

It has been said that events in Birmingham during the early 1960s, and my colleague from Virginia referred to some of those, stirred the conscience of the Nation and influenced the course of civil rights in the world. I know of no other city that has worked harder to overcome its missteps and its mistakes than my native city, Birmingham.

My colleague, the gentleman from Alabama (Mr. HILLIARD), when this resolution came up before, said that there has been a real positive change in race relations in Birmingham other the past 40 years. He and I are both natives of Birmingham, and we are proud of the progress that our city has made. The Birmingham that has emerged is one built on a foundation of racial sensitivity and strength and diversity. Today's Birmingham is dedicated not only to preserving the history of its struggle but, more importantly, to ending racial intolerance, bigotry, and prejudice, not only in Birmingham but around the world. That is why this effort is being made by Birmingham civic groups and educational groups.

Mr. Speaker, by passing House Resolution 102, the House will again be showing its support for their commendable effort.

Mr. Speaker, I thank the gentleman from Virginia (Mr. SCOTT) for his support and his kind remarks. He has been a sponsor of this bill since the very beginning. In closing, I urge all my colleagues to support this worthy resolution.

Mr. HILLIARD. Mr. Speaker, I am joining with SPENCER BACHUS in presenting this Resolution taking the Birmingham Pledge nationwide.

I was blessed to be a footsoldier in the civil rights movement, the greatest freedom struggle of our times, and it has shaped my life and my public service.

Racism is the cancer that has eaten at the heart of this nation since before it was founded, and has defined much of our history.

Birmingham, and the State of Alabama, which are my home city and state, have been in the past among the most guilty of this monstrous crime, and Birmingham is now among the most progressive in combating it.

This pledge, written by the people of Birmingham, should be taken to heart by every American.

Let every American sign it; let every American live by it.

THE BIRMINGHAM PLEDGE

I believe that a person has worth as an individual.

I believe that every person is entitled to dignity and respect, regardless of race or color.

I believe that every thought and every act of racial prejudice is harmful; if it is my thought or act, then it is harmful to me as well as to others.

Therefore, from this day forward I will strive daily to eliminate racial prejudice from my thoughts and actions.

I will discourage racial prejudice by others at every opportunity.

I will treat all people with dignity and respect; and I will strive daily to honor this

pledge, knowing that the world will be a better place because of my effort.

Mr. BACHUS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and concur in the Senate amendments to the joint resolution, House Joint Resolution 102.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

□ 1530

PROTECTING SENIORS FROM FRAUD ACT

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3164) to protect seniors from fraud.

The Clerk read as follows:

S. 3164

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Seniors From Fraud Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Older Americans are among the most rapidly growing segments of our society.

(2) Our Nation's elderly are too frequently the victims of violent crime, property crime, and consumer and telemarketing fraud.

(3) The elderly are often targeted and re-targeted in a range of fraudulent schemes.

(4) The TRIAD program, originally sponsored by the National Sheriffs' Association, International Association of Chiefs of Police, and the American Association of Retired Persons unites sheriffs, police chiefs, senior volunteers, elder care providers, families, and seniors to reduce the criminal victimization of the elderly.

(5) Congress should continue to support TRIAD and similar community partnerships that improve the safety and quality of life for millions of senior citizens.

(6) There are few other community-based efforts that forge partnerships to coordinate criminal justice and social service resources to improve the safety and security of the elderly.

(7) According to the National Consumers League, telemarketing fraud costs consumers nearly \$40,000,000,000 each year.

(8) Senior citizens are often the target of telemarketing fraud.

(9) Fraudulent telemarketers compile the names of consumers who are potentially vulnerable to telemarketing fraud into the so-called "mooch lists".

(10) It is estimated that 56 percent of the names on such "mooch lists" are individuals age 50 or older.

(11) The Federal Bureau of Investigation and the Federal Trade Commission have provided resources to assist private-sector organizations to operate outreach programs to warn senior citizens whose names appear on confiscated "mooch lists".

(12) The Administration on Aging was formed, in part, to provide senior citizens with the resources, information, and assistance their special circumstances require.

(13) The Administration on Aging has a system in place to inform senior citizens of the dangers of telemarketing fraud.

