United States Air Force.

Legal Name of Requesting Entity: Air National Guard/A7 Programming Division.

Address of Requesting Entity: Maryland Air National Guard, Martin State Airport, Baltimore, Maryland.

Description of Request: Provide an earmark asking for \$6,300,000 which was appropriated \$7,900,000 to replace fire station and ASE facilities at Martin State Airport, Baltimore, MD. The fire station must be located such that it can support crash and fire rescue mission generated by flying operations and by the joint use agreement between the Air National Guard and Maryland Aviation Authority. The 175th Wing of the Air National Guard requires an adequately sized and properly operating fire station. Currently the base fire station is less than 50 percent of authorized use. This funding would provide construction for 21,100 square foot fire station complete with concrete foundation and floor slab, steel frame masonry walls with standing seam insulated metal roof or “green” roof, as well as, interior mechanical, electrical, and fire protection systems.

HONORING THE SERVICE OF LT.
RICHARD W. BOYD

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GERLACH. Madam Speaker, I rise today to honor a dedicated public servant in Chester County, Pennsylvania, who is retiring after 28 years of loyal and dedicated service to the residents and businesses of East Whiteland Township.

Lt. Richard W. Boyd joined the East Whiteland Police Department as a patrol officer in 1980, rising through the ranks to become a lieutenant in November 2002.

The lifelong Chester County resident also worked as an officer in West Grove and Kennett Square in the 1970's. Described by colleagues as a “straight arrow”, Lt. Boyd earned the respect of fellow officers with his commitment to protecting the community and a no-nonsense approach to public service each day he has pinned on a badge. His steadfast professionalism and compassion for others are hallmarks of his nearly three decades of service.

Lt. Boyd's career and accomplishments will be celebrated on Friday, September 19, 2008 during a dinner at the Downingtown Country Club.

Madam Speaker, I ask that my colleagues join me today in praising the outstanding service and dedication of Lt. Richard W. Boyd, and all those who take an oath to serve and protect their communities.

COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 2008

Mr. TIAHRT. Mr. Speaker, the American people have been speaking for months about the need to increase our domestic energy production. Never has the political will been so strong for the opening up of our domestic resources both on- and offshore. But, this Democrat-controlled Congress is not heeding the voice of its constituents and has failed them by bringing H.R. 6899 to the floor today.

Our Nation is currently facing one of the most significant energy challenges in its history. We are not producing enough energy to provide for our growing economy. This bill inadequately addresses this challenge because it keeps 88 percent of our known resources in the Outer Continental Shelf, OCS, off limits to new domestic energy exploration. If Congress is serious about energy independence and lowering the cost of fuel, this isn't the bill. America deserves a comprehensive, bipartisan energy bill that opens up our domestic resources, incentivizes the discovery of renewable technologies and encourages conservation. This is the policy that will lead America into energy independence in the long-term and bring down the price of gas in the short-term.

Before I get into why this bill fails our constituents, I want to point out a provision I do support. I was pleased the provision that makes it a Federal crime for oil companies with Federal leases to provide gifts to Government employees was inserted in this bill. I am deeply disappointed in recent revelations about improper activities between Federal employees and oil company representatives. And I support actions that would help prevent such improper activities from happening again. However, this bill fails miserably to incentivize the discovery of new technologies and domestic energy sources.

Why does this bill fail our constituents? The Democrat-controlled Congress hastily put together this 290-page bill in the dark of night and brought it to the floor the very next morning. At 9:45 p.m. on September 15, 2008, H.R. 6899 was introduced. At 10 a.m., H.R. 6899 was brought to the House floor without any amendments and no committee input. This is not the process envisioned by our founders. Actually, when the Republicans held the majority in 2005, they allowed 23 Democrat amendments to be offered to the energy bill, H.R. 6. This bill fails our constituents because this leadership has shut out the voice of 48 percent of our constituents by not allowing any Republican amendments.

The bill opens with the words, "Prohibition on Leasing." The Democrat's energy solution for the American people is a prohibition on leasing and limited new energy production that will help us achieve energy freedom. This bill will produce little if any new oil and gas since it locks up, by law, the first 50 miles of our coasts—on the Pacific coast that is over 97 percent of our known resources. Overall, 88 percent of all known resources offshore remain permanently locked under this bill. Instead of producing more American energy with

American workers, the Democrats would rather rely on foreign nations to produce our oil and natural gas. This is economically and environmentally irresponsible.

In the 50–100 miles beyond the Atlantic and Pacific shores, the adjacent state must approve any lease. But what makes this provision even more unlikely to produce any new energy offshore is the fact that the bill does not share any of the royalties with adjacent states. Thus, it effectively removes any incentive for states to "opt in" while changing current policy on state revenue sharing.

Why is this bill failing our constituents? Our country holds the largest supply of clean coal in the world. But this bill does nothing to promote clean coal and coal to liquid technologies.

Why does this bill fail our constituents? Americans face a significant increase in our electricity rates in the coming months. This bill does nothing to increase our capacity; in fact, this bill imposes a new 15 percent renewable energy requirement on utilities. This bill fails our constituents because these new renewable energy requirements will be passed along to them in the form of higher monthly utility bills.

The American people deserve a rational, transparent debate about developing domestic energy resources. Congress should pass a bipartisan energy plan that includes conservation, production, and innovation to help America become energy independent. We desperately need energy freedom in America.

Why does this bill fail our constituents? This bill fails our constituents because it doesn't bring us any closer to energy independence. Instead of introducing a bill in the dark of night, this Democrat majority should bring up a bipartisan bill that has been vetted by both sides of the aisle. The Speaker has an abundance of legislative options that address our short-term and long-term energy needs. But she refuses to allow a full debate and vote on a comprehensive plan.

For instance, a bipartisan bill, H.R. 6709, the National Conservation, Environment and Energy Independence Act, has been introduced by Representative ABERCROMBIE (D-HI) and JOHN PETERSON (R-PA). I am a cosponsor of this bill. One of the principal areas of this legislation is production—the exploration for and extraction of oil and natural gas in places such as the Outer Continental Shelf. There's also a call to establish conservation and environmental reserve funds that will help to preserve and to maintain wildlife refuges and public parks and to develop alternative energy, including solar, wind, and biofuels. The production of oil and natural gas from within U.S. borders will serve as a bridge to the Nation's "alternative energy future" and will see to it that the royalties from the leasing and sale of that oil and natural gas go to alternative energy, environmental, and conservation projects.

