

February 13, 2001

PERSONAL EXPLANATION

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mrs. BONO. Mr. Speaker, I was necessarily absent for all legislative business during the week of February 5, 2001 through February 10, 2001, due to a medical condition. As a result, I missed the following votes: On Tuesday, February 6, 2001—question “On Motion to Suspend the Rules and Pass” (roll No. 9) for issue H.J. Res. 7—Recognizing the 90th birthday of Ronald Reagan—question “On Motion to Suspend the Rules and Agree” (roll No. 10) for issue H. Res. 28—Honoring the contributions of Catholic schools. On Wednesday, February 7, 2001—question “On Motion to Suspend the Rules and Pass” (roll No. 11) for issue H.R. 132—To designate the Goro Hokama Post Office Building in Lanai City, Hawaii.

Had I been present, I would have voted “yea” for question “On Motion to Suspend the Rules and Pass” for issue H.J. Res. 7 (roll No. 9), “yea” for question “On Motion to Suspend the Rules and Agree” for issue H. Res. 28 (roll No. 10), and “yea” for question “On Motion to Suspend the Rules and Pass” for issue H.R. 132 (roll No. 11).

PRESCRIBING ALTERNATIVE PAYMENT METHODS UNDER THE TRICARE PROGRAM

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mrs. MINK of Hawaii. Mr. Speaker, I rise to introduce a bill that would allow retired members of the military to pay their TRICARE enrollment fees on a monthly basis.

Currently, TRICARE enrollees must pay their annual enrollment fees all at once or on a quarterly basis. Enrollment fees are \$230/year for individual enrollment, and \$460/year for family enrollment.

My bill establishes alternative payment mechanisms to provide for payment of such fees through: a deduction from military retired or retainer pay; a deduction from monthly Social Security benefits; and an electronic funds transfer from a checking or savings account.

Last year we passed legislation that enables the Department of Defense to provide TRICARE benefits to Medicare-eligible beneficiaries. As we honor our military retirees with access to a wonderful health care program, we should remember that many retirees are living on a fixed income. A one-time enrollment payment can severely limit their resources. My bill is designed to help individuals with a limited income spread out the payment of the yearly enrollment fee over 12 months.

I urge all members to cosponsor this legislation.

EXTENSIONS OF REMARKS

TRIBUTE TO CLAFLIN UNIVERSITY STUDENTS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to twenty-two exceptional students at Claflin University, who are participating in the “Call Me Mister” program.

“Call Me Mister” was developed to address the looming shortage of teachers, especially black male teachers. The program strives to place black males in front of elementary school classrooms in order to provide positive role models for our children.

Each of the twenty-two participants in “Call Me Mister” at Claflin underwent a rigorous application process and are required to maintain a minimum grade point average. The students will complete 300 hours of community service before they graduate.

Black youths in South Carolina have the highest dropout rate of any group and twenty percent are held back in the first grade. These children are in desperate need of African American men to model their lives after, who can show them that the American dream can come true for all Americans.

“Call Me Mister” promises to provide the State of South Carolina with a new breed of teachers. Less than one percent of the state’s teachers are African American males despite the fact that the state is one-third black. Claflin University and the wonderful participants in the “Call Me Mister” program are working to make South Carolina’s elementary school classrooms more representative of the state itself.

Mr. Speaker, the “Call Me Mister” program is working to improve South Carolina schools along with the mentality of African American men. Please join me in paying tribute to these wonderful students and this long overdue program as they work to better the educational system in my state.

CONGRATULATING THE UKRAINIAN PEOPLE ON POPE JOHN PAUL II’S UPCOMING VISIT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mr. KUCINICH. Mr. Speaker, today I congratulate the Ukrainian people on His Holiness Pope John Paul II’s upcoming visit in June. The Pope recently accepted an invitation from Ukraine’s President to visit the country, undoubtedly answering the prayers of many Catholic Ukrainians.

Mr. Speaker, many of my constituents would also like to see His Holiness Orthodox Patriarch Bartholomew of Constantinople visit Ukraine. Ukraine has a large Orthodox population, and a visit by the Patriarch to the country would be a blessing to them and would promote harmony between Catholic and Orthodox worshippers throughout Ukraine.

