Sullivan, Swenson, Takis, Tate, Taylor, Tool, Tucker, Tupa, Udall, Veiga, S. Williams, T. Williams, Young, and Zimmerman.

MEMORIALIZING CONGRESS TO ENACT LEGISLATION THAT PROHIBITS STATES FROM IMPOSING AN INCOME TAX ON SEVERANCE PAYMENTS AND TERMINATION PAYMENTS TO NON-RESIDENTS INDIVIDUALS.

Whereas, In 1996, the Congress of the United States enacted Public Law 95-104, which amended title 4 of the United States Code to limit state taxation of certain pension income; and

Whereas, Section (1)(a) of Public Law 95-104, codified at 4 U.S.C. sec. 114, prohibits states from imposing an income tax on any retirement payments made by an employer of such state to an individual who has terminated employment in and who is not a resident of such state; and

Whereas, Severance payments and termination payments made by an employer to a nonresident individual are not accorded the same tax treatment as retirement income under 4 U.S.C. sec. 114 and are therefore subject to the income tax of the state where the employer making such severance payments and termination payments is located; and

Whereas, The result of this inconsistent tax treatment of similar retirement payments is that severance payments and termination payments may be taxable to the employee in both the state of the employee's former residence and the state in which the employee currently resides; and

Whereas, Subjecting severance payments and termination payments to different tax treatment than other retirement payments and income results in inconsistent and inequitable treatment of severance payments and termination payments to taxpayers that have relocated to another state after terminating their employment; and

Whereas, The enactment of federal legislation that prohibits a state from imposing an income tax on severance payments and termination payments to an individual that is not a resident of such state will result in the tax treatment of such payments that is consistent with the tax treatment of other retirement income; now, therefore,

Be It Resolved, by the Senate of the Sixty-first General Assembly of the State of Colorado, the House of Representatives concurring hereinafter.

That the Congress of the United States is hereby memorialized to adopt legislation amending 4 U.S.C. sec. 114 to include severance payments and termination payments within the retirement income of a nonresident individual upon which states may not impose income tax.

Be It Further Resolved, That copies of this Joint Memorial be sent to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of Colorado's congressional delegation.

CONGRESSIONAL RECORD — Extensions of Remarks
JUNE 17, 1998

SULLIVAN, AL, OHIO

HON. GARY L. ACKERMANN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 17, 1998
Mr. ACKERMANN. Mr. Speaker, I rise to join with my constituents and the hundreds of run- ner-who will be participating in the Kids Help- ing Kids 5K Run on June 21, 1998. These dedicated individuals have committed them- selves to enhancing the lives of other children in need of strong emotional, physical and fi- nancial support. With the great preponderance of news reports relating to violence that is devastating the youth of our country, it is most reassuring that certain individuals and organi- zations have dedicated themselves to directing and educating our youth in positive and pro- ductive areas. This particular young, dynamic organization, inspired and directed by Robert F. Eslick, has striven mightily in advancing their charitable and educational goals that ac- tively seeks to sensitize children to identify those youngsters in need of assistance and work with them to successfully challenge their handicaps. In addition, this most-dedicated group has also been successful in providing fi- nancial support to families facing extra-ordi- nary health needs.

Embodying the spirit of Kids Helping Kids, Robert A.J. Eslick, nine years of age, has es- tablished a record of activism and compassion that readily serves as an example for adults and children involved in philanthropic affairs. At age two in 1990, he entered his first race, a 1.4 mile. By dint of personality and supreme self-involvement, Robert was ranked eighth in the country by USA Track & Field for 5K races. He has continued to participate as a runner while dedicating his efforts to the multi-faceted program of Kids Helping Kids. As we become dispirited by events that tend to show our youth adrift without a compass, it is invigorating and greatly appreciated that Kids Helping Kids continues to grow and em- body the great traditions of caring and com- passion that are the foundations of our coun- try. Mr. Speaker, I ask my colleagues in the House of Representatives to join me in ex- pressing our support and admiration for this outstanding group.

