

CONFERENCE REPORT ON H.R. 2215,  
21ST CENTURY DEPARTMENT OF  
JUSTICE APPROPRIATIONS AU-  
THORIZATION ACT

SPEECH OF

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 2002

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of the establishment of a Violence Against Women Office in H.R. 2215, the Department of Justice Authorization Conference Report. The establishment of a strong office that will have jurisdiction over all matters related to violence against women is long overdue. I am pleased to know that this office will have access to the highest levels of Department of Justice policy making and will have a director who is appointed by the President. I hope the President will make a thoughtful decision and use this opportunity to appoint a director who is a true advocate for women's safety, not just a figurehead. Violence against women is one of the most serious problems in this country today, and we need to have strong laws, adequate resources, and effective enforcement efforts in order to combat it. I believe the establishment of this office is a step in that direction.

In addition, if we are serious about helping women who have been victims of domestic violence and sexual assault, it is critical that we provide them with the resources they need to escape the violence. I urge my colleagues to appropriate funds to the Department of Housing and Urban Development for transitional housing programs for women and their children who have been victims of such violence. I have introduced H.R. 3752, the Domestic Violence and Sexual Assault Victims Housing Act, which would authorize \$50 million for FY 2003 for such a program. This bipartisan legislation currently has 112 cosponsors. It is crucial to provide a stable, sustainable home base for women who have left situations of domestic violence and are learning new job skills, participating in educational programs, working full-time jobs, or searching for adequate child care in order to gain self-sufficiency. Transitional housing resources and services provide a continuum of care between emergency shelter and independent living.

It is time that we make ending violence against women a national priority. I believe the establishment of a strong Violence Against Women Office is an important step in the right direction.

## ON THE RETIREMENT OF LEROY SMITH

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 1, 2002

Mr. ISRAEL. Mr. Speaker, I rise to pay tribute to an exemplary member of the Long Island community.

The Suffolk County Police Department consistently shows us the best and most heroic that Long Island has to offer. For thirty-two years Detective LeRoy Smith has been a commendable member of that department. During

a career that has spanned three decades, Detective Casey has served on numerous high-profile cases. In 1992 he was transferred to the Homicide Squad where he helped put some of the most abhorrent criminals behind bars. He worked on the TWA Flight 800, Long Island Sniper cases and other important cases. He has made a lasting contribution to the safety of Long Island residents.

On August 5, 2002, Detective LeRoy Smith retired from the Suffolk County Police Department. He will be missed by his colleagues and by the community that has depended upon his hard work for so many years. I come to this floor so that I may offer my congratulations and best wishes to Detective Smith.

Mr. Speaker, Long Island owes a debt of gratitude to Detective LeRoy Smith.

## TRIBUTE TO ERNIE HARWELL

**HON. JOE KNOLLENBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 1, 2002

Mr. KNOLLENBERG. Mr. Speaker, today I introduce a resolution to congratulate Ernie Harwell. On September 29, 2002, Mr. Harwell signed off for the last time as the "voice of the Detroit Tigers."

For over forty years, Ernie Harwell has brought the Detroit Tigers alive for those who could not make it to the ballpark. Since 1960, people all over Michigan and the Great Lakes region have been able to listen to Mr. Harwell on the radio or television. In that time, Ernie Harwell has become synonymous with baseball, like hot dogs, peanuts, and Crackerjack.

As a child, Ernie Harwell overcame a speech impediment and made his first mark in the sports world by writing for "The Sporting News". As a sixteen year old, he was assigned as the correspondent to the Atlanta Crackers. In 1948, he became the only broadcaster to be traded for a player. The Brooklyn Dodgers sent Cliff Dapper to the Atlanta Crackers in exchange for Ernie Harwell. Since then, Mr. Harwell has broadcast games for the Brooklyn Dodgers, New York Giants, Baltimore Orioles, and the Detroit Tigers. Amazingly, in those 55 years, Mr. Harwell missed only two games.

Ernie Harwell has been inducted into the Radio Hall of Fame, the National Sportscasters Hall of Fame and the Michigan Sports Hall of Fame. He has been named the Michigan Sportscaster of the Year 17 times. In 1981, Mr. Harwell became the first active broadcaster to be inducted into the Baseball Hall of Fame in Cooperstown, New York.

Throughout the 2002 baseball season, Ernie Harwell has been recognized as one of the true greats of the game. He has been honored with pre-game ceremonies. He has thrown out first pitches. In Cleveland, the visitor's press box was renamed "The Ernie Harwell Visiting Radio Booth." September 15, 2002, was "Ernie Harwell Day" at Comerica Park in Detroit.

