

lodge, joins nostalgic beauty and modern convenience. The spring 1997 edition of "The Route 66 Association of Missouri" features the Rail Haven on its cover and describes the facilities as "a charming 1950's style parlor room, complete with chandeliers, old time radios and speakeasy telephones, or, if you're a business traveler, you can choose to relax in one of the elegant corporate-friendly rooms." Featuring celebrity theme rooms for people like Marilyn Monroe and Elvis Presley, Elliott's Route 66 Rail Haven has found customers enjoying the opportunity to relive a bygone era in accommodations.

The Rail Haven is a Best Western motel. It is one of five motel properties owned by Elliott Lodging. The firm also owns and manages about 2,000 apartment units in Springfield. Gordon Elliott is a former Springfield City Council member and is a CPA in Springfield, MO.

BAN UNSOLICITED JUNK
ELECTRONIC MAIL

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing the Netizens Protection Act of 1997. My legislation is aimed at protecting the internet user from the unseemly practices of the junk e-mailer. The internet user, or Netizen, is in a vulnerable position in the new medium and we in Congress cannot stand idly by as law-abiding citizens have their privacy invaded on an almost regular basis. And no one should have to pay for any such intrusion.

This is a bill that has moved, as Justin Newton of the Internet Service Provider Consortium so succinctly stated, from the community to the legislature, not one that was produced by the legislature and then forced upon the community. We are empowering the consumer and the individual to take action against an egregious breach of consumer and individual rights.

As increasing numbers of Americans go online and become passengers on the information superhighway, consumers' rights must not be eroded, abridged, or mitigated along the way.

The Internet—and e-mail—are becoming part of our everyday lives. And no one—from the consumer to the small businesses who run servers—should be forced to pay for unsolicited advertisements. This is not a question of curbing speech. I believe in the first amendment as much as anyone else. However, the idea of shifting the financial burden of speech on to an unwilling audience is one that needs to be addressed.

From the netizen who may incur costs in the form of charges spent online reading and disposing of the messages—there are still millions of internet users who pay in increments of time spent online—to users who assume the costs of both accessing and storing mail they did not want, consumers should not be unwilling, and paying, recipients.

Furthermore, junk e-mailers occupy time and space on an Internet Service Provider's ISP servers and forces the ISP to make technical improvements. The cost of these improvements are passed on to the consumer—

you and me. In effect, the consumer is paying to have their privacy breached and invaded.

And no one remains unaffected by these intrusions. The business owner or ISP with their own server often unwittingly distributes unsolicited advertisements by acting as an exploder site or mail relay site. Not only is this trespassing on another person's property, but it is an outright theft of another person's resources.

Even more disturbing is the fact that a large portion of the unsolicited junk e-mail comes in the form of fraudulent get rich quick schemes, unproven medical remedies, and other unsavory solicitations.

Let me reiterate that my legislation is targeted at unsolicited commercial e-mail. The paths of communications between friends and acquaintances and businesses and their customers remains wide open. As a matter of fact, this legislation still offers the opportunity for legitimate direct marketers to do business. Certainly, the traditional avenues of direct marketing which do not shift the burden of cost to the recipient, such as postal mail, remain unchanged; and individuals will have the right to opt-in and be reached by legitimate direct marketers via e-mail. And let us not forget that we will still be exposed to electronic billboard and banner advertising on the Internet.

My legislation will make unsolicited advertisements unlawful by amending the Telephone Consumer Protection Act of 1991 which banned unsolicited junk faxes. The banning of junk e-mails is a natural extension of existing law. Based on a Ninth Circuit Court decision in *Destination Ventures v. FCC* (1995), there is substantial Government interest in protecting consumers from having to bear the costs of third-party advertising. In addition, the court also held that advertisers have no right to turn consumers into a "captive audience" that is "incapable of declining to receive a message."

I believe I have crafted a bill—although it is just the beginning of a process which includes hearings and committee work—that is acceptable to most parties involved. It allows people to "opt in" and receive unsolicited advertisements if they give their consent, but it does not put the onus on the individual to stop the unsolicited advertisers as an "opt out" plan would do. Today, at a press conference Ray Everett, a representative of the proconsumer group Coalition Against Unsolicited Commercial E-Mail, and Justin Newton, a representative from the pro-business Internet Service Providers Consortium—each coming at the issue from different sides—both came to the same conclusion—this legislation would be an effective way to put a stop to unsolicited advertisements.

