

INTRODUCTION OF THE INTERNET  
TAX FAIRNESS ACT OF 2001**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 17, 2001*

Mr. GOODLATTE. Mr. Speaker, I am pleased to introduce today, along with my good friend, Mr. BOUCHER, the Internet Tax Fairness Act of 2001.

This much-needed bipartisan legislation permanently extends the current moratorium on Internet access taxes and multiple and discriminatory taxes. In addition, this legislation clarifies state and local authority to collect business activity taxes from out-of-state entities.

As many of you know, the Internet Tax Fairness Act of 1998 created a moratorium on Internet access taxes and multiple and discriminatory taxes. As a result of this moratorium, the Internet has remained relatively free from the burdens of new taxes. However, the moratorium is set to expire in October, subjecting the Internet to possible taxation from more than 7,500 taxing jurisdictions. We must continue to ensure that the Internet remains free from restrictive taxation by making the tax moratorium permanent.

In addition, many States and some local governments levy corporate income and franchise taxes on companies that either operate or conduct business activities within their jurisdictions. While providing revenue for States, these taxes also serve to pay for the privilege of doing business in a State.

Supreme Court precedent is clear that a state cannot impose a tax on an out-of-state business unless that business has a "substantial nexus" with the taxing state. In addition, over forty years ago, Congress passed legislation to ensure that states could not tax the income of out-of-state corporations whose in-state presence was minimal. Public Law 86-272 set uniform, national standards for when states could and could not impose such taxes. However, like the economy of the time, Public Law 86-272 was limited to tangible personal property.

With the growth of the Internet, companies are increasingly able to conduct transactions without the constraint of geopolitical boundaries. The increasing rate of interstate and international business-to-business and business-to-consumer transactions raises questions over states' ability to collect income taxes from companies conducting business within their jurisdiction.

Over the past several years, a growing number of states have sought to collect business activity taxes from businesses located in other states, even though those businesses receive no appreciable benefits from the collecting states and even though the Supreme Court has ruled that the Constitution prohibits a state (without the consent of Congress) from imposing tax on businesses that lack substantial connections to the state. This has led to unfairness and uncertainty, generated contentious, widespread litigation, and hindered business expansion, as businesses shy away from expanding their presence in other states for fear of exposure to unfair tax burdens.

## EXTENSIONS OF REMARKS

*July 18, 2001*

In this period where the rapid growth of e-commerce will shape the economy of the 21st century, this expansion of the States' power to impose business activity taxes, left unchecked, will have a chilling effect on e-commerce, interstate commerce generally, and the entire economy as tax burdens, compliance costs, litigation, and uncertainty escalate.

Accordingly, the second recommendation of the Advisory Commission on Electronic Commerce majority was that Congress establish national standards for when states can impose business activity taxes.

That is why we are introducing this important legislation today. The Internet Tax Fairness Act establishes definite, specific standards to govern when businesses should be obliged to pay business activity taxes, which will ensure fairness, minimize litigation, and create the kind of legally certain and stable business climate which encourages businesses to make business investments, expand interstate commerce, grow the economy and create new jobs. At the same time, this legislation will ensure that states and localities are fairly compensated when they provide services to businesses with a substantial physical presence in the state.

I urge each of my colleagues to support this very important bipartisan legislation.

IN HONOR OF WALTON HILLS  
VILLAGE**HON. DENNIS J. KUCINICH**

OF OHIO

**HON. STEVE C. LATOURETTE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 17, 2001*

Mr. KUCINICH. Mr. Speaker, I rise today with my colleague Mr. LATOURETTE, in recognition of the 50th Anniversary Celebration of the Village of Walton Hills, Ohio.

In March 1951, people of the prospective village voted in a special election to determine whether the area would detach from Bedford Township and become the Village of Walton Hills. The voting took place in the Quonset hut owned by L.S. Conelly, S.E. corner Alexander and Walton Rd. The glorifying outcome was the approval of the establishment of the new village.

Later on in May 1951, the voters went again to the polls and elected officers for the Village, who were then sworn in at Black Beauty Riding Academy Hall on Dunham Road in June 1951. The top officials were Mayor Virgil D. Allen Jr, Clerk Betty Walton, Treasurer Charles Clark, and six councilmen.

The Walton Village is proud of its many civic clubs. The Women's Club in August 1951 held their organizational meeting at Lillian Kral's Golden Glens pavilion. The Men's Club was founded in September 1951 with the acceptance of the Articles of Organization. Some men organized Little League in 1955 while others organized Walton Hills Lake recreational activities starting in 1949. The Walton Hills Citizens League was founded in October 1963 to promote citizen involvement in local government.

