

Turner. On August 7, 1942, *McCawley* participated in the counterinvasion of Guadalcanal, the first Allied amphibious operation of the Pacific War. *McCawley* continued to unload needed cargo even as nearby U.S. and Allied ships were lost or damaged and managed to destroy three to four enemy aircraft. According to Naval records, "over the following six months, *McCawley* made several transport voyages into the fiercely contested waters near Guadalcanal, taking in personnel and materiel that contributed to securing the island in February, 1943."

Unfortunately, on the afternoon of June 30, 1943, at the start of a campaign to seize the island of New Georgia, *McCawley* was attacked by enemy aircraft. *McCawley's* gunfire brought down four planes; but an aerial torpedo struck *McCawley's* engine room, killing 15 of her crew, and shut off all power.

Shortly after the crew was rescued by the USS *Ralph Talbot* (DD 390), *McCawley* was attacked by dive bombers, but little damage was done after the remaining salvage party manned the guns and successfully struck one of the three attacking planes. Later that afternoon, the salvage party boarded the USS *McCalla* (DD 488), and pulled away from the damaged ship with all remaining hands safely accounted for.

That night, the final blow came when *McCawley* was again torpedoed and sank 340 fathoms in a matter of seconds. According to the Department of the Navy, "the following day it was learned that six U.S. motor torpedo boats had torpedoed an 'enemy' transport in Blanche Channel, after having been informed there were no friendly forces in the area. USS *McCawley's* loss to 'friendly fire' led to the urgent imposition of measures to reduce the risk of further such accidents."

June 30th, 1943, was an unforgettable day in the lives of these sailors, and as the remaining survivors gather in Florida this weekend to remember that fateful day, I ask my colleagues in the House of Representatives to join me in honoring their service.

TRIBUTE TO COLONEL THOMAS H.
MAGNESS IV

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Colonel Thomas Magness IV is one such individual. On July 1, 2010, Colonel Magness will be honored at the Change of Command Ceremony as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers.

Colonel Magness was born in Fort Campbell, KY. He graduated from the United States Military Academy in 1985 with a Bachelor of Science degree and was commissioned a Second Lieutenant and began serving in the Army Corps of Engineers. He later earned a Master's degree in Civil Engineering from the

University of Texas at Austin. His professional military education includes the Engineer Officer Basic and Advanced Courses and the Command and General Staff College.

Colonel Magness has served in the 2nd Armored Division at Fort Hood, TX; the 1st Armored Division in Germany; and the 4th Infantry Division at Fort Hood, TX. He has been a platoon leader, battalion supply officer, company commander, and battalion operations officer. He deployed with the 1st Armored Division as part of Operation Desert Shield/Desert Storm. Colonel Magness served as the District Commander for the Detroit District, U.S. Army Corps of Engineers. Prior to coming to Los Angeles, Colonel Magness was a Senior Service College Fellow at the University of Texas at Austin. Colonel Magness has served as an instructor and assistant professor in the Department of Geography and Environmental Engineering at West Point. He has also served two tours as an observer/controller (trainer) at the National Training Center at Fort Irwin, CA where he led the Sidewinder team, preparing engineer and maneuver support units and their leaders for combat operations.

Colonel Thomas H. Magness assumed command of the Los Angeles District, U.S. Army Corps of Engineers on July 10, 2007. Upon assuming command of the Los Angeles District, Colonel Magness understood the importance of managing water resources in a more comprehensive manner. Working closely with local watershed stakeholders, Colonel Magness took an innovative and forward looking approach to developing Corps of Engineers water resource projects. Among his many accomplishments while Commander, Colonel Magness played a significant role in advancing the construction of the Santa Ana River Mainstem Project, which is one of the largest Corps of Engineers projects in the Nation. When completed, the Santa Ana River Mainstem Project will provide Orange County with dramatically enhanced flood protection.

Colonel Magness' military awards and decorations include the Legion of Merit, Bronze Star Medal, Meritorious Service Medal (four awards), and the Army Commendation Medal (four awards). He has been awarded the Parachutist Badge, Air Assault Badge, and the Ranger Tab. He is a licensed Professional Engineer in the Commonwealth of Virginia and is an Accredited Professional for Leadership in Energy and Environmental Design (LEED).

Colonel Magness is married to the former Michelle Carnes of Killeen, Texas. They have two daughters, Jenna and Shelby.

Colonel Magness' tireless commitment to the U.S. Army Corps of Engineers and his role as Commander of the Los Angeles District has contributed immensely to the betterment of southern California. I am proud to call Colonel Magness a fellow community member, American and friend. I know that many people are grateful for his service and salute him as he completes his tour as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers. I also wish him well as he assumes command on July 8, 2010 to help rebuild northern Afghanistan with the U.S. Army Corps of Engineers.

SUPPORT OF THE DIGITAL GOODS
AND SERVICES TAX FAIRNESS
ACT OF 2010

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BOUCHER. Madam Speaker, I rise today to introduce the Digital Goods and Services Tax Fairness Act. I am pleased to be joined by my colleague from Texas LAMAR SMITH, the Ranking Member of the Judiciary Committee, as the lead Republican cosponsor of the legislation.

Presently, consumers and businesses engaged in digital commerce may be subject to multiple, confusing and burdensome taxation because of inconsistent rules across the thousands of state and local jurisdictions. Disparate treatment of digital goods and services across these jurisdictions creates further confusion for consumers and businesses.

Digital commerce extends far beyond the digital music, movies and games downloaded by consumers to the electronic delivery of professional services, educational services and health care services.

The existing sales and use tax laws are inadequate and ill-equipped to address today's digital economy. The borderless marketplace and complex nature of digital transactions create new problems that must be addressed uniformly and on a national level to avoid double taxation and to ensure the fair and equitable treatment of digital goods and services.

Unfair, multiple and inconsistent taxation of these digital goods and services will increase costs for U.S. businesses and make them less competitive in the global economy. The additional costs will also hinder investment by high-tech businesses in the broadband networks used to provide new and innovative digital goods and services.

Unfair taxes on digital goods and services also discourage lower-income consumers from using innovative digital services and technologies.

The first state tax on digital goods was imposed in 2007. One year later, eleven additional states considered legislation to impose new taxes on digital goods, and in 2009 fourteen states considered legislation addressing the taxation of digital goods and services. Several states have attempted to impose telecommunication-specific taxes on downloaded music sold by communication providers, taxes which would not be imposed on similar products sold by non-communication companies.

A consistent, national framework for the state and local taxation of digital goods and services is therefore needed to ensure the fair, consistent and equitable taxation of these goods and services.

The Digital Goods and Services Tax Fairness Act addresses this clear need by establishing a uniform national framework for the taxation of digital goods and services.

Our measure prohibits state and local jurisdictions from imposing multiple or discriminatory taxes on the sale or use of digital goods and services, ensuring that digital goods and services are not taxed differently from their physical counterparts.

It provides that taxes may only be imposed on the retail sale or use of digital goods or services, preventing repeated taxation of digital goods and services at multiple stages of the transaction.