A second option is H.R. 6566, the American Energy Act, of which I am also a cosponsor. The American Energy Act is an "all of the above" energy strategy that will increase the supply of American-made energy in environmentally sound ways. It will accomplish this by opening energy-rich deep ocean resources, Arctic coastal plain, and Inter-Mountain West oil shale resources for more environmentally safe oil and gas exploration. This bill will also improve energy conservation and efficiency by

providing tax incentives for businesses and families that improve their energy efficiency. This legislation focuses heavily on the promotion of alternative and renewable energy technologies through spurring the development of alternative fuels by permanently extending the tax credit for alternative energy production, including wind, solar and hydrogen and promoting coal-to-liquids technology.

These are the policies that will lead America into energy independence. While I cannot support this bill today, if H.R. 6709, the bipartisan energy bill were to be brought to the House floor, I would vote "yes." If H.R. 6566, an "all of the above" energy bill were brought to the House floor, I would vote "yes." It is my hope that these bills will be brought to the floor of the House of Representatives before the 110th Congress adjourns. These are the bills that actually address and allow America to explore our own domestic resources and build a bridge to our future energy sources.

HONORING THE CAREER OF CHIEF
JAMES J. MULLANE, JR.

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GERLACH. Madam Speaker, I rise today to congratulate retired Norristown Fire Department Chief James "Jim" J. Mullane, Jr., on his selection as president of the Firemen's Association of Pennsylvania. Jim's distinguished career as a firefighter started in April 1972 when he joined the Hancock Fire Company. He became assistant chief for the Norristown Fire Department in 1983 and served as chief from 1992 to 1993.

Jim also served as charter member and captain of the Norristown Dive Rescue Unit. In addition to protecting the community as a firefighter, Jim also was actively involved in the civic life of Norristown. He has been a member of the Norristown Zoning Hearing Board for the last 8 years and has held the post of chairman of that panel.

The members of the Firemen's Association of Pennsylvania have benefited from Jim's outstanding leadership and keen insight on emergency services issues since 1974. He has held the posts of southeast director, eastern vice president, senior vice president and chairman of an ad hoc committee instrumental in establishing Pennsylvania's Fire and Emergency Services Institute. The institute is a valuable tool for keeping fire departments and other first responders informed about grant opportunities and important State legislation.

Jim will be installed as association president on Friday, September 26, 2008, during the group's 129th convention in Gettysburg, Pennsylvania.

Madam Speaker, I ask my colleagues to join me in recognizing James J. Mullane, Jr., for attaining this well-deserved leadership post and for commitment and work on behalf of all firefighters who bravely put their lives on the line to protect residents and property each day.

CELEBRATING THE 221ST ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 1356, Celebrating the 221st anniversary of the signing of the Constitution of the United States of America and honoring the efforts of the 42 delegates who attended the majority of the Constitutional Convention meetings and the 39 signers, introduced by my distinguished colleague Representative GARRETT. This legislation acknowledges the significance of the ideals established by the Constitution, including the principle of a limited federal government with a system of checks and balances, and recognizes the Constitution as the source responsible for our nation's ability to withstand calamity and preserve stability.

Don't interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties.—Abraham Lincoln

BACKGROUND

The members of the Constitutional Convention signed the United States Constitution on September 17, 1787 in Philadelphia, Pennsylvania. The Constitutional Convention convened in response to dissatisfaction with the Articles of Confederation and the need for a strong centralized government. After 4 months of secret debate and many compromises, the proposed Constitution was submitted to the States for approval. Although the vote was close in some States, the Constitution was eventually ratified and the new Federal government came into existence in 1789. The Constitution established the U.S. government as it exists today.

The Constitution represents the founding of our government as we know it today. For 221 years, the United States has fought to maintain a democracy that equally represents everyone that resides within the boundaries of our Nation. Without this sacred document, the rules that govern our Nation would be obsolete. The concrete separation that ensures the stability of our government and thus, our Nation is due to the Constitution Convention that we recognize today.

TEXAS

Texas became a member of this great Nation in 1845. Since that moment, Texas has been proud to be a member of such a great Nation like the United States, and as a Representative for the 18th district of Texas I am proud to represent my constituents within the Legislative Branch of this government. It takes the help of every branch of governments at a number of different levels to accomplish all the things our government is capable of, and today, I am proud to be a Representative of Texas and the United States. It is a privilege to represent the people of my State and my district in Washington, DC.

CONCLUSION

I believe we must pass this resolution to demonstrate how proud we are to celebrate the success of our founding fathers and to ac-

knowledge those who put our system of government on paper allowing the United States to become such a renowned Nation. This resolution encourages us to remember those intelligent men who put their hearts and souls into developing a system give equality and representation to all people, and as we stand together now, after 221 years, must recognize their important part in developing the Constitution that governs our great Nation today.

HONORING THE CENTENNIAL ANNIVERSARY OF BALA #1

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GERLACH. Madam Speaker, I rise today to honor Boy Scout Troop Bala #1 as they celebrate their Centennial Anniversary.

Bala #1 is based in Bala Cynwd, Montgomery County, Pennsylvania. The Troop is recognized as the first organized, oldest and continuously operating Boy Scout Troop in the United States, according to the Lower Merion Historical Society.

Founded in 1908, the Troop has enriched the lives of boys and young men through activities geared toward building character, developing leadership skills and instilling a commitment to serving others.

During the past 100 years, Scout leaders have mentored and trained more than 1,000 Scouts, including several Eagle Scouts and the first All-Eagle Scout Patrol in the United States.

The Troop owes much of its success during the past century to dedicated volunteers and Troop alumni such as Scoutmaster Bill Sawyer and Committee Chairman Al Vitiello, who graciously commit countless hours and endless effort to the organization.

Madam Speaker, I ask that my colleagues join me today in congratulating Boy Scout Troop Bala #1 on reaching a very special milestone and offering best wishes for continued success in mentoring generations of local youth and building a stronger community and nation.

