

A RESOLUTION PRESENTING A MEMORIAL TRIBUTE TO THE LIFE AND LEGACY OF DR. THOMAS KILGORE, JR.

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, I submit the following tribute for the RECORD.

“PRECIOUS IN THE SIGHT OF THE LORD IS THE DEATH OF HIS SAINT”

Whereas, Thomas Kilgore, Jr. was born on February 20, 1913 in Woodruff, South Carolina—the sixth of twelve children of Thomas and Eugenia Kilgore; and

Whereas, Thomas Kilgore, Jr. received his formal education in Woodruff, Brevard and Asheville, North Carolina, having shown early his profound intellect, he graduated with honors from Morehouse College in 1935; did graduate work at Howard University during 1944–45; and received a Masters of Divinity from Union Theological Seminary in New York City in 1957, and was the recipient of numerous honorary doctoral degrees; and

Whereas, Thomas Kilgore, Jr. accepted God at the early age of 9 and from this spiritual renderance came the most prophetic preacher sought after throughout this nation, and he did not hesitate to inform the world of his calling by God to do His tasks, and was recognized by Ebony Magazine as one of America's 15 greatest black preachers; and

Whereas, Thomas Kilgore, Jr. utilized his brilliant mind to turn his ideas into reality and his vision into fruition, and this combination of intelligence and integrity led him to organize voter registration in schools and the unionization of tobacco workers in Winston-Salem, North Carolina in 1943; and

Whereas, Thomas Kilgore, Jr. helped orchestrate the Kings' March on Washington and directed a prayer pilgrimage for freedom at the Lincoln Memorial in Washington; and was the vanguard in the organization of an all day meeting with all segments of the black community to plan the appropriate memorial service for Dr. Martin Luther King, Jr.; and

Whereas, Thomas Kilgore, Jr. married Jeannetta Marion Scott in 1936, a lifelong educator, and were the proud parents of two daughters, Lynn Elda and Jini Medina, and the proud grandparents of three: Robin, Niambi, and Okera, and one great grandson, Justen. Now therefore, be it

Resolved, That Congresswoman Juanita Millender-McDonald, a mentee of his, proudly recognizes this man of vision, courage and wisdom and his distinguished service of humanity to this nation and the world.

Dated this 1st day of December, 1999.

TRIBUTE TO JOE SERNA, JR.

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. BECERRA. Mr. Speaker, I rise today with profound sadness in my heart to pay tribute to Mr. Joe Serna, Jr.

Joe Serna, Jr. lived a life which exemplified what is best in the American dream.

Joe grew up the son of immigrant farm laborers. Throughout his youth, he worked tire-

lessly on behalf of migrant farm workers under the guidance of his role model, Cesar Chavez. The experience gave Joe great strength of character and led him to dedicate his life to the service of others. As a professor of government and ethics at California State University at Sacramento, Joe continued to be a champion and advocate of migrant worker rights while also reaching out to the young minds in his classrooms.

Joe was elected to the Sacramento City Council on November 3, 1981 and served there until his election as mayor of Sacramento on November 3, 1992. In rising to mayor of Sacramento, Joe became the first Latino mayor of a major California city.

Joe was known by all as a man of the highest ethic and integrity. He was a master coalition builder, always working for the common good. Joe leaves behind a powerful legacy as a revitalizer of his city, and as a crusader for educational reform.

My personal memory of him will be as a friend and role model. He was a man who could have held some of the highest government posts in the Capitol of the United States, Washington, DC. I say this from close, personal knowledge. Instead, Joe chose to serve the people of another great Capitol—Sacramento, my hometown, and the place to which he devoted his life and energy.

Joe Serna, Jr. will be greatly missed in both Sacramento and throughout the State which he so valiantly sought to improve and see prosper.

TRIBUTE TO IVÁN RODRÍGUEZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Mr. Iván Rodríguez, an outstanding Puerto Rican athlete and a very successful baseball player. On Thursday, November 18, Iván was named the 1999 American League Most Valuable Player by the Baseball Writers Association of America. It marks the first time that a catcher has captured an MVP in either league since Thurman Munson of the New York Yankees in 1976. Iván becomes the ninth catcher in major league history to win a Most Valuable Player Award.

It is the sixth MVP for a native of Puerto Rico with the others being Roberto Clemente in 1966, St. Louis' Orlando Cepeda in 1967, Detroit's Willie Hernandez in 1984, and Juan Gonzalez in 1996 and 1998.

