

In addition, the bill provides a number of new protections for plaintiff class members, including greater judicial scrutiny for settlements that provide class members only coupons as relief for their injuries. The bill also bars the approval of settlements in which class members suffer a net loss. In addition, the bill includes provisions that protect consumers from being disadvantaged by living far away from the courthouse. These additional consumer protections will ensure that class action lawsuits benefit the consumers they are intended to compensate.

This legislation does not limit the ability of anyone to file a class action lawsuit. It does not change anyone's right to recovery. Our legislation merely closes the loophole, allowing Federal courts to hear big lawsuits involving truly interstate issues, while ensuring that purely local controversies remain in State courts. This is exactly what the framers of the Constitution had in mind when they established Federal diversity jurisdiction.

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

CONGRATULATING JUDD AND  
SUSAN SHOVAL AND GUARD IN-  
SURANCE GROUP UPON RECEIV-  
ING THE WILKES-BARRE 2005  
COMMUNITY LEADERSHIP  
AWARD

**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to my very good friends Judd and Susan Shoval and their company, GUARD Insurance, who received the Wilkes-Barre 2005 Community Leadership Award at a ceremony on Friday at the Westmoreland Club in Wilkes-Barre, PA.

The foundation of GUARD was an entrepreneurial expansion for Judd and Susan and a move that showed their commitment to investing in the community. Prior to GUARD, they had founded a commercial property and casualty insurance agency called Shoval Associates. As their business grew, they established an independent insurance company specializing in workers' compensation insurance in 1983.

In 2004, A.M. Best Co. recognized GUARD Insurance as an e-Fusion Finalist. This is a national awards program that spotlights innovative usage of technology to address insurance business challenges. In 2001, GUARD was ranked second among the 50 best large places to work in Pennsylvania. Ernst and Young recognized Judd and Susan with the Regional Entrepreneur-of-the-Year Award in 2001.

Judd and Susan—always community minded—kept their home office in Wilkes-Barre. They operate seven field offices and have four subsidiaries. Their company employs 560 and insures 27,000 employees.

Judd and Susan are tremendously involved in the community. I have known Susan very well as a director of the Earth Conservancy, a

non-profit organization I helped found dedicated to reclaiming and developing 16,000 acres of former coal mine lands. I will always be grateful for the time and leadership she devoted to this worthy cause.

Judd is also involved with the community, including service on the boards of local universities, the Jewish Community Center and the United Jewish Campaign. He is also the chairman of CityVest, a nonprofit organization I helped found to serve as a developer of last resort. CityVest has already renovated several classic old homes on South Franklin Street and is now embarking on perhaps Wilkes-Barre's premiere landmark, The Hotel Sterling.

Judd earned a law degree from the Hebrew University of Jerusalem. Originally from Austria, Judd had moved to America in the early 1970s. A native of Northeastern Pennsylvania, Susan graduated magna cum laude with an economics degree from Cornell University and with highest honors from the College of Insurance in New York City. Judd and Susan have four children: Ben, Deborah, Karyn, and Rebecca.

Mr. Speaker, please join me in congratulating these two entrepreneurs who have given so much to their community. They are most deserving of the Wilkes-Barre 2005 Community Leadership Award.

HONORING COLORADO SENATE  
PRESIDENT JOAN FITZ-GERALD

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor my good friend, Joan Fitz-Gerald. Senator Fitz-Gerald is the first woman to lead the Colorado State Senate and is the only female Senate President in the entire country.

When you meet Joan, who stands at about 5'1", the first image that comes to mind is not necessarily that of a woman capable of breaking ceilings, glass or otherwise. Yet she has done just that since she first ran for Jefferson County Clerk and Recorder in 1990. At the time, many people thought that she had been recruited to run for County Clerk and Recorder as little more than a Democratic place holder on the ballot. No Democrat had won in a county-wide election in the previous 15 years and no woman had ever held the position of County Clerk and Recorder in the history of Jefferson County. But Joan has always been more interested in breaking glass ceilings than in being a place holder. She campaigned hard on a solid platform and won that election. She served in the Clerk and Recorder's office until 1998. In 2000, she ran for the Colorado Senate.

Again she waged an uphill battle in a district that was traditionally difficult for a Democrat and was once again successful against popular convention of the time. Her victory gave Democrats the one seat majority they needed to take back control of the Senate. When the Democrats lost their majority the following election cycle, Senator Fitz-Gerald again made history by become the first female Minority Leader of the Senate.