Please join me in recognizing a strong community, The Village of Walton Hills on this distinguished 50th anniversary.

## WAMU 88.5 FM—A COMMUNITY RESOURCE IN THE DISTRICT OF COLUMBIA

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 17, 2001*

Ms. NORTON. Mr. Speaker, I rise today to speak in support of a valued and long-time resource for the residents of the District of Columbia, WAMU, one of the nation's leading public radio stations. In addition to its nationwide audience, WAMU has served nearly half a million listeners in the District of Columbia and surrounding areas for forty years, with award-winning news and public affairs programming by its celebrated talk show hosts Diane Rehm, Kojo Nnamdi of Public Interest, local hosts David Furst of Metro Connection and Lakshmi Singh of All Things Considered, and our own indispensable local D.C. political pundit Mark Plotkin.

In response to the overwhelming views of its listeners and subscribers, WAMU 88.5 FM recently altered its weekday format to include more public affairs programming. To the station's credit, WAMU nevertheless found a way to preserve the bluegrass programming for which the station is also known. Members of the House and Senate and the station's listeners nationwide, who depend on WAMU for the best public affairs programming on the air will be happy about the expanded public affairs programs. At the same time, we commend WAMU for its sensitivity in finding a way to continue a healthy dose of bluegrass music.

WAMU is an important part of community life here, and prides itself on being the "voice of the community" to those of us who live and work in the greater Washington area. Increased news coverage in the nation's capital, especially with a local focus during national broadcasts is especially needed and welcomed by those of us who call this area home—where we educate our children, volunteer to help, pay taxes, attend church services, take part in the arts, and do all the things that make the Washington area vibrant and vital.

This is radio at its most substantive, thoughtful and interesting best. WAMU recently added even more news programming to serve the needs of this diverse and unique Washington audience, because it has a special responsibility to inform, educate and raise the level of conversation on the issues of our day. WAMU takes its shows into the community, with Public Interest and the DC Politics Hour broadcasting live from every ward in the city to hear the opinions of city residents on issues of critical importance to them and their neighborhoods. The station also participates in hosting and sponsoring myriad non-profit arts, education, ethnic and cultural events in the city every year.

I applaud the news and information programming additions, and commend WAMU for its extensive and long standing service to our

July 18, 2001

area. As WAMU celebrates 40 years of broadcasting, we look forward to its continued presence for many years to come. WAMU remains an award winning resource for the residents of the Washington area.

HONORING MARY WALKER CLARK

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2001

Mr. McINNIS. Mr. Speaker, when Ms. Mary Walker Clark was asked to reveal her age, she replied, "A lady never tells that kind of information," then added with a smile on her face, "I was born in 1894, you figure it out." It brings me great pleasure to have this opportunity to offer my congratulations and admiration to Mary Walker Clark who celebrated her 107th birthday on July 16 in the town of Montrose, Colorado—making her the oldest living individual in the entire state of Colorado.

In quaint Angels Camp, California, Mary was born in 1894. When she was only 40 days old, her family relocated to Ouray, Colorado. Today, Mary lives at the San Juan Living Center in Montrose, Colorado. She was blessed with two sons—Jack, who is a business owner and lives in Ouray, and Lester who resides in Grand Junction, Colorado.

No day would be complete for Mary without her son Jack delivering a small soda and an order of french fries from the local McDonald's restaurant. Since she was old enough to have solid food, Mary has always loved french fries and her affection for these potatoes has sparked a keen interest in her community. She was recently been asked to perform the ribbon cutting ceremony at the grand opening of the new McDonald's in Montrose. Mary attributes her longevity to not only the french fries, but also the hard work and dedication that she has performed throughout her life.

When Mary was in junior high school, she quit her formal schooling to assist her mother in cooking, cleaning and washing for the local miners in order to feed the six children in their family. Since that time, it seems that she has never stopped providing for others. Mary often cooked for community dinners, aided her brother at his market, carried on her husband's moonshine business after he passed away, and operated a legitimate liquor store following Prohibition. In addition, she did numerous tasks at two hotels and also offered a helping hand at her son's bakery. Not surprisingly, at the age of 97, she was still carrying her own coal to her furnace—two buckets at a time. Mary often wonders "why such a fuss" is being made over her.