While Ernie Harwell is leaving the radio booth, he plans to remain active in the Detroit community. Mr. Speaker, I wish Ernie Harwell and his wife, Lulu, health and happiness as they pursue their future endeavors.

TELEVISION CONSUMER FREEDOM ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 1, 2002

Mr. PAUL. Mr. Speaker, I rise to introduce the Television Consumer Freedom Act, legislation repealing regulations that interfere with a consumer's ability to avail themselves of desired television programming.

My office has received numerous calls from rural satellite and cable TV customers who are upset because their satellite or cable service providers have informed them that they will lose access to certain network television programs and/or cable networks. The reason my constituents cannot obtain their desired satellite and cable "marketplace" is fraught with government interventionism at every level. Cable companies have historically been granted franchises of monopoly privilege at the local level. Government has previously intervened to invalidate "exclusive dealings" contracts between private parties, namely cable service providers and program creators, and has most recently assumed the role of price setter. The Library of Congress has even been delegated the power to determine prices at which program suppliers must make their programs available to cable and satellite programming service providers.

It is, of course, within the constitutionally enumerated powers of Congress to "promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." However, operating a clearing-house for the subsequent transfer of such property rights in the name of setting a just price or "instilling competition" via "central planning" seems not to be an economically prudent nor justifiable action under this enumerated power. This process is one best reserved to the competitive marketplace.

Government's attempt to set the just price for satellite programming outside the market mechanism is inherently impossible. This has resulted in competition among service providers for government privilege rather than the consumer benefits inherent to the genuine free market. Currently, while federal regulation does leave satellite programming service providers free to bypass the governmental royalty distribution scheme and negotiate directly with owners of programming for program rights, there is a federal prohibition on satellite service providers making local network affiliates' programs available to nearby satellite subscribers. This bill repeals that federal prohibition and allows satellite service providers to more freely negotiate with program owners for programming desired by satellite service subscribers. Technology is now available by which viewers will be able to view network programs via satellite as presented by their nearest network affiliate. This market-generated technology will remove a major stumbling block to negotiations that should currently be taking place between network program owners and satellite service providers.

This bill also repeals federal laws that force cable companies to carry certain programs. These federal "must carry" mandates deny

cable companies the ability to provide the programming desired by their customers. Decisions about what programming to carry on a cable system should be made by consumers, not federal bureaucrats.

Mr. Speaker, the federal government should not interfere with a consumer's ability to purchase services such as satellite or cable television in the free market. I therefore urge my colleagues to take a step toward restoring freedom by cosponsoring my Television Consumer Freedom Act.

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HONORING KEN MEYER

**HON. ROY BLUNT**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 1, 2002*

Mr. BLUNT. Mr. Speaker, I rise today to honor Ken Meyer, a Southwest Missourian who has championed his alma mater, volunteered his leadership to worthy causes and has entertained and informed the region via radio. Though his voice is not on the radio, his stations have been a long-trusted source of information about government, politics, business and sports for more than four decades.

Ken and Jane Meyer have had a passion for radio, Southwest Missouri State University (SMSU) and each other. Their marriage partnership began in 1959. This partnership has paid great dividends to SMSU, and the success of their radio properties has enriched the lives of countless people in our region. Sadly, Jane passed away earlier this year.

Ken Meyer graduated from what is now Southwest Missouri State University in 1950 after serving two years in the military at the end of World War II. Mt. Vernon High School graduates, Ken and Jane got into the radio broadcasting business when KTXR-FM went on the air in 1962. It was a gamble in the early 60s. FM radio was new and there were few receivers. AM radio ruled the air waves then, but the Meyers were in the vanguard of change. By the 1980's FM radio had established its dominance. Today, Meyer Broadcasting has stations in four markets, but the flagship station remains in Springfield.

Ken and Jane made their broadcasting stations a great success. With the "Gentle Giant" as they dubbed KTXR, Ken and Jane developed close ties with their listeners by broadcasting St. Louis Cardinal's baseball, big band hits and easy listening music.

Ken also uses his radio power to promote SMSU. For example, his radio stations became some of the first to regularly broadcast women's college basketball, along with the men's schedule.

The Meyers have shared their good fortune with charitable groups and with SMSU, which named Ken their "Outstanding Alumni" in 1985. The Meyers have established endowments for academic and athletic scholarships. They are givers to capital projects on the campus including the David Glass Hall, Juanita Hammons Hall for the Performing Arts, the Wehr Band Hall, and the Robert Plaster Sports Complex. Earlier this year, the Kenneth E. and Jane A. Meyer Foundation provided funding for a carillon that was added to an expansion of the university's library. Dedicated in the name of Jane Meyer, the 48-bell (four octaves) musical instrument sits atop a 140 foot tall bell tower on the campus.