THE DAILY 45: DENVER DAD KILLS AUTISTIC SON

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. RUSH. Madam Speaker, the Department of Justice tells us that, everyday, 45 people, on average, are fatally shot in the United States. This year, on September 11, while the Nation memorialized more than 3,200 men, women, and children killed by terrorists; in the Denver town of Grand Junction, another child's life was senselessly taken, in part, because of the easy access to a gun.

Last Thursday night, while 13-year-old Jacob Grabe was sleeping, police report that his father, Allen Grabe, held a loaded gun to his son's face and discharged several rounds into his head, killing him instantly. Jacob was described by his mother as having a mild form of the neurological disorder similar to autism

called Asperger's syndrome. Jacob's mother told police that her husband described his action this way, "I had to kill him because you were ruining him." My heart goes out to Mrs. Grabe and this community on this tragic loss.

Americans of conscious must come together to stop the senseless death of "The Daily 45." When will we say "enough is enough, stop the killing!"

HONORING MOSES-LUDINGTON HOSPITAL

HON. KIRSTEN E. GILLIBRAND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mrs. GILLIBRAND. Madam Speaker, I rise today to honor the 100th anniversary of Moses-Ludington Hospital in Ticonderoga, New York. The hospital was founded in 1908 by Horace Moses, a businessman and Ticonderoga native, to provide medical care to the people of Ticonderoga and its surrounding area. The hospital began with 15 beds and has since grown to encompass a 24 hour emergency room, outpatient surgery, radiology, and dental services. It has the distinction of being the most remote Critical Access Hospital in New York State, providing valuable life-saving treatment to many of my rural constituents in Essex, Warren, and Hamilton Counties.

Although it remains a small rural hospital, Moses-Ludington Hospital employs 300 upstate New Yorkers and houses specialists in Cardiology, Dermatology, EMG testing, Hematology, Neurology, Oncology, Orthopedic Surgery, Orthopedics, Otolaryngology, Plastic Surgery, Podiatry, Sleep Apnea, and Sports Medicine. In addition, Moses-Ludington provides long-term and temporary rehabilitative care through Heritage Commons Residential Healthcare, housing for seniors and persons with disabilities who qualify for Federal housing assistance through Lord Howe Estates, and adult care through the Moses-Ludington Adult Care facility.

In conclusion, Madam Speaker, I offer my congratulations on behalf of the people of New York's 20th Congressional District to the entire Moses-Ludington community on this milestone. I wish them continued success as they work to provide high quality healthcare to the rural communities of upstate New York.

NATIONAL CAPITAL SECURITY AND SAFETY ACT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 16, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 6842) to require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of *District of Columbia v. Heller*, in a manner that protects the security interests of the Federal Government and the people who work in, reside in, or visit the District of Columbia and does not undermine

the efforts of law enforcement, homeland security, and military officials to protect the Nation's Capital from crime and terrorism:

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support of H.R. 6842, the National Capital Security and Safety Act and in opposition of the Childers substitute. H.R. 6842 is a commonsense bill that requires the District of Columbia to revise its gun laws in order to comply with the recent decision of the Supreme Court in the case of *District Columbia v. Heller* within 6 months and does not violate Home Rule and the self governance of the District of Columbia.

Over 30 years ago, the District banned the ownership of handguns, making it among the stiffest bans in the Nation. Like many large metropolitan areas, gun violence contributes to the high crime rates in the District, but the ban has helped to reduce homicide rates. Instead of working to increase the number of guns in the District, we should be helping to stem the availability of these weapons and protecting District residents and visitors from the threat of violence. This Congress should not be dictating to the District of Columbia the laws that govern them when their own elected delegate does not even have the right to vote on her own bill or its substitute.

The Childers substitute is dangerous. It both ignores the will of District residents and puts more guns on the street of our Nation's Capital. The Childers substitute repeals a ban on semi-automatic weapons and removes the ban on carrying these weapons in public, prohibits registration requirements for most guns, and drops criminal penalties for possessing an unregistered firearm.

Mr. Chairman, Congress must not strip the District of its power to regulate guns. We must not be reckless when it comes to protecting the citizens of D.C., our highest elected officials, and visitors to our Nation's Capital. I urge a vote in favor of the Norton bill and strongly urge a "no" vote on the Childers substitute which severely puts the safety of the District at risk.

TRIBUTE TO DAN CAMBRIDGE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. SKELTON. Madam Speaker, let me take this opportunity to honor Dan Cambridge. Mr. Cambridge, a former advertising executive for Young and Rubicomb in Des Moines, Iowa, has been named the new tourism director of Lexington, Missouri.

Mr. Cambridge graduated from the University of Iowa with a degree in journalism. It was soon after his completion of college that he began working for the Des Moines Register. He then spent over 20 years with a Young and Rubicomb affiliate. Mr. Cambridge is excited to begin his new post in Lexington, and claims he envisions the tourism commission focusing on public relations angles with the city. Dan has experience with the Iowa Department of Economic Development and Tourism, and I know he will be a valuable asset to my hometown. Cambridge's son attended Wentworth Military Academy. His family now resides in the Kansas City metro area.

Madam Speaker, I trust that my colleagues will join me in congratulating Mr. Dan Cam-

bridge on his new position in Lexington, Missouri, and in wishing him the very best.

H.R. 5840, THE INSURANCE INFORMATION ACT OF 2008, AND H.R. 5611, THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS REFORM ACT OF 2008

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mrs. BACHMANN. Madam Speaker, I am pleased that the House is considering two important bills today—H.R. 5840, the Insurance Information Act of 2008, and H.R. 5611, the National Association of Registered Agents and Brokers Reform Act of 2008. Both these bills will streamline aspects of the insurance industry to help ensure more consistency for agents, brokers, and consumers alike.

H.R. 5840, the Insurance Information Act of 2008, creates a new Office of Insurance Information (OII) under the U.S. Treasury to advise the President and Congress on insurance issues. Currently, all 50 states regulate insurance in their own unique manner. The OII will serve as a hub for data collection and will help guide policymakers working to alleviate undue burdens throughout the insurance regulatory regime.

As the new agency responsible for investigating and reporting on insurance issues, the OII will also coordinate Federal policy on international insurance matters. In today's global marketplace, this will help American insurance companies obtain better access to foreign markets and strengthen their positions as leaders in offering insurance products both here and overseas.