(14) Senior citizens need to be warned of the dangers of telemarketing fraud before they become victims of such fraud.

SEC. 3. SENIOR FRAUD PREVENTION PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General \$1,000,000 for each of the fiscal years 2001 through 2005 for programs for the National Association of TRIAD.

(b) COMPTROLLER GENERAL.—The Comptroller General of the United States shall submit to Congress a report on the effectiveness of the TRIAD program 180 days prior to the expiration of the authorization under this Act, including an analysis of TRIAD programs and activities; identification of impediments to the establishment of TRIADS across the Nation; and recommendations to improve the effectiveness of the TRIAD program.

SEC. 4. DISSEMINATION OF INFORMATION.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Assistant Secretary of Health and Human Services for Aging, shall provide to the Attorney General of each State and publicly disseminate in each State, including dissemination to area agencies on aging, information designed to educate senior citizens and raise awareness about the dangers of fraud, including telemarketing and sweepstakes fraud.

(b) INFORMATION.—In carrying out subsection (a), the Secretary shall—

(1) inform senior citizens of the prevalence of telemarketing and sweepstakes fraud targeted against them;

(2) inform senior citizens how telemarketing and sweepstakes fraud work;

(3) inform senior citizens how to identify telemarketing and sweepstakes fraud;

(4) inform senior citizens how to protect themselves against telemarketing and sweepstakes fraud, including an explanation of the dangers of providing bank account, credit card, or other financial or personal information over the telephone to unsolicited callers;

(5) inform senior citizens how to report suspected attempts at or acts of fraud;

(6) inform senior citizens of their consumer protection rights under Federal law; and

(7) provide such other information as the Secretary considers necessary to protect senior citizens against fraudulent telemarketing and sweepstakes promotions.

(c) MEANS OF DISSEMINATION.—The Secretary shall determine the means to disseminate information under this section. In making such determination, the Secretary shall consider—

(1) public service announcements;

(2) a printed manual or pamphlet;

(3) an Internet website;

(4) direct mailings; and

(5) telephone outreach to individuals whose names appear on so-called "mooch lists" confiscated from fraudulent marketers.

(d) PRIORITY.—In disseminating information under this section, the Secretary shall give priority to areas with high incidents of fraud against senior citizens.

SEC. 5. STUDY OF CRIMES AGAINST SENIORS.

(a) IN GENERAL.—The Attorney General shall conduct a study relating to crimes against seniors, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes.

(b) ISSUES ADDRESSED.—The study conducted under this section shall include an analysis of—

(1) the nature and type of crimes perpetrated against seniors, with special focus on—

(A) the most common types of crimes that affect seniors;

(B) the nature and extent of telemarketing, sweepstakes, and repair fraud against seniors; and

(C) the nature and extent of financial and material fraud targeted at seniors;

(2) the risk factors associated with seniors who have been victimized;

(3) the manner in which the Federal and State criminal justice systems respond to crimes against seniors;

(4) the feasibility of States establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;

(5) the effectiveness of damage awards in court actions and other means by which seniors receive reimbursement and other damages after fraud has been established; and

(6) other effective ways to prevent or reduce the occurrence of crimes against seniors.

SEC. 6. INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY.

Beginning not later than 2 years after the date of enactment of this Act, as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to—

(1) crimes targeting or disproportionately affecting seniors;

(2) crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur; and

(3) specific characteristics of the victims of crimes who are seniors, including age, gender, race or ethnicity, and socioeconomic status.

SEC. 7. STATE AND LOCAL GOVERNMENT OUTREACH.

It is the sense of Congress that State and local governments should fully incorporate fraud avoidance information and programs into programs that provide assistance to the aging.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 3164.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is Senate bill 3164, titled "Protecting Seniors From Fraud Act." It was introduced by Senators EVAN BAYH and ROD GRAMS and passed the other body unanimously on October 25.

The bill will provide funding to local programs that are a part of the National Association of TRIADs, a community policing program that partners law enforcement agencies with senior citizen volunteers to help reduce fraud and other crime especially against the elderly. There are 725 countries with TRIADs nationwide which help more than 16 million of our seniors.

