

excited that in my home district, the 23rd District of New York, volunteer chemists and chemical engineers of the American Chemical Society's Norwich Section will host an open house for 4th, 5th, and 6th graders Chenango County schools. There they will teach practical chemistry using a full range of hands-on activities, so they can see and explore and learn for themselves how chemistry works. Last year, the Norwich Section won national recognition for its Chemistry Week event, which was attended by 250 people from all over Chenango County.

This year National Chemistry Week culminates a 52-country International Chemistry Celebration that featured "A Global Salute to Polymers." In the United States alone, no less than 51 companies, 10 universities, 2 museums, and 17 individual scientists were saluted for the innovative products they created that have changed our lives.

During National Chemistry Week members of the American Chemical Society will conduct events in communities around the country along the theme "Celebrating Polymers." For instance, kids will be asked to carry out activities using sodium poly-acrylate, a widely used absorbent with applications ranging from horticulture to construction to disposable diapers. After seeing how poly-acrylate works, students will be challenged to think up other ways it can be applied to other real-life problems. More activities using sodium polyacrylate are available in the fall issues of the ACS student magazines *WonderScience* and *Chem-Matters*.

Mr. Speaker, our ability to improve the quality of our lives, make educated decisions in an increasingly technological world, and compete successfully in the global economy depends critically upon our understanding of sciences like chemistry.

So please join me and the 160,000 chemists, chemical engineers, and allied professionals of the American Chemical Society in highlighting the fact that every single aspect of our lives is in some way a result of chemistry in action.

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DECEPTIVE MAIL PREVENTION  
AND ENFORCEMENT ACT

SPEECH OF

**HON. JOHN M. McHUGH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 9, 1999*

Mr. MCHUGH. Mr. Speaker, I am pleased to bring forward S. 335 with the provisions of the House passed deceptive sweepstakes mailing bill, H.R. 170, and would like to take this opportunity to thank the members of the Subcommittee on the Postal Service for the interest they showed in moving this important legislation, particularly our ranking member, the gentlemen from Pennsylvania, Mr. FATTAH, for his input in making this legislation stronger and of wider appeal to those affected by its provisions. By taking this action today, we help to ensure enactment of this important legislation in 1999.

On behalf of our full committee chairman, Mr. BURTON, I must also note that S. 335 in-

cludes additional provisions that, it is my understanding, that the other body has agreed to include in the bill. Incorporated in the bill is H.R. 807, which passed the House under suspension of the rules by voice vote on March 16, 1999, after being introduced on February 23 by our Civil Service Subcommittee chairman, Mr. SCARBOROUGH of Florida, with eight original cosponsors, including the committee's ranking member, Mr. WAXMAN of California.

H.R. 807, included as Title II of S. 335, provides retirement portability for certain Federal Reserve Board employees who take jobs in the executive branch. It will allow those employees who participate in the Board's FERS-like retirement plan to obtain FERS credit for their Federal Reserve years when they transfer to another federal agency. The Federal Reserve already provides such reciprocity for employees who transfer to the Federal Reserve from other federal agencies. Without this correction, former Board employees would receive smaller annuities upon retirement than they otherwise should.

This title will also correct an inequity in current law that prevents certain Federal Reserve employees from withdrawing their funds from their Thrift Savings Plan accounts. Finally, one section in this title is critically important to the men and women who have served our nation in the armed services. It clarifies the Veterans Employment Opportunities Act of 1998 to ensure that veterans will receive the benefits that Congress intended when it passed that act last year.

Title III includes H.R. 3187, a bill introduced by Representative KEN CALVERT, that would amend the 1949 Federal Property and Administrative Services Act to continue the authority allowing no-cost conveyances of surplus Federal property to State and local governments for law enforcement and emergency response purposes.

Under the Federal Property Act, State and local governments or eligible nonprofit entities can obtain surplus property, at no cost, for several authorized public purpose programs. These programs include education, public health, correctional facilities, and public airports. A bill that became law in the 105th Congress, introduced by Representative CALVERT, added law enforcement and emergency management response purposes to this list. Prior to its enactment, however, Mr. CALVERT's bill was amended to include a December 31, 1999 sunset date for these new public purpose categories.

Three properties have been conveyed to local governments, under these authorities. There are more than 22 pending State and local government application nationwide. These new conveyance categories have been invaluable for local governments who are enhancing their law enforcement, and fire and rescue training efforts. These new authorities have allowed for an excellent reuse of surplus Federal property.

H.R. 3187 provides that during the extension, the General Services Administration may not convey surplus Federal property at no cost for law enforcement and emergency response purposes. However, the General Services Administration could at least accept, consider, and approve applications for transfer during this extension. Additionally, prior to December

31, 1999, the General Services Administration can convey surplus property at no cost, for law enforcement and emergency response purposes, to qualifying State and local government entities.

