

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_x) and diesel particulate matter (PM). NO_x

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