Additionally, H.R. 5611, the National Association of Registered Agents and Brokers Reform Act of 2008, creates the National Association of Registered Agents and Brokers, NARAB. Established as a nonprofit corporation to facilitate the nationwide licensing of insurance agents and brokers, NARAB will supervise and discipline individuals who wish to practice in multiple states.

This new, voluntary tool, which gives agents and brokers the opportunity to be licensed by individual states under the current system, injects much-needed uniformity for those agents and brokers whose businesses stretch from state to state. Consumers will obtain better services and financial products for lower costs while agents and brokers will avoid many of the headaches they currently face due to the myriad of state licensing standards with which they must currently comply.

Madam Speaker, I urge my colleagues to support these measures.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING THE TERRORIST ATTACKS LAUNCHED AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

SPEECH OF

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 11, 2008

Mr. MURPHY of Connecticut. Madam Speaker, I rise to support of H. Res. 1420 which honors the 7th anniversary of the terrorist attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93. On September 11, 2001, nearly 3,000 people died and thousands of others were injured, scarring families and communities across the Nation. The tragic events of that day also challenged our long-held sense of national security and forever-changed our Nation.

In the time following September 11, we also saw the best of the human spirit in the face of unimaginable tragedy. Americans from all over the country banded together and responded to the barbaric attacks with an outpouring of support and commitment to the families of 9/11 and to each other. Everyday heroes from all 50 States, including at least 308 from Connecticut and 64 from the Fifth District alone, put their lives and health on the line and traveled to New York to assist in the rescue and recovery efforts at Ground Zero. Families who lost loved ones on that fateful day dedicated their lives to honoring those killed and making sure that, as a Nation, we never forget. The Fetchets, from New Canaan, Connecticut, are just one example—they lost their son Brad during the attacks on the World Trade Center towers, and rather than resigning to mourning, they channeled their grief into resolve, founding VOICES of September 11th, an organization dedicated to advocating for those affected by the events of September 11, 2001.

Seven years later, with energy and the economy on the forefront of everyone's minds, the lessons of 9/11 seem less immediate; but in reality, we should draw upon the strength and cooperation our Nation showed during that time to solve the economic and national security problems we face today, and to ensure that the needs of 9/11 families and workers are met. I am proud to say that in 2007 we worked together to pass legislation that requires the enactment of the recommendations of the bipartisan 9/11 Commission, making our Nation safer and more secure. As we work to ensure that the new law is fully implemented, we must also not forget the thousands of people who still struggle every single day as a result of the attacks. As we all know, the collapse of the World Trade Center towers released a dangerous cocktail of toxins, putting hundreds of area workers, residents, rescue and recovery workers, and others in the area around Ground Zero at risk. Numerous studies have documented that many of those exposed to the toxins have developed lower and upper respiratory, gastrointestinal, and mental health conditions. With staggering medical bills and the inability to work due to illness, many of the heroes of 9/11 are now in severe financial distress. The Federal Government has a moral obligation to provide them with the care they desperately need and deserve.

I offer my condolences to the families and loved ones of those who died during the attacks as well as my sympathy and commitment to those who are sick as a result. We must remain vigilant in the face of terrorism, and, Madam Speaker, we must always remember the events that occurred on that tragic day 7 years ago.

ALLOWING TAIWAN TO PARTICIPATE IN UNITED NATIONS ACTIVITIES

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. GARRETT of New Jersey. Madam Speaker, when the United Nations General Assembly met earlier today, the Secretariat considered a request by several of Taiwan's diplomatic allies. These countries asked the United Nations to allow the Republic of China (Taiwan) and its 23 million citizens to have meaningful participation in the activities of the specialized agencies of the United Nations.

By excluding 23 million people from participation in UN-sponsored activities, the UN is effectively treating the people of Taiwan as less than equals when compared to citizens of other countries. The people of Taiwan enjoy the benefits of living in a country that has free elections, yet it is certainly unfair for them to be denied access to agencies such as the International Civil Aviation Organization.

In this global economy, no country and no people are an island. Information travels fast, epidemics spread equally fast. For instance, without membership in the World Health Organization, Taiwan is an overlooked area in the global epidemic surveillance network. Continued exclusion will only harm the international community.

Furthermore, Taiwan has the world's tenth largest shipping capacity, but it has no access to the meetings of the International Maritime Organization and can't acquire first-hand information. There are many other instances of the impracticalities of banning Taiwan's membership in the international society.

I am disappointed that the People's Republic of China again blocked Taiwan's request. Taiwan President Ma Ying-jeou has taken a number of steps to improve the relationship with Beijing, including permission of direct weekend charter flights between the mainland and the island. It is time for the People's Republic to reciprocate by granting Taiwan the ability to join certain UN agencies.

HONORING KAREN MANNING, MSN, RN, CNA, CRRN PRESIDENT OF THE ASSOCIATION OF REHABILITATION NURSES

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Ms. TSONGAS. Madam Speaker, today I pay tribute to Karen Manning, MSN, RN, CNA, CRRN, of Salem State College and president of the Association of Rehabilitation Nurses (ARN), a constituent from my congressional

district. Ms. Manning will soon complete her year as the 2007–2008 national president of the ARN, a professional organization representing professional nurses who work to enhance the quality of life for those who are affected by physical disabilities or chronic illnesses. During her tenure as president at ARN, Ms. Manning has been a strong leader and advocate for rehabilitation nurses, as well as the patients ARN serves everyday.

Since 1974, ARN has been the leading source for the latest rehabilitation information, resources, professional development and career opportunities for rehabilitation nursing professionals. ARN members are nurses, with a broad range of clinical experience, dedicated to helping individuals affected by chronic illness or a physical disability adapt to their disabilities, achieve their greatest potential, and work toward productive, independent lives.

Presently, ARN comprises a nationwide network of more than 5,500 rehabilitation nurses who practice in many settings, including hospitals, rehabilitation facilities, home health agencies, subacute and long-term care facilities, and private companies.