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INTRODUCTION OF LEGISLATION ON MODIFYING THE FTC’S ORIGIN RULES FOR WATCHES

HON. DONNA M. CHRISTENSEN

OF VIRGIN THE ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mrs. CHRISTENSEN. Mr. Speaker, today I am introducing legislation which would modify the Federal Trade Commission’s practices for determining the country of origin of domestic watches, including those watches manufactured in the United States Virgin Islands.

The watch industry is the largest light manufacturing industry in the U.S. Virgin Islands and remains one of the most important direct and indirect sources of private sector employment in the Territory. The insular watch production industry is also highly import-sensitive and faces continued threats from multinational watch producers, who have continued to move their watch production to lower wage countries. The legislation that I am introducing today will help assure that domestic watch producers can compete on a level playing field with foreign producers with respect to the labeling and advertising of the origin of watches sold in the U.S. marketplace.

Currently, the FTC’s test for determining whether a watch is made in the United States differs from the FTC’s origin test for foreign-made watches, the Customs Service origin test for imported watches and longstanding international practice. The legislation that I am introducing today would rationalize these various tests by requiring that the FTC employ a common and well-established standard for determining the origin of all watches. This modification to the FTC’s practice would help ensure that consumers have a uniform basis on which to judge the country of origin of watches. It would also help promote the operations of U.S. watch producers, particularly those in the U.S. Virgin Islands. The production of watch movements by these producers (and their subsequent production of finished watches) involve highly labor intensive operations which add considerable value to the finished watch and to the U.S. and Virgin Islands economies.

The country of origin of a watch is, by longstanding international trade practice, generally considered to be the country in which the watch movement is produced. The movement is the “guts” of a watch. The production of a watch movement involves numerous, labor-intensive operations involving inspection, quality control, reworking and testing of some 35 to 45 individual parts prior to, during and after assembly. These operations require substantial investment in diversified precision equipment and employee training and add considerable value to the finished watch.

In determining the country of origin of imported products, the U.S. Customs Service generally employs the well-established concept of “substantial transformation.” The substantial transformation test—which is supported by almost 100 years of judicial and administrative precedent—recognizes that some functional changes and processes involved in the production of an imported product are so significant as to create an entirely new article.

I am informed that, in applying this concept to imported watches, the Customs Service has followed international practice and has determined that the production of a watch movement results in a substantial transformation and thereby determines the country of origin of the finished watch. Additionally, under the "tariff shift" origin rules adopted under NAFTA, the country of origin of the watch is the country where the movement was produced.

In evaluating product labels or advertising that state a foreign country of origin for watches and other imported products, the Federal Trade Commission has generally permitted foreign claims that are based on substantial transformation. For example, based on the FTCs practice under section 5 of the Federal Trade Commission Act, a watch whose movement was produced in a foreign country from parts sourced worldwide could be labeled and/or advertised as made in that foreign country.

The Federal Trade Commission applies a different and much more strict origin test to watches produced in the United States and the U.S. territories. Under this test, a watch whose movement is produced in the United States or the U.S. territories cannot be labeled or advertised as "Made in the USA" unless all or virtually all of the parts and labor employed in producing the movement and finished watch are of domestic origin. Thus, the FTC applies substantially different tests for determining the foreign and domestic origin of watches. These tests lead to different results in situations in which the only difference between two watches is the country where the movement was assembled.

The FTC's current origin tests for watches discriminate against domestic producers, including those in the U.S. Virgin Islands. Given the globalization of the international watch components industry, it is virtually impossible, as a practical matter, for a domestic producer to source all of its watch components from U.S. sources. Thus, watches produced in the United States from U.S. assembled movements cannot be marked "Made in the USA" even though their production involves highly labor intensive operations which add considerable value to the watch. In contrast, under the FTC's current test, a watch made from a movement assembled in Japan from imported parts could be labeled as "Made in Japan." These conflicting tests put U.S. producers at a considerable disadvantage in the marketplace and are confusing to U.S. consumers.

My legislation would correct this unfair and confusing situation by requiring that the FTC apply the same substantial transformation test for determining the origin of all watches, including those watches that are labeled or advertised as "Made in the USA." This common test will assure that origin rules for domestic watches conform with well-established international and Customs Service practice and the FTC's own practice for imported watches. It will enable U.S. producers, including those in the Virgin Islands, to employ country of origin labels or claims in the same circumstances in which their foreign competitors could label or advertise that their watches are made in a foreign country. Finally, the legislation would provide U.S. consumers with a clear and consistent test for determining where watches are made.