Born on November, 30, 1971 in Vega Baja, Puerto Rico, Iván was named on all 28 ballots, with seven 1st place votes, six 2nd place votes, seven 3rd place votes, five 5th place votes, two 6th place votes, and a seventh place vote for 252 points.

Mr. Speaker, Iván batted .332 with 35 homers and 113 RBIs in 144 games in 1999. He established an American League record for home runs by a catcher and was the first backstop in league history with 30 homers, 100 RBIs, and 100 runs scored. Iván also had 25 stolen bases, tied for fifth most ever for a catcher, and was the first major league catch-

er ever with 20+ homers and 20+ steals. He was fifth in the American League in hits (199), and ranked seventh in average, runs (116-tied), and total bases (335). His .332 average was the highest for an American League catcher since New York's Bill Dickey (.332) in 1937).

Behind the plate, Iván won his eighth consecutive Rawlings Gold Glove Award, the second most in history behind Johnny Bench. He threw out 54.2% (39 of 72) of the runners attempting to steal, the fifth straight year he has led the majors in that department. It was the highest percentage since statistics were first kept. Iván also led major league catchers with 141 starts and had ten pure pickoffs.

Iván also captured his sixth consecutive A.L. Silver Slugger Award and was selected as the catcher on the Associated Press Major League All-Star Team.

Through his dedication, discipline, and success in baseball, Iván serves as a role model for millions of youngsters in the United States and Puerto Rico who dream of succeeding, like him, in the world of baseball.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Iván Rodríguez for his contributions and dedication to baseball, as well as for serving as role model for the youth of Puerto Rico and the U.S.A.

CONFERENCE REPORT ON H.R. 3194, CONSOLIDATED APPROPRIATIONS AND DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. OXLEY. Mr. Speaker, H.R. 3194 contains a provision exempting from Superfund liability certain transactions in recyclable materials. This exemption is drawn from S. 1528. While Senators LOTT and DASCHLE have provided a basic description of Congress's intent in passing the language, the purpose of this statement is to provide some additional detail on two particular provisions: § 127(g) on the liability of other parties at affected Superfund sites, and § 127(i) on the effect on completed actions.

New § 127 of CERCLA provides that parties who engaged in certain transactions involving recyclable materials “shall not be liable” under the provisions of Superfund. Subsection (g) describes the effect of this bill on the Superfund liability of owner/operators who remain liable at a site. This provision clearly provides that at a Superfund site where some parties are exempted from liability by § 127, the remaining non-exempt owner/operators at the site should not face increased liability as a result of the enactment of § 127. As a result, the liability of owner/operators is to be determined as if § 127 had not been enacted, using the usual and customary factors considering the relative contribution of all parties, both exempt and non-exempt. This provision ensures that any exempted share created by operation of this section is not transferred to owner/operators.

New § 127 also contains transition language which governs how the recycled materials exemption is intended to affect Superfund liability in pending or concluded actions. § 127(i) provides that the exemptions from CERCLA liability shall not affect any concluded judicial or administrative action or any pending judicial action initiated by the United States prior to enactment. One reason for this amendment is to ensure that where a judicial or administrative action has been fully complied with, this bill will not force persons who believed that they had fully settled their liability and claims to revisit those issues.

However, where a consent decree or other judicial order requires enforcement of its terms after the date of enactment, nothing in this section should be interpreted to prevent a person subject to such future enforcement from revisiting the validity of those future obligations in light of the passage of this legislation. § 127(i) should not be interpreted as leading to the fundamentally inequitable result that a person could be forced at some future date to take actions to abide by a consent decree where the legal predicate for the consent decree has changed so substantially that it no longer has a foundation in federal law or conflicts in part with federal law. Congress does not intend the transition language to overrule Supreme Court precedent holding that "parties have no power to require of the court continuing enforcement of rights the statute no longer gives." *System Federation No. 91 v. Wright*, 364 U.S. 642, 652 (1961). Nothing in this legislation prevents parties from filing motions under rule 60(b) of the Federal Rules of Civil Procedure to re-open the consent decree with respect to future obligations.

PERSONAL EXPLANATION

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 605. Had I been present I would have voted "no" on rollcall No. 605.

SALUTING THE CAREER OF CHIEF DAVID P. NEWSHAM SERVING BURBANK AND THE SURROUNDING COMMUNITIES FOR NEARLY 3 DECADES

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. ROGAN. Mr. Speaker, today our country is stronger, more secure, and safer than it was just a few short years ago. Nowhere is this more true than in my own district. Today, the City of Burbank and the surrounding communities are among the safest areas in the country. The unique quality of life in my district is due in no small part to the efforts of one distinguished public servant. And today, I ask my colleagues to join me in saluting him as he

celebrates his retirement—Chief David P. Newsham.