A resident of Tewksbury, Massachusetts, Ms. Manning has earned her Bachelors of Science in Nursing from the University of Massachusetts Boston and her Masters of Science in Nursing, with a concentration in nursing management, from the University of Massachusetts Lowell in 1994. Ms. Manning is currently pursuing her Doctorate degree in Education from Nova Southeastern University.

In addition to Ms. Manning's academic achievements, she has also authored chapters in both the Rehabilitation Nursing Core Curriculum and Safe Patient Handling and Movement in Rehabilitation—published in 2007 and 2008, respectively. She has presented numerous times on topics relating to current trends in rehabilitation, the future of nursing, and the future role of rehabilitation nurses.

Madam Speaker, I hope my colleagues will join me today in recognizing the outgoing president of the Association of Rehabilitation Nurses, Karen Manning, MSN, RN, CNA, CRRN, for her dedication and exemplary work in the field of rehabilitation nursing. We thank you Ms. Manning for your ongoing service to the healthcare profession.

CONGRATULATIONS TO THE CITIZENS TELEPHONE COMPANY AND LAFAYETTE COUNTY C-1 SCHOOL DISTRICT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. SKELTON. Madam Speaker, let me take this opportunity to congratulate the Lafayette County C-1 School District on receiving a \$37,000 grant and to commend the Citizens Telephone Company for their most generous contribution.

To celebrate the company's 100th anniversary of their first dial tone in Higginsville, MO., the Citizens Telephone Company awarded the Lafayette County C-1 School District a \$37,000 check. This grant enables the school district to start offering new classes to Higginsville students that were not available before. Also, the grant establishes a "Distance

Learning" Program. This allows students to communicate with teachers remotely, from different locations. Citizens Telephone Company has graciously provided monitors, cameras, and other devices to make this technology come to fruition. Now, students and teachers in the district can actually see and interact with each other from different locations.

Madam Speaker, I urge all Members of the House to join me in congratulating the school district and in commending the Citizens Telephone Company on its generosity.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this House with yet another Sunset Memorial.

It is September 18, 2008 in the land of the free and the home of the brave, and before the sunset today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Madam Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 13,023 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government." The phrase in the 14th Amendment capsulizes our entire Constitution. It says, "No State shall deprive any person of life, liberty or property without due process of law." Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Madam Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

So Madam Speaker, let me conclude this Sunset Memorial in the hope that perhaps someone new who heard it tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 13,023 days spent killing nearly 50 million unborn children in America is enough; and that it is time that we stood up together again, and remembered that we are the same America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust; and we are still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

Madam Speaker, as we consider the plight of unborn America tonight, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called abortion on demand.

It is September 18, 2008, 13,023 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children; this in the land of the free and the home of the brave.

INTRODUCTION OF REINSURANCE TAX LEGISLATION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. NEAL of Massachusetts. Madam Speaker, today I am pleased to come before the House to introduce legislation ending the advantage of offshore reinsurance entities over American companies. In the past, I have offered a number of bills to limit offshore tax avoidance and have even previously offered bipartisan legislation on the issue of foreign reinsurance specifically. I am here today to try a different approach to tackle the problem of excessive reinsurance to related foreign entities and I hope my colleagues will join me in this timely effort.

Now, some may question why it would be timely to offer this legislation considering that one of the largest U.S. insurance companies was just bailed out by the Fed. I think it is precisely the time to shore up the U.S. market. Already, the speculation has begun as to what parts of AIG will be sold off. A leading insurance industry research entity, Dowling & Partners, posed the question yesterday: "Will the offshore tax issue be highlighted once again, with much of AIG's business potentially mov-

ing to competitors offshore?" With the advantage of a no- or low-tax jurisdiction from which to operate, you can bet that foreign competitors are already eyeing purchases of the AIG business.

There is no doubt that there is a legitimate role for reinsurance. It is a fundamental business technique for risk management and is to be fostered. But just as Congress and Treasury have attempted to measure what is legitimate in sharing debt and earnings between affiliates, there have been attempts to appropriately characterize reinsurance between related entities. Unfortunately, as recent data shows, those attempts have been unsuccessful.

Since 1996, the amount of reinsurance sent to offshore affiliates has grown dramatically, from a total of \$4 billion ceded in 1996 to \$34 billion in 2007, including \$19 billion alone to Bermuda affiliates. These insurance profits are shuttled out of the U.S. and then the investment income on those profits is also sheltered from U.S. taxes. It is easy to see why foreign reinsurers, with such a tax benefit, enjoy a significant market advantage.

Now we are beginning to see a new problem: the offshore affiliates are writing direct insurance here in the U.S. We have seen in the last decade a doubling in the growth of market share of direct premiums written by groups domiciled outside the U.S., from 5.1 percent to 10.9 percent, representing \$54 billion in direct premiums written in 2006. Again, Bermuda-based companies represent the bulk of this growth, rising from 0.1 percent to 4 percent. And it should be noted that during this time, the percentage of premiums ceded to affiliates of non-U.S. based companies has grown from 13 percent to 67 percent. Bermuda is not the only jurisdiction favorable for reinsurance, and in fact earlier this year, one company moved from the Cayman Islands to Switzerland citing "the security of a network of tax treaties," among other benefits.

Congress first recognized the problem of excessive reinsurance in 1984 and provided specific authority to Treasury under Section 845 of the tax code to reallocate items and make adjustments in reinsurance transactions in order to prevent tax avoidance or evasion. In 2003, the Treasury Department testified before Congress that the existing mechanisms were not sufficient. In 2004, Congress amended this provision to expand the authority of Treasury to not only reallocate among the parties to a reinsurance agreement but also to recharacterize items within or related to the agreement. Congress specifically cited the concern that these reinsurance transactions were being used inappropriately among U.S. and foreign related parties for tax evasion. Despite this grant of expanded authority, Treasury has still been unable to stem the tide moving offshore.

Recently, a coalition of U.S.-based insurance and reinsurance companies has been formed to express their concerns to Congress. With more than 150,000 employees and a trillion dollars in assets here in the U.S., I believe it is a message of concern that we should heed.

That is why I am filing legislation today to disallow deductions for excess reinsurance premiums with respect to U.S. risks paid to affiliated insurance companies that are not subject to U.S. tax. The excess amount will be determined by reference to an industry fraction, by line of business, which will measure

the average amount of reinsurance sent to unrelated parties. The legislation provides Treasury the authority to carry out or prevent the avoidance of the provisions of this bill.