In this past election cycle, Joan was one of the key leaders to orchestrate a plan to take back the Senate for the Democrats. She did this while caring for her ailing mother and caring for her brother who was diagnosed with leukemia. She lost both within 11 days of one another after the election.

It is a sign of the sincerity and strength of one's character when friends and foes alike agree about another person's character. Anyone who knows her, friend or foe, will say that she is a fighter. More than that she is also a person interested in advancing the goals of community service. She may be on the verge of becoming Colorado's Harry Truman. But then again, maybe Harry Truman was Missouri's Joan Fitz-Gerald.

Senator Joan Fitz-Gerald is a strong, smart, savvy woman. I am proud that she is the Colorado State Senate President and even more proud that she is my friend. I ask my colleagues on both sides of the aisle to join me in honoring Joan Fitz-Gerald for her achievement.

IN RECOGNITION OF BRANDON MI-  
CHAEL RUNYON UPON HIS  
ACHIEVEMENT OF EAGLE SCOUT  
COURT OF HONOR

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. TAUSCHER. Mr. Speaker, I rise today to pay tribute to my constituent Brandon Michael Runyon of Eagle Scout troop #204 in Lafayette, California, as he receives the distinguished honor of the Eagle Scout rank.

The honor of Eagle Scout is given only to those young men who have demonstrated that they have fulfilled its rigorous requirements, including living by the Scout Oath and Law, rising through the Boy Scout ranks, earning 21 merit badges, serving as a leader, and planning and leading a service project for their community. This is not an honor given out lightly: this young man is becoming an Eagle Scout because he is intelligent, dedicated, and principled.

I am proud to call Brandon Michael Runyon my constituent, for he is a shining example of the promise of the next generation. Indeed, he represents the best of the young people in our country. I extend my sincere congratulations to him and his family, on this momentous occasion.

HARMFUL AND COUNTERPRODUC-  
TIVE UNITED STATES EMBARGO  
ON CUBA

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. PAUL. Mr. Speaker, I rise again this Congress to introduce a bill to lift the harmful and counterproductive United States Embargo on Cuba.

On June 29, 2001, the Texas State legislature adopted a resolution calling for an end to

U.S. economic sanctions against Cuba. Law-makers emphasized the failure of sanctions to remove Castro from power, and the unwillingness of other nations to respect the embargo. One Texas Representative stated: "We have a lot of rice and agricultural products, as well as high-tech products, that would be much cheaper for Cuba to purchase from Texas. All that could come through the ports of Houston and Corpus Christi." I wholeheartedly support this resolution, and I have introduced similar Federal legislation in past years to lift all trade, travel, and telecommunications restrictions with Cuba. I only wish Congress understood the simple wisdom expressed in Austin; so that we could end the harmful and ineffective trade sanctions that serve no national purpose.

I oppose economic sanctions for two very simple reasons. First, they don't work as effective foreign policy. Time after time, we have failed to unseat despotic leaders by refusing to trade with the people of those nations. If anything, the anti-American sentiment aroused by sanctions often strengthens the popularity of such leaders, who use America as a convenient scapegoat to divert attention from their own tyranny. So while sanctions may serve our patriotic fervor, they mostly harm innocent citizens and do nothing to displace the governments we claim as enemies.

Second, sanctions hurt American industries, particularly agriculture. Sanctions destroy American jobs. Every market we close to our Nation's farmers is a market exploited by foreign farmers. China, Russia, the Middle East, North Korea, and Cuba all represent huge markets for our farm products, yet many in Congress favor current or proposed trade restrictions that prevent our farmers from selling to the billions of people in these countries. Given our status as one of the world's largest agricultural producers, why would we ever choose to restrict our exports? The only beneficiaries of our sanctions policies are our foreign competitors.

I certainly understand the emotional feelings many Americans have toward nations such as Cuba. Yet we must not let our emotions overwhelm our judgment in foreign policy matters, because ultimately human lives are at stake. Economic common sense, self-interested foreign policy goals, and humanitarian ideals all point to the same conclusion: Congress should work to end economic sanctions against all nations immediately.

The legislation I introduce today is representative of true free trade in that while it opens trade, it prohibits the U.S. Taxpayer from being compelled to subsidize the United States government, the Cuban government or individuals or entities that choose to trade with Cuban citizens.