Ken continues to give of his time to important personal priorities. He has served on the Blue Cross-Blue Shield of St. Louis Board for 15 years and has been a longtime member of the Board of Trustees for Westminster College. He also established a foundation at Covenant Presbyterian Church where he is a long time member. He has served on the Cox Health System Board of Directors, was a founder of the First City National Bank and was a Regent at Southwest Baptist University.

Ken's philosophy may be best captured in a Vince Lombardi poster that declares "Winning is a habit." Ken Meyer has certainly lived a life as a champion of causes. He may be the most enthusiastic supporter that Southwest Missouri State University has ever had.

On the occasion of Ken's 75th birthday on October 14, I wish to thank him for his untiring work for the community and alma mater; thank him for the beautiful music originating from the Jane Meyer Carillon; and thank him for bringing dependable information and entertainment to his countless listeners.

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H.R. 4874

**HON. C.L. "BUTCH" OTTER**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 1, 2002*

Mr. OTTER. Mr. Speaker, I introduced H.R. 4874 to correct 122-year-old survey errors along Spirit Lake and Twin Lakes in northern Idaho. The bill requires the Bureau of Land Management to conduct a new survey of the lakes to correct errors identified in the original 1880 survey and directs the Secretary of the Interior to disclaim any Federal interest in lands.

For over one hundred years, individuals have owned land around the beautiful lakes located in Idaho's Kootenai County. However, ownership now is in question for more than 400 people who bought the land and pay taxes on the property. H.R. 4874 will correct that problem.

In 1880 John B. David, a surveyor under contract with the General Land Office, grossly misrepresented portions of the actual lake-shore around Spirit Lake and Twin Lakes. In some places the meander lines along the shore are up to a mile and a half away from their actual location. No one noticed the inaccurate survey when the land was originally patented, and no one caught the mistake over the years as the land changed hands. In the meantime, the shorelines of these popular lakes have become heavily developed.

It was not until recently that Kootenai County Surveyor discovered the problem. County officials have expressed concern over their inability to approve and regulate new developments, surveys, and permits due to the inaccuracy of the original government survey. The problem will only worsen as the lakes become more developed.

Under current law, the Bureau of Land Management is required to conduct a resurvey of the actual meander of the lakes. The lands between the old incorrect meander line and the new meander line would become omitted land and would revert to federal ownership. Property owners would be required to repurchase, at fair market value, the land they believed they owned for over 100 years, as well

as pay for survey and administrative costs. That is simply not fair. These individuals bought the land in good faith and the government should not be allowed to take it from them simply because of a survey error over 120 years ago.

My legislation corrects the problem by creating a solution that retains the correct ownership situation without placing the expense of correcting it on the affected property owners. H.R. 4874 allows BLM to issue a "disclaimer of interest" in the affected lands so title companies and Kootenai County can proceed with ownership related matters surrounding clear title. The legislation also authorizes the necessary funding for BLM to conduct a new survey and perform the required administrative procedures.

Most of the property owners involved in this situation have a chain of title that goes back over 100 years. H.R. 4874 is really the only acceptable solution to the problem. I look forward to passage of this legislation into law.

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SEPTEMBER 11—ONE YEAR LATER

**HON. JOEL HEFLEY**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 1, 2002*

Mr. HEFLEY. Mr. Speaker, America will never be the same as a result of September 11, 2001. The horrific events of that day dramatically changed the landscape of not only New York City and Washington, D.C., but also the entire civilized world. The images of commercial airliners plunging into symbols of American enterprise, economy and security will forever be seared on our individual and national memories. But, also vivid are the images of Americans' spirit of community, gratitude and generosity that have been demonstrated these past twelve months.

Through our heartache and sorrow, Americans joined together this year in an unprecedented show of strength and unity. The outpouring of patriotism and pride across the country is displaying itself in every conceivable way. The American flag is flying: large and small; cloth and paper; store-bought and handmade; the red, white and blue is everywhere. Americans opened their homes and wallets to care for the victims. Goods and services were donated to the victims and rescue workers at an almost unmanageable pace. Restaurants in New York and Washington opened their doors to feed the rescuers, people stood on street corners and handed food to passing firemen and companies donated pillows and blankets for weary workers.

The morning after the attack, a column appeared in the Miami Herald that spread across the Internet because it captured the thoughts and feelings of our nation so aptly. In it, the columnist described the "vast and quarrelsome" American family, one "rent by racial, social, political and class division, but a family nonetheless." If the tragedy proved anything, it is that the American family is one that reaches out its hand to help another in need.

The tragedy also redefined the American hero and turned ordinary people into extraordinary Americans. After the first assault on the World Trade Center, New York City firefighters and policemen rushed into the building and