My colleagues may be thinking that this sounds similar to another provision in the code, and they would be right. The tax code currently tries to limit the amount of earnings stripping—that is, sending U.S. profits offshore through inflated interest deductions—by disallowing the interest deduction over a certain threshold. In the reinsurance context, U.S. affiliates of foreign based reinsurance entities may be sending offshore excessive amounts of reinsurance to strip those premiums out of the purview of the U.S. tax system. My bill limits the deduction for those premiums to the extent the reinsurance to a related party exceeds the industry average.

I hope that in the coming weeks, my colleagues and experts in the industry will carefully review this new proposal and provide constructive commentary on it. A fuller technical explanation of the bill will be posted on my website, which will provide some background on the industry as well as a technical description of the bill. Madam Speaker, I appreciate the opportunity to address the House on this important matter and I assure my colleagues that I will continue my efforts to combat offshore tax avoidance, regardless of what industry is impacted.

HONORING DOUGLAS KAPNICK

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. WALBERG. Madam Speaker, I rise today to honor Douglas Kapnick of Adrian, MI on the celebration of his retirement from Kapnick Insurance Group. For 43 years he has successfully operated the company and has contributed to various organizations within the area in an effort to give back to the community.

Upon graduating from the University of Michigan in 1965 with a Business Administration degree, Douglas Kapnick joined his father's insurance business, Kapnick and Company. From the beginning, he focused on expanding the agency beyond home and auto insurance and worked to extend its reach into Adrian's neighboring areas. In 1974 he bought the 15-person operation from his father, Elmer Kapnick, and in 1975, he was elected to serve as its president. As chairperson and chief executive officer, he succeeded in growing the business into one of the most respected insurance agencies in the Midwest.

In July 2001, the company doubled its benefits operation through the purchase of Harbors Benefits Services located in Ann Arbor, MI, and in 2005, it changed its name to Kapnick Insurance Group. The company has gained recognition as an innovative, well managed company with a reputation for providing quality service and creative solutions to its clients. The company's success can be traced to Douglas' inspiring leadership and ability to bring out the best in each employee. Carrying on the family tradition, Douglas Kapnick's two sons, Jim and Mike Kapnick, bought the company from him in 2006. On September 5, 2008, Douglas spent his last official day in the office.

In his personal and professional life, Douglas has devoted his time to giving back to the community. He has served as a member of the board of several community organizations such as YMCA, United Way, Lenawee Chamber of Commerce, and Crosswell Opera House. Douglas has served several terms on the Adrian Public School's Board of Education, including 5 years as board president. He served 19 years as a trustee on Siena Heights University Board of Trustees, with 8 years as president, and continues as a chairperson. He has served as president for the Bank of Lenawee and Pavilion Bancorp. Douglas' life and service is a direct reflection of his longtime commitment to giving back to the community.

Douglas' contributions to the community have not gone unnoticed. He is one of only three recipients to receive the Lenawee Maple Leaf Award, the county's most prestigious award which is given in recognition of outstanding leadership, community service, and citizenship. In addition, he has been honored with a Lifetime Achievement Award from Hanover Insurance Company.

Madam Speaker, today I ask my colleagues to join me in recognizing Douglas Kapnick for 43-years of service to Adrian, MI and its surrounding areas. His ability to expand his father's company from a six-person operation to a company of 135 employees demonstrates his business expertise and good judgment. Additionally, he has devoted himself to serving his community, an endeavor that he will continue to practice long into his retirement. May others know of my high regard for Douglas Kapnick as well as my best wishes for him in the future.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF MAX CORBETT

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. NUNES. Madam Speaker, I rise today to recognize the life and public service of Max Corbett, a veteran, a teacher, and a powerful steward of our Nation's rich agricultural heritage.

Some people in this world become larger than life, not because of their physical size or presence, but because of the number of people they influence in their lifetime. Max Corbett, or Corbett as I called him, was both a father figure and big brother to many. His influence has been felt throughout the San Joaquin Valley and our country.

Corbett was born and raised on a dairy farm. In 1968 he enlisted to fight for his country in Vietnam where he earned a Purple Heart and a Bronze Star. Upon returning home, he attended college at California State University, Fresno, graduating in 1975.

Following college, Corbett moved to Tulare. It was here, in a rural San Joaquin Valley community, that he would touch the lives of several generations of farmers and help to transform agriculture education.

For more than 31 years, Corbett taught the next generation of farmers at Tulare High Schools—where he became chairman of the school's Agriculture Department. For 25 years, he was dairy and farm manager.

Always humble, Corbett praised the Tulare Future Farmers of America—unwilling to take

credit for his own enormous impact. However, it was under his leadership that the Tulare FFA became one of California's most active chapters. Corbett also led the Tulare dairy team to win the 1984 national title.

Both as a coach, and community activist, Corbett fought every day to develop Ag leaders of the future. By 1989, he was recognized as one of 12 Teachers of Excellence for the entire State of California.

Corbett's proudest accomplishment can be found in his loving family. He enjoyed a 36-year marriage with wife, Mary, and was the father of three children, Michele, Max and James.

Max Corbett left his community of Tulare a far richer place than the one he found over 30 years ago, and for that we are blessed. He was a leader, a mentor, a patriot and above all else he was my friend.

HONORING THE LIFE AND SERVICE OF HAROLD WINTERS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Harold Winters, founder of the Western Wayne Youth Travelling Classic League, upon the 25th anniversary of its establishment.

Born in 1939, Harold grew up in Detroit, Michigan, graduating from Redford High in 1956. He moved to Canton in 1971, and is married to Maria Winters. Harold worked for Ford Motor Company for 32 years, retiring in 1997. For 48 years, Harold Winters has shown exceptional dedication to being involved in his community. A 36 year member of Divine Savior Catholic Church, he has acted as an advocate and counselor, regularly sending inspirational messages to encourage people of all ages. During the 1970s, Harold helped raise funds for efforts to combat muscular dystrophy. Harold remains a lifelong member of the Benevolent and Protective Order of the Elks and a member of the Friends of Charter Township of Canton Library.