In regard to S. 335 itself, Mr. Speaker, the testimony from the General Accounting Office at the subcommittee's August 4 hearing summed it up well: when it comes to deceptive mail, which includes sweepstakes and other kinds of mailed material, "Consumers' Problems Appear Substantial." We are all concerned by the way some sweepstakes mailings entice consumers, particularly senior citizens, into making unwanted purchases under the mistaken impression that this will enhance their chances of winning a major prize.

As I have stated previously, sweepstakes, themselves, are not evil. They are an effective marketing tool that are accessed by willing and often highly satisfied millions. But experience teaches us, where the laws fall short, the dishonest will flock and honest people will suffer. Now is the time to correct these shortfalls.

S. 335, as amended with the language of the House passed H.R. 170, was carefully developed with our ranking member, Mr. FATTAH, and the bill's original author, the gentleman from New Jersey, Mr. LOBIONDO. Keeping with H.R. 170's objective of ensuring honesty in sweepstakes mailings, the amended language incorporates and responds to the extensive testimony submitted at the hearing conducted by the Subcommittee on the Postal Service, and was agreed to by the House under suspension of the rules on November 2.

The gentleman from New Jersey, Mr. LOBIONDO is to be commended for championing the necessary changes to our nation's postal laws in this area, and I deeply appreciate the assistance of the gentleman from Pennsylvania, Mr. FATTAH. In fact, the language before us today reflects the input of other Members who also introduced bills, including the gentleman from California, Mr. ROGAN, and the gentleman from Florida, Mr. MCCOLLUM, authors of H.R. 237 and H.R. 2678 respectively. This language is also based upon Senator SUSAN COLLINS' comprehensive, bipartisan sweepstakes mailing legislation, which passed in the other body, by a 93-0 vote on August 2. Mr. Speaker, you can see we have drawn from many sources to craft what I believe is a reasonably balanced and effective piece of legislation.

S. 335, as amended, would establish strong consumer protections to prevent a number of types of deceptive mailings. It would impose various requirements on sweepstakes mailings, skill contests, facsimile checks, and mailings made to look like government documents. It would establish strong financial penalties, provide the Postal Service with additional authority to investigate and stop deceptive mailings, and preserve the ability of states to impose stricter requirements on such mailings.

I should note that in adopting H.R. 170, the House made changes to the notification system required by those sending skill contests or sweepstakes mailings. The House increased the number of days after which a name must be removed from such mailings lists from 35 to 60 days due to concerns raised by nonprofit mailers in the House hearing; the nonprofit

mailers did not testify before the other body. In addition, the House included the opportunity for a consumer to bring an individual, private right of action in State court when they receive a mailing after previously requesting to be removed from the mailing list of a skill contest or sweepstakes promoter. The House included provisions stating that promoters will have an affirmative defense against such actions if they have established and implemented, with due care, reasonable practices and procedures to effectively prevent mailings in violation of the section allowing names to be removed.

Pursuant to the new section 3016(d), promoters of skill contests or sweepstakes must establish and maintain a notification system that will allow for any individual to elect to have the name and address of that individual excluded from all lists of names and addresses used by that promoter to mail any skill contest or sweepstakes. The notification system in the bill passed by the Senate, and modified by the House, does not require that companies establish a specific type of system to allow consumers to request the removal of their names from mailing lists. The legislation requires companies to include in every mailing the address or a toll-free telephone number of the notification system, but does not require that consumers submit their request in writing to comply with the removal system. Companies are encouraged to adopt a consumer friendly system for the removal of names from their mailing lists, which may include the ability to have names removed by means of a call to a toll-free number. Companies using such a system would not be required to additionally require a consumer to provide their name in writing, but may wish to elect to verify the validity and accuracy of the consumer's election to be removed from their mailing list. Any appropriate method of establishing a record of removal requests by consumers would comply with the requirements of Section 8(d). This requirement should not require a promoter originating sweepstakes or skill contests on behalf of multiple unaffiliated entities to honor removal requests made to one entity in mailings sent on behalf of any other entity.

INTRODUCTION OF CLEANER  
BUSES FOR CLEANER CITIES ACT

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 10, 1999*

Mr. NADLER. Mr. Speaker, I am introducing legislation that would eliminate federal transportation funding to any person or agency that purchases diesel-fueled buses to be used in any ozone, particulate, or carbon monoxide nonattainment area under the clean Air Act. Black clouds of diesel exhaust are all too commonplace in many urban areas. My bill, the Cleaner Buses for Cleaner Cities Act, will help alleviate the devastating environmental and health problems caused by diesel exhaust.