Chief Newsham has been committed to public service for nearly three decades. A native of Long Beach, California, he served in the Air Force for four years and graduated from the University of Redlands with a degree in Management. In 1970 he joined the ranks of the Burbank Police Department as a Reserve Officer. In 1972, he earned his badge as a sworn officer. He would go on to serve in all three divisions of the department—administration, investigation, and as a uniformed patrol officer—gaining invaluable experience that would serve him later as the department's Chief.

In many cities the Police Chief is an appointed administrative role, but not in Burbank. Chief Newsham has distinguished himself throughout the community as a man who is dedicated to making our hometown a better place to live through his own deeds. He is a committed volunteer with the Boy Scouts of America, the Burbank YMCA, the Burbank Kiwanis Club, the American Red Cross and a host of other civic and law enforcement associations.

What's more, he has made community service and accountability a hallmark of his administration. Chief Newsham was instrumental in establishing the Departmental Air Support Program—linking Burbank with nearby communities through a joint air patrol service. He implemented innovative agility and fitness programs for all Burbank officers, and played a key role in the development and completion of the city's new joint Police-Fire headquarters facility.

And Mr. Speaker, I am proud to say that I am not the only resident of Burbank to attest to his success as Chief of Police. As the Los Angeles Daily News recently reported, when David Newsham took over the reins as Chief, the city's Elmwood area was riddled with gang activity. Under his leadership, the city took immediate action and, with the help of the courts and community volunteers, cleaned up the Elmwood neighborhood. Today, in the Chief's own words, "the problem down there is gone."

As with all men and women in uniform, the Chief's service extends beyond his daily work in uniform. He is a committed community activist and volunteer, proving that the true meaning of public service is to give back more than we received from our community. As he retires from the Burbank Police Department, Chief Newsham leaves the community a stronger, safer and more prosperous community than it was when he began. In recognition of his nearly three decades of service, and as thanks from a grateful resident of Burbank, I ask my colleagues to join me in saluting the service of Chief David P. Newsham.

TRIBUTE TO SISTER DAMIEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. KAPTUR. Mr. Speaker, I wish to extend my profoundest condolences to the Sisters of St. Francis and all of the friends of our dear,

beloved Sr. Damien, upon her passing from this life into the next. Sister Mary Damien was a treasured friend and gifted educator in Toledo, Ohio. She was an absolute inspiration, a master craftswoman of teaching, a singularly focused and dedicated educator.

To watch Sr. Damien practice her craft was pure joy. She knew every trick to command the attention of students and to grade them on an infinite variety of skills she hoped they would come to master. I recall, as an adult, visiting her class at Central Catholic High School with a former classmate from Little Flower Grade School, which was attended when Sister Damien was our teacher and principal. As we observed her work with her Geometry students, we remembered and reveled in the moment. She was unrivaled in her trade.

She kept a black notebook on her desk, with the name of each student in it. As the months of the school year went by, there appeared thousands of crosshatches aside each student's name, indicating that student's performance on technical material as well as other measures of performance. Those notebooks were as detailed as the program for the Mars launch. She graded students for everything—from participation to effort to appearance. Though one could never be certain what all the categories were, every student knew there was always room for improvement. I can still hear her teaching students how to spell commonly misspelled words, and remember the distinction she drew between "pupil" and "student" as she tried to get young minds to grow. She had a unique ability to challenge her students to exercise "the gray matter between the ears" even as she never stopped using hers. She embodied a living metaphor for lifelong learning.

Sr. Damien always wore her habit, a most pious Sister of St. Francis. She never pushed religion, but she lived her vows every day. Her holiness and piety moved with her. I must also offer public gratitude to her for her abiding kindness to our family, through good times and those that were difficult. She was always there for us, and I am sure, for countless others. She lived for others, and it was a double joy to know her as we, her students, became adults and shared the wonderful gift of a lifespan together.

Sister Mary Damien was a stern task master, yet beloved by all of her students. We consider ourselves many times blessed to have known her and been helped to grow through her tutelage. What she selflessly gave to all of us—literally thousands of students who were fortunate to sit at her knee—is priceless. Her contributions to others will live through the people she helped to advance educationally and spiritually. What a legacy she has left as she served Christ and our Blessed Mother as a Sister of St. Francis.

HONORING ONE OF AMERICA'S
FINEST: ISAIAH HILLARD PILLORS

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to honor a very distinguished gentleman