Mr. Speaker, Mary Clark is a phenomenal individual who has dedicated her life to the service of others through her hard work. French fries and a strong work ethic have contributed greatly to her longevity and it is with great pleasure that I honor her today. Happy Birthday Mary!

## EXTENSIONS OF REMARKS

TRIBUTE TO NATIONAL THERAPEUTIC RECREATION WEEK IN SOUTH CAROLINA

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2001

Mr. CLYBURN. Mr. Speaker, I rise today in recognition of "National Therapeutic Week" in South Carolina as proclaimed by Governor Jim Hodges.

The purpose of this event, which was held July 8–15, 2001, was to increase public awareness of therapeutic recreation programs and services, and expand recreational and leisure opportunities for individuals with disabilities. Physical therapists from all over the state met and worked together to eliminate barriers to leisure activities for many with disabilities and educate people in leisure skills and attitudes. These therapists constantly stressed the importance and advantage of having a clear understanding of how involvement in leisure and recreational activities improves physical and psychosocial health, and how recreation can provide individuals with a sense of self-confidence and satisfaction.

The theme for "National Therapeutic Recreation Week" was "Therapeutic Recreation . . . Examine the Possibilities." The theme suited the occasion perfectly, as the aim was to explore a variety of methods used by therapeutic recreation professionals to enhance the quality of life and well being of persons with disabilities.

This year's "National Therapeutic Recreation Week" will hopefully generate more interest and encourage all South Carolinians to recognize the positive benefits of leisure and recreation.

Mr. Speaker, last week thousands of South Carolinians devoted their time and energy to improve their quality of life, and also the lives of others. Please join me in recognizing the gallant efforts of these individuals, and the wonderful accomplishments they made during "National Therapeutic Recreation Week."

IN RECOGNITION OF JACOBUS PHARMACEUTICAL'S CONTRIBUTIONS TO BARBARA MOORE

**HON. DOUG OSE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2001

Mr. OSE. Mr. Speaker, I rise today on behalf of a constituent of mine, Mrs. Barbara Moore of West Sacramento, California, to recognize Jacobus Pharmaceutical Company, a small family-owned company based in Princeton, New Jersey. A few years ago, Laura Jacobus, Director of Quality Assurance for Jacobus Pharmaceutical Company, reached out her hand to Barbara, who suffers from a rare condition called Lambert Eaton Myasthenic Syndrome.

Dr. David Richman, Barbara's doctor at the University of California at Davis Medical Cen-

ter, placed Barbara in a treatment program for her condition, thus leading her to Jacobus Pharmaceutical. Prior to the assistance from Jacobus Pharmaceutical, Barbara couldn't even move short distances without help. As a result of her treatments, Barbara has been able to watch her son grow up, and remain an integral part of his life.

In a time where money is viewed as the main motivating factor, I am deeply touched by the selfless actions of Jacobus Pharmaceutical. It is my wish to honor Jacobus Pharmaceutical and Laura for their benevolence and unsurpassed humanity within the pharmaceutical industry.

A SALUTE TO PAT AND BILL BENNETT

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to pay tribute to a special husband-and-wife team from my home state of New Mexico. Pat and Bill Bennett of Placitas have spent the past decade strengthening and enhancing the Placitas Volunteer Fire Brigade. To recognize their dedicated service and commitment, this past Sunday the Brigade was renamed in their honor.

Volunteer firefighters provide one of the most valuable services imaginable to this country and its people—that of saving lives and safeguarding our precious lands. Firefighters preserve the integrity of the safety in the communities they serve. Every year, volunteer firefighters are injured, and even die, in the service of their esteemed duty. Volunteer firefighting is one of the hardest jobs imaginable, and it is frequently rewarded only by the knowledge that the service it provides is vital to its community.

In this unique case, Bill and Pat both made enormous contributions to the Placitas Volunteer Fire Brigade. Bill, who began as a volunteer firefighter and was later named Chief of the department, helped establish the standards the department uses to fight structural and wildland fires. Although he retired from the department last year, Bill is still active in planning and training of new firefighters.

Pat, a registered nurse and an emergency-medical technician, is currently the brigade's medical Captain, and was a major contributor to the development of the department's medical procedures and standards. It is also important to note that in 1999, the New Mexico Injury Prevention and EMS Bureau named Pat the state's Emergency Medical Technician-Basic of the Year.

Mr. Speaker, it is often said that nothing is bigger than the heart of a volunteer. I think that is especially true for Pat and Bill and all the volunteer firefighters in New Mexico and across the country. For all their courage, their strength, their selflessness, and their dedication, I salute each and every one of them.

13739