Mr. Speaker, American seniors are disproportionately victims of telemarketing and sweepstakes fraud. Even though Americans over the age of 50 account for only 27 percent of the United States population, they comprise 56 percent of the so-called "mooch lists" used by fraudulent telemarketers. Unfortunately, fraudulent telemarketers prey upon trusting seniors who by their nature are often trusting and compassionate individuals.

As a result, seniors in our country lose approximately \$14.8 billion, that is almost \$15 billion, every year to fraudulent telemarketers.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3164, the Protecting Seniors From Fraud Act. I would have preferred to have seen the bill developed through the normal legislative process of hearings and markups at the committee level so that we could have judged more fully the need that we are seeking to address. However, I am prepared to support the bill since its primary function is to reauthorize funding for the TRIAD program, a proven community policing program that partners law enforcement agencies with senior volunteers to reduce crime and fraud amongst the elderly. The TRIAD program operates in 47 States and 725 counties and assists over 16 million seniors nationwide.

The bill also creates a clearinghouse for information to educate seniors about the dangers of fraud, including telemarketing and sweepstakes fraud. It requires the U.S. Attorney General to conduct a study of crimes against seniors.

The bill requires the inclusion of seniors in the National Crime Victims Survey, and it encourages State and local governments to fully incorporate fraud avoidance information in their aging services programs.

Seniors are often the target of telemarketing and sweepstakes fraud. There are over 140,000 telemarketing firms operating in the United States. The AARP estimates that about 10 percent of them, fully 14,000 firms, use fraudulent practices.

The FBI estimates that consumers lose about \$40 billion a year to telemarketing fraud. The AARP estimates that while seniors make up about 27 percent of the United States popu-

lation, they incur about 37 percent of the \$40 billion loss.

Despite considerable efforts to address these issues in recent years, many seniors are still not aware of these problems and of their rights and protections against them. According to the AARP, Americans over 65 are the least likely to know about Federal protections from fraud.

Adopting this bill will allow us to continue the partnerships and cooperative efforts with seniors and with State and local governments to prevent and address senior fraud.

I want to thank the gentleman from Alabama (Mr. BACHUS) for his leadership on this bill. I urge my colleagues to support the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the crimes that the gentleman from Virginia (Mr. SCOTT) spoke about, these crimes which cost our elderly citizens \$15 billion a year, many of them can be prevented if seniors are educated about their consumer rights and if they are informed about methods available to them to confirm the legitimacy of an investment or product offered to them over the telephone.

According to a national survey, 70 percent of older fraud victims say it is difficult for them to identify when fraud is happening. Forty percent of older Americans say that they have difficulty distinguishing between a legitimate and a fraudulent telemarketing sales call.

There is definitely a need to educate seniors about the dangers of fraud and how to avoid becoming a victim of fraud, and that is what this legislation attempts to do. It addresses this problem by authorizing a million dollars each year for 5 years to ensure the continuation of programs which try to educate seniors.

The bill also requires the Secretary of Health and Human Services to disseminate information to seniors on fraud prevention through the area agencies on aging and other existing senior-focused programs.

The bill continues a provision which would require the statistics concerning crime committed against seniors be included in the Annual Crime Victims Survey performed by the Department of Justice and would also require the Attorney General to conduct a specific study of crimes committed against seniors.

In conclusion, let me say that protecting seniors from fraud is of great importance to all of us. Our senior population continues to grow as our population ages and more seniors are saving money for their retirement, and anything this body can do to help them protect their retirement income and retirement money is important.

Our seniors deserve to know about those who would defraud them, and this program will help inform them of various schemes and devices used to defraud them. It has the strong support of the law enforcement community, bipartisan support.

I urge all my colleagues to support this bipartisan legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the Senate bill, S. 3164.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

WAIVING CONGRESSIONAL REVIEW OF CHILD IN NEED OF PROTECTION AMENDMENT ACT OF 2000

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5537) to waive the period of congressional review of the Child in Need of Protection Amendment Act of 2000.

The Clerk read as follows:

H.R. 5537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WAIVER OF CONGRESSIONAL REVIEW PERIOD.

Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act (sec. 1-233(c)(1), D.C. Code), the Child in Need of Protection Amendment Act of 2000 (D.C. Bill 13-796) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. DAVIS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

GENERAL LEAVE

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5537.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5537, a bill to waive the period of congressional review of the Child in Need of Protection Amendment Act of 2000.

The legislation will waive the 30-day congressional review period for the Dis-

trict of Columbia bill 13-796, the Child in Need of Protection Amendment Act of 2000, a critical bill which will have a direct impact on the D.C. Child and Family Services Agency and the children in its care.

Ordinarily, the congressional review period is required under the D.C. Home Rule Act before any D.C. legislation can be enacted. However, due to the CFSA crisis, it is imperative that H.R. 5537 pass in order to protect the Child in Need of Protection Amendment Act of 2000 to take effect on the day it is enacted by the City or on the day that H.R. 5537 is enacted, whichever is later.

CFSA has languished in receivership for 5 years. Even under direction of its second court-appointed receiver, CFSA has continued to demonstrate extreme deficiencies in the delivery of expected service. In fact, one child, Brianna Blackmond, died when she was returned to her neglectful mother. This was a tragic death which may have been avoided if CFSA had provided the court with all of the relevant information regarding Brianna's home environment.

As a result, this year the Subcommittee on the District of Columbia held two hearings regarding this receivership. We heard promises about CFSA's court appointed reform efforts, which are required so that the agency can function efficiently and return to the District of Columbia Government.

Unfortunately, the operational breakdowns at CFSA have continued and the receivership has not delivered on their promises.

At our second hearing, in September, the subcommittee called on all parties involved in this situation: CFSA, the plaintiffs, the court system, and the District Government to come together to create and implement an emergency plan to reform CFSA and the receivership. The City's legislation will accomplish just that.

The Child in Need of Protection Amendment Act of 2000 will reorganize CFSA as a separate and distinct agency with personnel authority. The legislation ends the bifurcation of the abuse and neglect system to provide better care and protection for the children. It also includes provisions to limit the amount of time that a child is required to spend in foster care, to provide financial support for neighborhood-based family support services to at-risk families, to amend the confidentiality provisions to allow foster and adoptive parents greater access to information about the needs of a child, streamline the court process, and provide more placement options for children who cannot return home.

I would like to thank the gentleman from Texas (Mr. DELAY), the majority whip, for his involvement and assistance with the Child and Family Services Agency crisis in the District. As a foster parent himself, the gentleman

from Texas (Mr. DELAY) has a strong personal interest in helping and protecting abused and neglected children in the child welfare system. His leadership has helped the City obtain the necessary resources to make informed decisions about the organizational reforms needed at CFSA in order to comply with the court orders and return the agency to the District Government.

I also want to thank my colleague, the gentlewoman from the District of Columbia (Ms. NORTON), for her leadership and support as we have examined the progress of this agency as well as the other D.C. agencies under receivership.

With the District's most vulnerable and underrepresented voices in dire need of our assistance, we must let them know that help is on the way by working together to institute the best course of action needed to correct CFSA's systematic inadequacies. Therefore, I urge all of my colleagues to join me in support of H.R. 5537.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5537, a bill to waive the period of congressional review of the Child in Need of Protection Amendment Act of 2000. This noncontroversial legislation is necessary to ensure the District of Columbia's swift compliance with the consent order to return the Child and Family Services Agency now in receivership to the District Government.

The District of Columbia Home Rule Act requires that all civil legislation passed by the Council and signed by the Mayor undergo congressional review for 30 legislative days before taking effect. H.R. 5537 merely waives this requirement for legislation that will be passed shortly by the D.C. City Council to restructure the District's Child and Family Services Agency.

Earlier this year an infant, Brianna Blackmond, was found dead after being returned to her mother's care. The decision to return Brianna to her mother was criticized because her mother had previously been found in neglect of Brianna and her seven siblings.

□ 1545

The tragic death of baby Brianna prompted the Subcommittee on the District of Columbia to hold two hearings examining the District's Child and Family Services Agency and to pass legislation, now on its way to the President for his signature, requiring receiverships to adhere to best practices and cost controls. H.R. 5537 is a continuation of congressional efforts to assist the District government in its efforts to reform the District's foster care system.

The Child and Family Services Agency has been under court receivership since 1995 because of serious failings in