FAIRNESS TO LOCAL CONTRACTORS ACT

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mrs. MINK of Hawaii. Mr. Speaker, today I am introducing the Fairness to Local Contractors Act to help local contractors compete for military construction projects. The purpose of the bill is to address concerns raised by various unions, contractors, and the State of Hawaii, that local companies are not getting a fair shot at competing for military construction contracts.

The ability of out-of-state contractors to ignore state tax and employment laws have allowed them to avoid costs that local companies have to meet and thereby outbid our local companies.

The problem of out of state contractors dodging state tax and employment laws was documented at the Congressional hearing I held on August 5, 1995, in Hawaii. The bill incorporates many of the suggestions and proposals made at this hearing on ways to make the bidding process more equitable for local companies.

The bill requires contractors to obtain a state tax clearance in order to be an eligible bidder on military construction projects; it requires them to obtain a state tax clearance and certify compliance with state employment laws in order to receive the final project payment; allows a military agency to withhold payment in order to meet state tax obligations; and it requires a contractor that has won a bid to obtain a state license in the state in which the work is to be performed, if that state requires such a license.

Military construction work is an important part of Hawaii's economy. Not only will Hawaii's local companies benefit from this legislation, but all local companies across the nation will have a fair chance to compete for these projects that are worth millions of dollars.

By joining me in supporting the Fairness to Local Contractors Act we can provide the enforcement needed to make sure all bidders play by the same rules. I urge my colleagues to cosponsor and support this legislation.

TRIBUTE TO LOUIS WELDON HAMMOND

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 13, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Attorney Louis Weldon Hammond who, for over 37 years, tirelessly served our veterans and was a trailblazer in his field.

Attorney Hanimond was born in Ridge Spring, SC on January 5, 1939. He attended Morehouse College and obtained his bachelor and law degrees from South Carolina State College. For more than 35 years, he has been married to the former Loretta Thomas. They have two children, Kartika Loretta Hammond and Louis Weldon Hammond II.

After graduating law school as the top Administrative Law student, the Veterans Administration Regional Office in Columbia, South Carolina, recognized his talent and hired Mr. Hammond. His success on the job cast him into the role of trailblazer. Mr. Hammond was the first African American to hold each position as he rose through the ranks. The positions he held included Legal Claims Examiner, Veterans Claims Rating Board, Veterans Claims Examiner Authorizer, Section Chief, Assistant Adjudication Officer and Veterans Service Center Manager. He also served as an Equal Employment Opportunity Counselor and National Equal Employment Investigator.

His career successes led to his appointment to a number of positions of distinction including Chairman of National Adjudication Officer's Advisory Committee, Southern Area Adjudication Officers Advisory Committee, and the V.A.'s top Leadership award. Mr. Hammond's distinguished career also led him to receive the award of first runner-up for Federal Employee of the Year for 1977.

Perhaps his dedicated service to the Veterans Administration stemmed from his distinction as a veteran himself. He rose to the rank of SGT E-6 (Staff Sergeant) and received numerous honors including; Good Conduct Medal, Army Expeditionary Medal, Army Commendation Letter, Outstanding Soldier of Encampment, Outstanding Soldier of Reserve Unit, Court Martial Coordinator—Santo Domingo, Dominican Republic.

Outside his legal and military career, Mr. Hammond was, and continues to be, very active in his community. Mr. Hammond founded a neighborhood organization called New Castle Concerned Citizens, and serves as a poll manager in his Midway precinct. He has also participated in a number of other organizations. He served on the Board of Directors at Providence Home and the Advisory Board of Richland Northeast High School and as former Chairman and Treasurer of the Kitani Foundation, Past President of the South Carolina State College's Columbia Alumni Association, and past president of the Dent Middle School PTO.

Mr. Hammond is a Life Member of the NAACP and Kappa Alpha Psi Fraternity. He is a member of First Calvary Baptist Church, where he has served as Deacon, Chairman of a \$2.5 million building project, as the Minister's Administrative Assistant, and is a member of two choirs. His dedication to South Carolina veterans and to the community was recognized on December 19, 2000 when Governor Jim Hodges awarded Mr. Hammond the Silver Crescent.

Mr. Speaker, we seldom meet people who give so tirelessly of their time and efforts as Louis Weldon Hammond, Sr. Please join me in paying tribute to this wonderful South Carolinian, a personal friend, and a trailblazer who earned the reputation of being a dedicated, just, equitable, fair and caring professional during his long and distinguished career.