From 1983 to the present, Harold has served as the Executive Director of the Western Wayne Youth Travelling Classic League. His initiative began a league which enabled youth in the area to compete, learn about sportsmanship, and be involved in their communities in a constructive way. Furthermore, the league has generously provided more than 30,000 dollars in scholarships to young athletes since its inception.

Madam Speaker, over the years, Harold has served his community selflessly and acted as the inspiration for the Western Wayne Youth Travelling Classic. His service has spanned forty years and influenced his community in numerous ways. Today, I ask my colleagues to join me in honoring Harold Winters' public spirit, dedication, and service to his community.

CONGRATULATING JOSEPH LITTLE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Joseph Little for being honored by the Council for Opportunity in Education for his educational achievements and career accomplishments. I am especially pleased to recognize Joseph because he is not only a worthy recipient, but a proud veteran and former Army Ranger. This recognition stems from the outstanding success Joseph has achieved while participating in Arizona State University's Veterans Upward Bound program.

When Joseph was discharged from the Army after the Vietnam war, he had severe physical and emotional injuries. It took Joseph 50 surgeries and 30 years outside the education arena until he was ready to return and realize his dream. Despite his doctors and vocational rehabilitation counselors telling him he would never be able to earn a degree, Joseph earned both a bachelor's degree and a master's degree in social work from Arizona State University. This recognition represents the tireless determination and stellar work ethic that led Joseph to overcome adversity and become the first member in his family to graduate from college.

Joseph has worked at the Phoenix Veterans Center since 1998 and puts his education to good use by working with veterans with post-traumatic stress disorder. He is currently helping fellow veterans ranging from those who served in World War II to those returning from recent conflicts.

As a member of the Committee on Veterans' Affairs, I am particularly proud to see Joseph chosen as one of six winners out of a national pool of 52 nominees. When our veterans return home to Arizona and need a helping hand, I feel confident knowing that he is there to assist them with whatever problems they may have. Joseph is an inspiration to me and to an increasing number of veterans. He personifies the persistence necessary to achieve one's dreams and the altruism that is a product of an inherent moral obligation to help others who are faced with the same obstacles he was able to overcome.

Once again, I congratulate Joseph for all that he has accomplished, and I am confident we will continue to see wonderful things from him in the future.

INTRODUCING THE MICROFINANCE CAPACITY BUILDING ACT OF 2008

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. BOOZMAN. Madam Speaker, today my colleague Mr. MEEKS and I are introducing the Microfinance Capacity Building Act of 2008. This bi-partisan effort aims to build the human capacity of microfinance networks working to empower the poor in developing countries across the globe.

Microcredit—the provision of small, collateral-free loans to the poor in developing nations enable poor families to increase their income and have an immediate and lasting impact on quality of life—the ability to afford food, shelter, education and healthcare. As business income increases, the business is able to expand, and the effect spreads beyond the family into the local community, through employment and contribution to the local economy. Thus, the benefits of microfinance help grow not just businesses, but stronger communities as well.

It is widely recognized that the lack of human capital is the greatest constraint to the growth of practitioner organizations in the microfinance industry. According to some industry estimates, in order to meet the anticipated demand for microfinance, the industry will have to hire 1.6 million new loan officers alone in Africa, Asia, Latin America and the Near East, assuming a loan officer to client ratio of 1:300. And that figure does not include the skilled middle and senior managers that microfinance organizations are struggling to find and retain.

The microfinance capacity-building activities supported by this legislation are intended to drive innovation and provide comprehensive solutions that address the lack of human capacity in developing countries, particularly in sub-Saharan Africa. These activities will provide a framework for a regional and sub-regional approach to maximizing economies of scale and should focus predominately on educating and training country nationals in order to build capacity in the microfinance industry in developing countries.

Through its strategic investment in building microfinance human capacity, this bill would make it possible for more of the world's poor to access financial services to enable them to start or expand a business, develop a steady income and create jobs for their neighbors.

MISSOURI NATIONAL GUARD
ASSISTS HURRICANE VICTIMS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. SKELTON. Madam Speaker, let me take this opportunity to honor and acknowledge the fine members of the 1139th Military Police Company of the Missouri National Guard. Their brave efforts in Opelousas, Louisiana, are a true testament to their character and integrity with regard to helping fellow Americans in a time of need.

The Missouri National Guard arrived in Opelousas, an area hit very hard by Hurricane Gustav. Ninety percent of the town of 20,000 was without power, hundreds of trees and power lines were destroyed, and many citizens were without food or supplies. The Guard distributed food and ice to hundreds of hungry residents and patrolled possible looting targets throughout the evenings.

Madam Speaker, the Missouri National Guard Military Police Company 1139 deserves our respect and honor for their admirable efforts on the Gulf Coast. I ask my colleagues at this time to join me in acknowledging these fine individuals on a job well done.

“STEPHANIE TUBBS JONES GIFT
OF LIFE MEDAL ACT OF 2008”

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. STARK. Madam Speaker, I rise today to introduce the “Stephanie Tubbs Jones Gift of Life Medal Act of 2008” with my colleague Mr. CAMP of Michigan. Representative Tubbs Jones’ life ended as she lived it; by exemplifying concern for the welfare of others. She donated her organs in the waning hours of her life so that the lives of others could continue. In that spirit, this legislation creates a commemorative medal for organ donors and their families, recognizing the brave and selfless act of organ donation.

As I well know from my time on the Ways and Means Health Subcommittee, Representative Tubbs Jones worked tirelessly to remedy health disparities in our Nation. Organ donation is one area where dramatic health disparities exist, which makes this all the more of a fitting tribute. While minorities donate organs in proportion to their population, the rate of organ donations fails to keep pace with the need for transplants in the population.

Minority populations account for close to 50 percent of the nearly 100,000 people who are currently waiting for organ transplants. Since the national transplant waiting list began, over 80,000 donation-eligible Americans have died waiting for an organ to become available; in 2007 alone, over 6,500 people died for lack of a suitable organ. Donating an organ to someone whose life depends on it is laudable, and it should be recognized and encouraged. The Stephanie Tubbs Jones Gift of Life Medal Act sends a clear message that donating one's organs is an act that should receive the profound respect of our Nation.