Diesel exhaust negatively impacts millions of Americans every day. Diesel emissions are a large source of harmful oxides of nitrogen (NO<sub>x</sub>) and diesel particulate matter (PM). NO<sub>x</sub>

is the main ingredient in ground level ozone (or smog) and a contributor to acid rain. Diesel PM is especially dangerous because it is fine enough to become lodged deep into the lungs, aggravating respiratory ailments such as asthma, bronchitis, and pneumonia. Furthermore, diesel exhaust has been linked to cancer, lung damage, and premature death.

In my own district of New York City, the Metropolitan Transit Authority (MTA) has carelessly proposed to purchase 756 diesel buses, more than two times the number of alternative fuel buses they plan to acquire. Its decision and any other local agency's similar decision endangers the air quality and health of their communities. Many highly polluted cities like Los Angeles, Atlanta, Boston, and Houston are phasing out diesel buses and switching to Compressed Natural Gas (CNG) buses. CNG emits almost no toxic particles and significantly less smog-forming gases. Federal policy should applaud and encourage such environmentally beneficial measures, not provide funding for practices that sustain health hazards.

The elderly and children residing in poor minority communities suffer the most from the environmental hazards of diesel fuel. Asthma is the most common cause of hospitalization for children and asthma related deaths of children have risen 78% from 1980 to 1993. In certain parts of Manhattan and the South Bronx in New York City, the child asthma rates are five times the national average. The use of federal taxpayer money to perpetuate such a public health risk is illogical and irresponsible.

All available measures should be taken to better the quality of life in our cities, especially for our children. Enactment of the Cleaner Buses for Cleaner Cities Act would bring us one step closer to our goal.

IN PRAISE OF THE EFFORTS OF  
BRIG. GEN. HARRY GATANAS,  
COMMANDING GENERAL OF  
WHITE SANDS MISSILE RANGE,  
NM

**HON. JOE SKEEN**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 10, 1999*

Mr. SKEEN. Mr. Speaker, I call attention to an important event which will occur in my congressional district in southern New Mexico next week, on November 16th, 1999. On that day, Brig. Gen. Harry Gatanas will turn over the reins as Commanding General of the U.S. Army's White Sands Missile Range to incoming Brig. Gen. Steven Flohr.

Gen. Gatanas is deserving of special recognition for his efforts as the Commanding General of one of the nation's major test and evaluation ranges and for instituting cost-cutting measures and retooling strategies to enable the Range to upgrade existing technologies and capabilities as well as to attract new business. His story offers insights and positive suggestions to all military commanders throughout the country.

Gen. Gatanas took charge of White Sands on April 13th, 1998. During his tenure at the

Range, he demonstrated outstanding command performance of duty by significantly improving every aspect of the Range, while enhancing the well being of all with whom he served and was professionally associated. His command philosophy effectively focused on three principal elements simultaneously: mission, people and shaping White Sands for the 21st Century.

Upon assuming command at the Range, Gen. Gatanas immediately began rebuilding ties with several offices and customers of White Sands. During the last fiscal year (1999), White Sands Missile Range operated on a total budget of approximately \$550 million. Of that amount, only 30 percent was provided by the government in institutional (budget) funds, while the remaining 70 percent was generated from outside customers. All together, the Range employs almost 7,000 people, including military, government-contract labor and civilian labor.

To attract more business, Gen. Gatanas quickly implemented cost cutting efficiencies in test design and execution while streamlining test-support processes and procedures. The remarkable net effect of these efficiencies and processes not only increased White Sands' test activities by more than 18 percent during the last year, but also increased the Range's reimbursable income from 69 percent to 76 percent overall. By reinvesting dollars earned through well planned and executed efficiencies, White Sands has been able to invest over \$10 million of its budget dollars this year to accomplish modernization, while becoming one of the most cost-effective ranges for Project Managers to test rockets, missiles and weapon systems.

Gen. Gatanas' strategy for the 21st Century is already underway in many areas with modernized Range launch complexes currently under construction, test instrumentation upgrades being implemented, communication trunk radio networks and fiber optic local area networks being installed throughout the entire Range, and accelerated scheduled construction of the "state of the art" Cox Range Control Center which is nearing completion. I was pleased to work with the General to secure the necessary funds for these important projects in the 105th and 106th Congresses. The Range is pursuing technological breakthroughs in the development of miniaturized digital cameras and associated digitized test suites to allow White Sands to make finite measurements of sophisticated weapon systems.

Perhaps the General's greatest success was embodied in the Range's completion and validated Year 2000 compliance of White Sands' 6,500 computers that support daily test, analysis and operations. In fact, Gen. Gatanas established White Sands as the Year 2000 frontrunner in the entire Department of Defense through flawless Year 2000 demonstrations on four separate occasions during tests of Range and infrastructure assets for compliance, including live fire tests of four major weapon systems and associated command and control computers in comprehensive integrated end-to-end demonstrations. These events received national media news coverage. Even the House Appropriations Committee, in its committee report accompanying the FY 2000 Defense Appropriations