TRIBUTE TO COLONEL DAN FLEMING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 17, 1998
Mr. MCHugh. Mr. Speaker, I would like to pay tribute to an outstanding American, an outstanding soldier, an outstanding officer who has touched the lives of many of my col- leagues in the House of Representatives. On August 31, 1998, Colonel Daniel E. Fleming retired after over 23 years of dedicated service to America and our great Army. Throughout his career, Dan Fleming has provided forward- looking leadership characterized by a unique in- terest in enhancing the lives of others. He served with distinction in positions of increasing re- sponsibility from platoon to Army Secretariat, always demonstrating the highest degree of leadership and professionalism while making lasting contributions to Army readiness and mission accomplishment.

As we honor his retirement, we note that Colonel Fleming's distinguished career has stretched over two decades, culminating in his service these past two years as Chief of the Army's House Liaison Division. In this position, Colonel Fleming has been the Secretary of the Army's principal representative to the United States House of Representatives, establishing close working relationships with more than half of the Members of the House. Colonel Flem- ing has personally organized, planned, coordi- nated and accompanied 32 Congressional Delegations involving 128 Members of Congress on fact-finding and investigative mis- sions to 52 foreign countries. He has vastly improved coordination and professional rela- tionships between the Army and key Members and staff and has ensured the Army has the best reputation of all the Armed Services for providing prompt and accurate responses to congressional inquiries from House Members.

Colonel Dan Fleming was born in Athens, Ohio, Graduating from Ohio University in 1975, he received his commission through the Reserve Officers' Training Corps program and began his career in the Army as an Infantry officer. His distinguished career includes as- signments all over the world and at every echel- on. His first assignment was as a scout pla- toon leader with the 9th Infantry Regiment, in the Republic of Korea. Dan then transferred to Aviation Branch, qualifying to fly almost every helicopter in the Army inventory, including the UH-1H “Huey” (Iroquois), UH-60 “Blackhawk,” OH-58A/C “Kiowa,” AH-1 “Cobra,” and AH-64 “Apache.” Dan com- manded Aviation units at Platoon, Company and Battalion level both in the Continental United States and in the Federal Republic of Germany, as well as an Aide-de-Camp, Bat- talion Operations Officer, Battalion Executive Of- ficer, Secretary of the General Staff, and Army Legislative Liaison Staff Officer.

Throughout it all, Dan Fleming has consistently delivered professional, selfless service to our Nation. A leader of extraordinary intellect, with vision and dedication to math, Colonel Flem- ing has always remembered that our Army consists first and foremost of soldiers. Mindful of this, he served with distinction in position of increasing responsibility from platoon to Army Secretariat. Dedicated his career to caring for his soldiers. We offer our heartfelt appreciation and best wishes to Dan Fleming: a soldier whose selfless service has truly made a dif- ference.

PERSONAL EXPLANATION
HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 17, 1998
Mr. WOOLSEY. Mr. Speaker, due to United Airlines flight #200 from San Francisco being delayed as I was returning from my congres- sional district, I was unavoidably detained on vote numbers 232 and 233. Had I been present on June 15th, I would have voted yea.
being faithfully carried out; and

or reduced if there were an institutional

able interpretations of Congressional intent;

counterproductive, and contrary to reason-

ally burdensome, scientifically dubious,

promulgating regulations that are economi-

increasingly common situation in which the

controlled by federal agencies; and

beyond their borders or originates on lands

plementation of this program will cost ap-

consideration for the very real differences

progress'', the EPA seeks to impose a rigid

tain, of all such regulations not affirma-

effective manner and further providing for

Whereas, The EPA has estimated that im-

the EPA's regulations become one more ob-

essarily the right solution for eastern Colorado.

By failing to recognize these unique situations,

essarily the right solution for eastern Colorado.

American public, avoid overreaching regula-

the EPA and Congress in the eyes of the

national level would keep the agency ac-

accountable for success, improve the im-

Whereas, We believe that the application of

Such abuses could be prevented

preted with the real-life consequences of unrealistic attempts to force

national, one-size-fits-all standards on prob-

lems that vary from state to state.