TRIBUTE TO MAYOR PATRICIA S. MEARNS

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. JONES of Ohio. Mayor Patricia S. Mearns has distinguished herself in the Shak-

er Heights community, as a loyal public servant and volunteer for the numerous organizations she is a member of and causes that she actively works to support. For these reasons Mayor Patricia S. Mearns has been honored with the first Martin Luther King, Jr. Human Relations Award.

Mayor Patricia S. Mearns civic involvement in the Shaker Heights community began as President of the Malvern School PTA in the late 1970s and later climaxed as Mayor of Shaker Heights. Her dedication and complete belief in racial equality played a major role in her social and family policies.

Mayor Patricia S. Mearns has worked hard to strengthen neighborhood organizations by encouraging members of cultural and racial minority groups to become involved in all aspects of city life. As a member of the Shaker Family Center, Fund for the Future, Shaker Heights Meals on Wheels and Shaker Youth Center boards of trustees, she has led by example and has an outstanding reputation for accomplishing her goals. Two excellent examples of her effectiveness as a leader are the successful campaigns of the Shaker Heights Levy of 1981 and the more recent levy of the Shaker Heights Library.

Mayor Patricia S. Mearns continues her involvement in numerous organizations locally even after her tenure as the mayor of Shaker Heights concluded. Her public service, community service and organizational interest areas include: children, education, families, and race relations. Her involvement in the St. Luke's Foundation, Shaker Square Kiwanis Club, Housing Research and Advocacy Center, Cuyahoga County Task Force on Elder Friendly Communities and the Shaker Square Area Development Corporation, has and continues to positively affect the lives of Shaker Heights residents.

On behalf of the United States Congress and the citizens of the 11th Congressional District, Ohio, I extend my congratulations to an outstanding public servant, a fantastic and talented woman, the Honorable Mayor Patricia S. Mearns.

INTRODUCTION OF THE "VICTIMS COMPENSATION FUND EXTENSION ACT"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mrs. MALONEY. Mr. Speaker, today I along with Representatives NADLER, BISHOP, OWENS, MCCARTHY and SERRANO are introducing the "Victims Compensation Fund Extension Act."

In the immediate aftermath of the September 11 terrorist attacks the Congress created the Victims Compensation Fund (VCF) to provide compensation for victims of 9/11. This fund provided aid to the families of 9/11 victims and to individuals who suffered personal injury. Among other things, aid from the fund pays for medical expenses and lost wages. In return for accepting these funds, recipients relinquished rights to any future litigation. The fund had a deadline for applicants of December 22, 2003.

At the deadline, close to 100 percent of the families who lost a loved one had filed with the fund, but many individuals who were injured as a direct result of 9/11 had not. After the filing, many of the injured were denied benefits, despite a clear need.

The main reasons for not filing applications included people who did not know they were eligible as well as others whose injuries were late-onset. There are literally hundreds of individuals who are now just developing career-ending injuries—such as pulmonary and respiratory ailments—but are not eligible to receive assistance because they developed their symptoms after the deadline.

Largely as a result of the VCF's restrictions on applicants, 1,755 of the 4,430 personal injury claims considered were denied. While there was some leeway, the rules required workers to have arrived at Ground Zero within 96 hours of the attack and would have needed to seek medical treatment within 72 hours. This is reasonable for rescue workers who suffered immediate injuries, but leaves no recourse for individuals with late-onset injuries or who arrived after September 15, 2001 to assist in the recovery effort and are now suffering from injuries.

In order to care for the individuals who are now just developing physical injuries and to provide an opportunity for injured individuals who did not know they were eligible, we are re-introducing the Victims Compensation Fund Extension Act (H.R. 5076 in the 108th Congress).

This bill would:

Amend eligibility rules so that responders to the 9/11 attacks who arrived later than the first 96 hours could be eligible if they experienced illness or injury from their work at the site.

Amend eligibility rules so that those who did not seek immediate medical verification for their illness or injury from the disaster, but who have since obtained medical evidence, would be eligible.

Extend the deadline for applications to allow those with either late-onset illness from the disaster or those who were never informed of their eligibility for the Victim Compensation Fund to consider applying.

HONORING THE SERVICE OF ELAINE T. VALENTE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge a good friend and a hard-working public servant, Ms. Elaine Valente. Elaine is retiring as a Commissioner for Adams County, Colorado after 16 years of dedicated service.

Commissioner Valente was born and raised in Adams County Colorado. She and her husband Larry own the successful Valente's Deli, are proud parents of two accomplished children, and are passionate community activists.

Elaine's interest in her community began long before assuming her role as County Commissioner. She served on the Adams County Planning Commission, the City of