

PRIVATE PROPERTY RIGHTS
IMPLEMENTATION ACT OF 2000

SPEECH OF

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2372) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution:

Mr. HASTINGS of Washington. Mr. Chairman, I rise today in strong support of H.R. 2372, the "Private Property Rights Implementation Act of 2000." This commonsense legislation makes it easier for landowners that have had the use of their property taken by the Federal Government to get their day in court.

While the fifth amendment requires the Government to compensate citizens for the taking of their private property, these property owners have found it almost impossible to gain access to the Federal courts to pursue their claims. Quite simply, H.R. 2372 would provide a way out of the regulatory limbo that requires property owners to seek a "final" answer at the local level before pursuing this constitutional issue in Federal court. Contrary to claims that the bill would circumvent local authority, it outlines specific requirements that claimants must pursue before receiving action from the Federal courts. These include an appeal to the local planning commission, an application from the local zoning board, and an appeal to the local board of elected officials. Thus, the bill protects local authority while ensuring that justice is done in a timely manner.

Mr. Chairman, we in the Pacific Northwest are being inundated with new Federal requirements and restrictions relating to salmon and other species protected under the Endangered Species Act. The impacts of these new Federal actions on private property owners are only beginning to be felt, but promise to be significant. This legislation will ensure that the victims of Federal takings do not have to wait 10 years—the current average time it takes to get access to a Federal court—to seek just compensation. Private property owners in my district need to know that there is a clear and fair process in place for them to defend their fifth amendment rights. That is exactly what H.R. 2372 provides.

I commend the gentleman from Florida, Mr. CANADY, for bringing this legislation before the House and I urge my colleagues to support it.

EXTENSIONS OF REMARKS

GREATER PITTSSTON FRIENDLY
SONS OF ST. PATRICK HONOR
WILLIAM MCFADDEN

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to William P. McFadden. This year, the Greater Pittston Friendly Sons of St. Patrick will honor Bill with the W. Francis Swingle Award at their annual St. Patrick's Day Banquet. I am pleased and proud to have been asked to participate in this event.

The Swingle Award is named in honor of Professor Frank Swingle, a noted and respected educator and orator, active in civic organizations locally. Bill McFadden will be the eleventh recipient of this prestigious award.

Mr. McFadden has had an exemplary career in nursing for more than thirty-two years. He specialized in industrial nursing at Bethlehem Steel, Lebanon, Pennsylvania, and also the Ford Motor Company, Chester, Pennsylvania, and San Jose, California. Administratively, Bill was Staff Nurse and Supervisor at Wilmington Veterans Administration Hospital, Director of Nursing at Fresno Community Hospital in California and a nursing home supervisor in New Jersey. Until his retirement in 1985, he served as Nursing Supervisor at East Orange Veterans Hospital, New Jersey.

Mr. Speaker, Mr. McFadden is a native son of Northeastern Pennsylvania, having been born and raised here. He attended St. John's High School in Pittston, went on to St. Joseph's School of Nursing in Philadelphia and received his degree in nursing from Villanova University in 1959. He served in the Navy Reserves from 1945 to 1947.

Mr. Speaker, I am proud to congratulate William McFadden on this prestigious award. I join with his wife Ann, family, and his many good friends in sending him my most sincere best wishes as he accepts this honor.

ROBERT MILLER, JR.: MAN OF
THE YEAR

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. SMITH of Michigan. Mr. Speaker, I honor today Robert B. Miller, Jr., of Battle Creek, Michigan, Scene Magazine's 1999 Man of the Year.

"Bob," as he likes to be called, is one of Battle Creek's best known citizens due in large measure to his legacy of personal and financial commitment to the greater Battle Creek community. Today, the community will show its appreciation and gratitude for Bob's many years of philanthropy and dedication, as they gather to pay tribute to him as the 1999 Man of the Year.

Robert Miller, Jr. is a naval veteran and graduate of Michigan State University, with degrees in marketing and English. He has spent most of his professional life in the print media, working for such newspapers as the Lansing

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State Journal, Idaho Statesman and the Daily Olympian, before making his mark on Battle Creek as publisher of the Battle Creek Enquirer and News, a position he inherited from his father, the late Robert Miller, Sr.

Robert Miller, Jr. epitomizes the word philanthropy. He has been as much involved in civic duties as he was in professional journalism. He's served as a trustee of the Miller Foundation and as a member of its Grants Review Committee, as well as being a member of the local Red Cross, United Way and numerous other boards and committees. Most recently, he can be found working on behalf of the Humane Society and as an advocate for Big Brothers/Big Sisters.

As a professional, Bob has led by example, blending strength, drive and determination with tremendous character, devotion and kindness. I admire Bob for his professional involvement and dedication to civil activities and service to the community. He exemplifies what it means to be a citizen, having set a standard of excellence which serves as an example for others in the community.

I commend Robert B. Miller, Jr. for his many years of hard work and tireless devotion in making his community a better place to live, work and raise a family. And I congratulate him on being named Scene Magazine's 1999 Man of the Year.

INDO-AMERICAN HI-TECH LINKS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. McDERMOTT. Mr. Speaker, we can all be justifiably proud of the fact that our nation is continuing its unparalleled record of economic growth. We can also be proud of the fact that our growth, which has benefited so many American citizens, rests in large measure on our hi-tech industries.

But how many of us recognize that our prosperity also rests in part on the intelligence, entrepreneurship and skills of many thousands of Indians, and Indo-Americans?

Let me provide my colleagues with some facts about how Indian trained software engineers, computer programmers and designers contribute to America's prosperity.

Indians own or run over 750 Silicon Valley firms that collectively employ over 16,000 people and have achieved over \$3.5 billion in sales.

Of the 115,000 visas given by the United States for skilled workers in 1999, 35,000 went to Indians.

The vast majority of India's \$4 billion in software sales last year went to American companies.

American firms like Hewlett-Packard, Microsoft, IBM and Oracle increasingly are looking to invest in India or purchase hi-tech products from India.

President Clinton recognizes the contributions India has made to America's economic growth. When he visits India later this month, he is expected to stop in the city of Hyderabad, one of the centers for India's growing hi-tech industry. His stop will dramatize India's rapid development as a cutting