

It is with mixed feelings, therefore, that I speak to my colleagues today on the upcoming retirement of Jerry Leone from the helm of the Public Power Council—the regional organization representing the interests of the customers of the Bonneville Power Administration.

Jerry is one of those rare individuals willing to provide unvarnished opinions. But she has more than the ability to distill complex issues into clear and unvarnished analysis and critique. Jerry provides clear insights, bold ideas and an uncanny ability to herd the often disparate interests within public power.

Jerry has been at the helm of PPC for more than a decade, guiding the region's public power systems through numerous challenges, including treatment of the region's aluminum plants, skyrocketing electricity rates, the West Coast energy crisis, formation of a Regional Transmission Organization, ESA listings and a review of the future of Bonneville. Public power, the region and the Northwest delegation are fortunate to have had the benefit of Jerry's insights and efforts throughout this effort.

Jerry is not merely a public power icon. She's a lawyer, a wannabe lineman, a retired member of the Coast Guard Reserves, an accordion player, and a journalistic wit.

I wish her the best in her retirement and thank her for her advocacy and tenacity expressed through numerous wry comments, witty insights and cogent observations.

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VETERANS SELF-EMPLOYMENT  
ACT OF 2005

**HON. RICHARD H. BAKER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 10, 2005*

Mr. BAKER. Mr. Speaker, I rise today to introduce the "Veterans Self-Employment Act," legislation to establish a five-year pilot program that allows our Nation's servicemembers, veterans, national guardsman, reservists, and qualified others to use part of their VA educational assistance programs to defray legitimate training costs associated with obtaining a business franchise.

Mr. Speaker, franchising is an enormous component of the United States economy. According to a study conducted by International Franchise Association Educational Foundation, nearly 760,000 franchised businesses generate jobs for more than 18 million Americans annually, comprising nearly 14 percent of the Nation's private-sector employment and accounting for \$1.53 trillion in economic output. Over 75 industries utilize the franchise model for distribution of products and services, ranging from familiar restaurants and hotels to home movers, tax preparers, personnel providers and so on. Clearly, franchising is a critical engine of America's economic growth.

When an individual acquires a franchise, the individual must first undergo various types of training, depending on the specific franchise he or she wishes to acquire. Training can include education on specialized knowledge of goods, services, policies and practices of the individual franchise system. Training may also include customer service, daily operational

management, business computer systems, inventory control, costing and pricing as well as regulatory obligations.

At the same time, Mr. Speaker, American military members, whether as active duty servicemembers or veterans, possess a wealth of experience and abilities. Their training in the armed forces has provided them with high-end skill sets that employers are looking for in the future workforce. Yet outside of what has been provided during their tenure with the military, statistics show that many of our young military men and women have had no formal education or training beyond their high school years.

Mr. Speaker, the "Veterans Self-Employment Act" will allow more veterans to take advantage of the opportunities in franchising by allowing servicemembers, veterans, national guardsman, reservists, and eligible dependent spouses or children to apply a portion of his or her educational benefit to defray the portion of a franchise purchase cost attributable to training. Specifically, in a one-time lump sum payment, beneficiaries will be able to use the lesser of 1/3 of the remaining Montgomery GI Benefit entitlement or 1/2 the franchise fee.

In addition, the bill provides the Secretary of Veterans Affairs proper authority to oversee and avoid any possible abuse of this program; submit to the Secretary a detailed description of the training program; two year operating rule for franchise businesses; and provide individual progress reports regarding successful completion of individual training, among other things.

Mr. Speaker, I urge my colleagues to support our Nation's veterans and thus urge floor consideration for the "Veterans Self-Employment Act."

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INTRODUCTION OF THE "INTERNET  
SPYWARE (I-SPY) PREVENTION  
ACT"

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 10, 2005*

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the "Internet Spyware (I-SPY) Prevention Act."

This bipartisan legislation, which I introduced with my colleagues ZOE LOFGREN of California and LAMAR SMITH of Texas, will impose tough criminal penalties on the most egregious purveyors of spyware, without imposing a broad regulatory regime on legitimate online businesses. I believe that this targeted approach is the best way to combat spyware.

Spyware is a growing and serious problem. The Federal Trade Commission has testified that "spyware appears to be a new and rapidly growing practice that poses a risk of serious harm to consumers." Spyware is software that provides a tool for criminals to crack into computers to conduct nefarious activities, such as altering a user's security settings, collecting personal information to steal a user's identity, or to commit other crimes.

The I-SPY Prevention Act would impose criminal penalties on the most egregious behaviors associated with spyware. Specifically,

this legislation would impose up to a 5 year prison sentence on anyone who uses software to intentionally break into a computer and uses that software in furtherance of another federal crime. In addition, it would impose up to a 2 year prison sentence on anyone who uses spyware to intentionally break into a computer and either alter the computer's security settings, or obtain personal information with the intent to defraud or injure a person or with the intent to damage a computer. By imposing stiff penalties on these bad actors, this legislation will help deter the use of spyware, and will thus help protect consumers from these aggressive attacks.

Enforcement is crucial in combating spyware. The I-SPY Prevention Act authorizes \$10 million for fiscal years 2006 through 2009, to be devoted to prosecutions, and expresses the sense of Congress that the Department of Justice should vigorously enforce the laws against spyware violations, as well as against online phishing scams in which criminals send fake e-mail messages to consumers on behalf of famous companies and request account information that is later used to conduct criminal activities.

I believe that four overarching principles should guide the development of any spyware legislation. First, we must punish the bad actors, while protecting legitimate online companies. Second, we must not over-regulate, but rather encourage innovative new services and the growth of the Internet. Third, we must not stifle the free market. Fourth, we must target the behavior, not the technology.

By imposing criminal penalties on those that use spyware to commit federal crimes and other dangerous activities, the I-SPY Prevention Act will protect consumers by punishing the bad actors, without imposing liability on those that act legitimately online.

The targeted approach of the I-SPY Prevention Act also avoids excessive regulation and its repercussions, including the increased likelihood that an overly regulatory approach would have unintended consequences that could discourage the creation of new and exciting technologies and services on the Internet. By encouraging innovation, the I-SPY Prevention Act will help ensure that consumers have access to cutting-edge products and services at lower prices.

In addition, the approach of the I-SPY Prevention Act does not interfere with the free market principle that a business should be free to react to consumer demand by providing consumers with easy access to the Internet's wealth of information and convenience. Increasingly, consumers want a seamless interaction with the Internet, and we must be careful to not interfere with businesses' abilities to respond to this consumer demand with innovative services. The I-SPY Prevention Act will help ensure that consumers, not the federal government, define what their interaction with the Internet looks like.

Finally, by going after the criminal behavior associated with the use of spyware, the I-SPY Prevention Act recognizes that not all software is spyware and that the crime does not lie in the technology itself, but rather in actually using the technology for nefarious purposes. People commit crimes, not software.

The I-SPY Prevention Act is a targeted approach that protects consumers by imposing