A case in point is the Environmental Protec-

Agency's proposed rules concerning haze

these proposed rules fail to take

sufficient account of the unique conditions and

challenges faced by local officials. What may be

applicable to northern Arkansas, is not nec-

essarily the right solution for eastern Colorado.

By failing to recognize these unique situations, the

EPA's regulations become one more ob-

stacle for local officials, and do little to mitigate

the problem they intended to solve.

I rise today to inform the House of a Joint

Resolution recently adopted by the Colorado

Legislature, and I believe this House would be

well served to heed their advice. I submit for

the RECORD the text of this Resolution:

S E N A T E  J O I N T  R E S O L U T I O N  9 8 ± 0 0 3
C O N C E R N I N G  A  R E C O M M E N D A T I O N  T H A T  T H E
U N I T E D  S T A T E S  C O N G R E S S  A D O T  A  L E G I S L A-
T I V E  R U L E  R E V I E W  P R O C E S S  F O R  E N V I R O N-
M E N T A L  R U L E S

Whereas, On July 31, 1997, the Environ-

mental Protection Agency (EPA) issued its

Notice of Proposed Rulemaking concerning

regional haze regulations (the Notice); and

Whereas, In the Notice, the EPA cites as

legislative authority for the proposed regu-

lations a federal statute directing the EPA to

ensure "reasonable progress" toward the at-

tainment of improved visibility in class I

areas; and

Whereas, Under this rubric of "reasonable

progress", the EPA seeks to impose a rigid

scheme of steadily increasing requirements

nationwide, without exception and without

consideration for the very real differences

among the various states and regions af-

fected; and

Whereas, The EPA has estimated that im-

plementing this program will cost approxi-

mately 29 billion dollars, of which 20.7 bil-

lion dollars will come from states in the

West that already have the cleanest air in

the nation; and

Whereas, Of such visible pollution as there

may be that effects class I areas in the West-

ern states, a significant portion comes from

beyond their borders or originates on lands

controlled by federal agencies; and

Whereas, For these reasons, the proposed

regulations are grossly unfair and irrational; and

Whereas, We believe that by promulgating

these regulations the EPA has far exceeded

its congressional mandate to ensure "reason-

able progress" in this area; and

Whereas, This is only one example of the

increasingly common situation in which the

EPA, by its own delegated authority by

promulgating regulations that are economi-

cally burdensome, scientifically dubious,

counterproductive, and contrary to reason-

able interpretations of Congressional intent; and

Whereas, Such abuses could be prevented

or reduced if there were an institutional

process by which Congress would have the

final say about whether its directives were

being faithfully carried out; and

Whereas, Colorado has had such a process

in place for many years, to the great benefit

of the state and its citizens; and

Whereas, Under this process, all rules

newly adopted or amended by administrative

agencies automatically expire within one

year unless reviewed, for the limited purpose

of determining whether they are within the

time to one of the generally granted authority,

and affirmatively extended in an

omnibus bill passed by the legislature each

year for that purpose; and

Whereas, We believe that the application of

such a process to EPA regulations at the

national level would keep the agency ac-

countable for success, improve the im-

Whereas, The House of Representatives concurring herein:

That we, the members of the Colorado General

Assembly, hereby request the Congress of the United States or amended statute anal-

gous to sections 24-4-103(8)(d) and 25-7-133, Colorado Revised Statutes, providing for

automatic legislative review of all regulations

nominally adopted by the EPA for the purpose of determining whether they

are within the scope of the EPA's legisla-

tively delegated authority and whether they

accomplish the objectives in a cost-

effective manner and further providing for

the automatic expiration, within a time cer-

tain, of all such regulations not affirma-

tively extended by act of Congress.

Be It further resolved, That copies of this

resolution be sent to each member of Colo-

rado's Congressional delegation and the ad-

ministrator of the EPA.