I would like to thank Former Senate Majority Leader, and transplant surgeon, Dr. William H. Frist, for whom this bill was named in an earlier version in this Congress (H.R. 1765/S. 1062). Dr. Frist was a tireless advocate of organ donors and their families during his time in the Senate. He worked on behalf of the Gift of Life Medal Act for years and has expressed strong support for renaming the bill for Representative Tubbs Jones. We appreciate his graciousness in doing so.

This legislation directs the Treasury department to design and produce a commemorative medal that the Department of Health and Human Services will award to organ donors or to a surviving family member. Enactment of this legislation would have no cost to the Federal Government. Funding for the medals would be self-sufficient through charitable donations.

This is non-controversial, non-partisan legislation to increase the rate of organ donation while honoring the life and service of our colleague, Representative Tubbs Jones. I ask my colleagues to help bring an end to transplant waiting lists and recognize the enormous courage displayed by organ donors and their families. This bill honors these brave acts, while publicizing the critical need for increased organ donation. I urge swift passage of the Stephanie Tubbs Jones Gift of Life Medal Act.

INTEL HONORS LAGUNA ELEMENTARY
WITH SCHOOL OF DISTINCTION
AWARD

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. MITCHELL. Madam Speaker, I rise today to recognize Laguna Elementary School in my home state of Arizona. Laguna is being honored by the Intel Corporation for its impressive science education program. Every year, Intel honors schools that have shown outstanding effort in math and science. This year, Laguna Elementary won first place in Science Excellence for Elementary schools and was given one of the six Schools of Distinction awards.

The Intel Corporation awards grants and equipment to top U.S. schools that show determined excellence in math and science education. Winners receive \$10,000 cash grants and over \$100,000 in equipment for their schools. Schools that enter must show that they have exceeded national guidelines in breadth and scope of math and science education.

Laguna Elementary should be applauded for their innovative approach to learning. No longer is math about rote memorization of number tables. Instead, students at Laguna expand their learning through discovery, focusing on the inquiry process, and further their skills by developing questions regarding these subjects. Teachers, with parental and community input, have developed a curriculum that encourages “interactive experiences,” expanded use of technology, while addressing a diverse student population at the school.

Because of their innovative techniques, Laguna Elementary won \$10,000 dollars in grant money, and \$160,000 in training, computers, educational software and interactive white boards. This technology will further allow teachers to pinpoint where students are in the learning process and allow them flexibility in creating lesson plans.

Therefore, I commend Laguna Elementary administration, teachers, parents, and students for their accomplishments and efforts.

STATEMENT ON MAJOR GENERAL
RANDALL D. MOSLEY'S RETIREMENT

HON. DENNIS R. REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. REHBERG. Madam Speaker, I rise today to recognize Major General Randall D. Mosley, Adjutant General for the State of Montana. General Mosley has served our nation and Montana for more than thirty eight years, recently retiring from the highest military position in the Montana National Guard. His long and distinguished career epitomizes each of the Army's core values and truly lives up to the Guard's motto of a “Citizen Soldier.” General Mosley not only answered the call of duty to serve his country, but he also worked tirelessly to support the community he lives in.

The challenges created by the deployment of thousands of Montana National Guard

members over the past five years demanded many changes in the way the Montana National Guard operates. Major General Mosley confronted these challenges with professionalism and complete dedication to the men and women under his command. He was instrumental in overhauling the process used for post deployment health assessments for Guard members returning home from combat deployments. Significant mental health resources have since been made available to Guardsmen and their families as well as organized events to help them transition back to everyday life. These changes are leading the way in how our country treats returning service men and women. For his efforts, Major General Mosley was recognized by the Under Secretary of Defense for Personnel and Readiness.

I can think of no better ambassador for the State of Montana. Over the past 14 years, Montana has worked with United States Central Command to develop a partnership with the country of Kyrgyzstan. Under General Mosley's leadership, the Montana National Guard has helped Kyrgyzstan train a capable force of noncommissioned officers. More importantly, Major General Mosley has helped Kyrgyzstan leadership understand the vital role military personnel plays in coordinating and assisting civilian government. Through his efforts the partnership between Montana and Kyrgyzstan has grown dramatically and will no doubt help their democratic future.

While I am sad to see him leave, I thank Major General Mosley for all he has done. Through all the challenges he has faced he

has been an excellent commander and ambassador. I have no doubt the Montana National Guard's new leadership will continue his example.

HONORING JACKSON COUNTY
COMMUNITY FOUNDATION

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 18, 2008

Mr. WALBERG. Madam Speaker, I rise today to honor the Jackson County Community Foundation of Jackson, Michigan on the celebration of its sixtieth anniversary. For years it has served the Jackson community and worked to improve the quality of each of its citizens' lives.

The Jackson County Community Foundation began in 1948 with the idea of assisting Jackson County residents in bettering their lives. In order to accomplish this goal the foundation is guided by several core beliefs including the realization that citizen involvement is essential for change, the idea that viable solutions are those which target the root cause of a problem, and the belief that diversity is key to community building efforts. The foundation focuses on using its own community's assets and strengths and strongly believes accountability is necessary to use community resources wisely. The foundation has a broad purpose which allows flexibility and enables it to serve needs quickly and efficiently.

The foundation has a permanent endowment that invests donations with the purpose of growing the principal and returning the earnings back to the community. This permanent endowment builds enduring community assets and allows donors to invest in the future of their own community. Donors can designate the funds to be used for specific items, such as scholarships or charities. Moreover, donors can assign the funds to an area of interest such as youth programs or education. In 2007, contributions to the foundation totaled more than \$2 million and its endowment was over \$24 million.

On September 6, 2008 a number of distinguished individuals gathered at the foundation Fall Gala to celebrate the Jackson County Community Foundation's success and its long-time contribution to the Jackson community. The theme of the evening was "Looking Back—Moving Forward," and the foundation's long-standing influence on the community was celebrated. Several presentations were given as well as a short video to commemorate the past sixty years.

Madam Speaker, today I ask my colleagues to join me in recognizing Jackson County Community Foundation for its sixty years of service and leadership in Jackson County. The foundation excels at identifying and meeting the needs of its citizens and has made a lasting difference in Jackson County. May others know of my high regard for its esteemed service, as well as my best wishes for its future.