C O M M E N D I N G  T H E  M O U N T  L E B-
A N O N  H I G H  S C H O O L  B A S E B A L L
T E A M  A N D  M O U N T  L E B A N O N ,  P A
O F  P E N N S Y L V A N I A
I N  T H E  H O U S E  O F  R E P R E S E N T A T I V E S
W e d n e s d a y ,  J u n e  1 7 , 1 9 9 8
Mr. DOYLE. Mr. Speaker, I would like to
Congratulations the Mount Lebanon High School
Blue Devils who won the 1998 Pennsylvania
AAA Varsity Baseball Championship. Last
Thursday, June 11, they defeated Coatesville
High School by the score of 9-6 at Riverside
Stadium in Harrisburg. Mount Lebanon, which
is located in Pennsylvania's 18th Congressio-

nal District, came back from a four-run defi-

cit after four innings to win the first baseball

championship in school history.

The Blue Devils defeated 21-4 overall with a
conference record of 13-1, defeated a tough
Coatesville team who posted a season record
of 22-4 to clinch the PIAA state title. This vic-

tory exemplifies the quality high school athletic

programs in Pennsylvania's 18th District.

Blue Devils' coach Ed McCloskey, elementary

school health and physical education teacher,

recently retired. The gold medals pre-

sented to his team were a timely retirement

present.

Once again, I would like to congratulate the
players, the coaching staff, the supportive stu-

dent body and families, and also the Mount

Lebanon Community. I take pride in the ac-

complishments of the team and appreciate

the opportunity to brag amongst my colleagues on

Capitol Hill. Keep up the good work and I

hope to hear of many future successes.

T R I B U T E  T O  N A V Y  S E C R E T A R Y  J O H N  D A L T O N
H O N .  G E N E  G R E E N
O F  T E X A S
I N  T H E  H O U S E  O F  R E P R E S E N T A T I V E S
W e d n e s d a y ,  J u n e  1 7 , 1 9 9 8
Mr. GREEN. Mr. Speaker, last week, we
learned about the upcoming resignation of

Navy Secretary John Dalton.

I have known Secretary Dalton for many

years, and consider him to be both a friend

and among the finest Navy Secretaries our

Nation has ever had. He understood Hous-

ton's long Naval and Maritime history.

Secretary Dalton has served his country

with distinction and with honor. Although he

was born and raised in Louisiana, we consider

him a true Texan. He moved to Texas during

the 1970's, and since then, has served as a

Chairman and President in various associa-

tions in his business career.

He was nominated by President Clinton in

1993 and confirmed that same year to be-

come the Secretary of the Navy. Under

his guidance, the Navy has expanded opportuni-

ties for both women and minorities. Through

his leadership, Secretary Dalton exemplified

the Navy's Core Values of Honor, Courage,

and Commitment.

Secretary Dalton has had a long career of

achievements as well as accomplishments. He

graduated from the U.S. Naval Academy

where he served as a Deputy Brigade Com-

mander, a finalist in the Rhode Scholar com-

petition as well as Lieutenant Commander dur-

ing his years in the U.S. Naval Service.

In 1997, he was given the recognition of the

prestigious International Security Leadership

Award. This was in recognition of his leader-

ship and promotion of American seapower

and bilateral maritime strategy.

Secretary Dalton has served with energy,

conviction, and dedication at a challenging

time for the Navy. In the midst of these chal-

lenges, John Dalton has ensured that the

Navy remains a national priority.

Secretary Dalton has an unwavering commit-

ment to our nation, and deserves our

recognition and our appreciation.

A L E X A N D R  N I K I T I N
O F  N E W  J E R S E Y
I N  T H E  H O U S E  O F  R E P R E S E N T A T I V E S
W e d n e s d a y ,  J u n e  1 7 , 1 9 9 8
Mr. SMITH of New Jersey. Mr. Speaker, un-

fortunately the ironic phrase "no good deed

goes unpunished" sums up the case of Russian

citizen Alexandr Nikitin. Most Russian officials

will be the first to admit that the collapsed So-

viet military-industrial complex left behind a

deplorable environmental legacy which affects

not only the Russian Federation but also Rus-

sia's neighbors. The best known example is

Chernobyl, but environmentalists and analysts

could provide a much longer list of environmental

"hot spots." Regrettably, certain elements of

the Russian military and security service seem