THE SPORTSMEN'S BILL OF
RIGHTS

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CHAMBLISS. Mr. Speaker, as vice chairman of the Congressional Sportsmen's Caucus, it is my pleasure to join in introducing the sportsmen's bill of rights in the House of Representatives. Our goal is to assure the same kind of access to Federal public lands and waters for tomorrow's hunters and an-

glers, that present and past generations of hunters and anglers have known.

From a young age, I learned to value and treasure the outdoors. I have also had the enjoyment of passing this love of the outdoors onto my son and hope one day to pass it along to my grandson. I am an original sponsor of the sportsmen's bill of rights because I want to ensure that future generations will not be denied the opportunity to enjoy similar experiences with their families and friends.

Government's involvement with promoting America's outdoor heritage dates back to the days of Teddy Roosevelt, and the sportsmen's bill of rights is a continuation of that relationship. This proconservation and prooutdoorsman legislation will strengthen hunters' and anglers' ability to hunt and fish on Federal public lands, while requiring Federal agencies to defer to State management authorities in most instances. Not only does the legislation encourage local stewardship, but it also maintains all current land management mandates and priorities established by law, so not to disturb current and successful conservation practices.

The primary focus of the sportsmen's bill of rights is to restore equity to public land use by providing reasonable access to America's outdoorsmen and women. In fact, this common-sense measure will give hunters and anglers the ability to utilize public lands that all taxpayers should have the ability to enjoy. After all, it is our tax dollars that pay for the maintenance and upkeep of public lands—with much of that tax revenue being generated from sportsmen's activities. In my home State of Georgia alone, the expenditures of sportsmen account for \$88 million in State and Federal tax revenues.

By passing the sportsmen's bill of rights, Congress can send a message to the American public that the environment is too important to be left to extreme special interest groups or big government bureaucrats. This measure will unlock America's beautiful lands for all to enjoy, whether it is the type of folks who enjoy fishing with their children on a cool Saturday morning or those who can only go out once a year with their old hunting buddies.

SPORTSMEN'S BILL OF RIGHTS

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. YOUNG of Alaska. Mr. Speaker, I rise today in support of the sportsmen's bill of rights. When this bill becomes law, it will encourage Federal land managing agencies to allow hunting and fishing on the lands they manage. It requires these agencies to take into consideration the impact that their policies and management practices will have on hunting and fishing. Another important feature of this bill clarifies that State government holds the primary management authority over wildlife resources unless the Federal managing agency can show specific statutory authority that requires otherwise.

This legislation is needed to ensure that Americans who enjoy the outdoors can utilize our public lands. There have been too many instances where Federal agencies have closed lands to hunting and fishing with little to

no explanation to the sportsmen's community. The sportsmen's bill of rights will help keep these lands open as long as sportsman's use does not interfere with the primary use of the land.

This bill is very important to the people of the State of Alaska. The Federal Government controls over 242 million acres in our State, which makes up 66 percent of Alaska's total land area. To put it into perspective, the Federal lands in Alaska add up to over twice the total area of the entire State of California. This bill helps the Federal agencies keep these public lands open to use of our sportsmen and I urge its swift passage.

INTRODUCTION OF LEGISLATION

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. CUBIN. Mr. Speaker, today I introduce legislation to transfer 190 acres of Federal land to Park County, WY. The legislation is the result of 5 years of dedication and hard work by the Cody Country Chamber of Commerce and the Cody Economic Development Council. I also extend a special thanks to Paul Hoffman, executive director of the Cody County Chamber of Commerce, for his unwavering commitment in getting this matter resolved.

The land to be transferred is currently in public ownership, more specifically that of the Bureau of Reclamation. The Bureau has completed its withdrawal review of this land and have done extensive environmental testing, archaeological, and cultural resource studies. The State Historic Preservation Office has reviewed, and through the Bureau of Land Management [BLM], completed a cadastral survey of the land to be transferred.

All wetlands and lands with potential recreation, wildlife, and water management significance have been surveyed out of the area recommended for disposal, and that land will be retained by the Federal Government under Bureau of Reclamation management.

Through the General Services Administration [GSA], the Bureau of Reclamation recommends that all 190 acres be transferred to the county. BLM would of course be the logical Federal agency to receive the land, but it has formally confirmed it does not want to have the property under its management.

Mr. Speaker, this property, when transferred, will help ensure the economic stability of many businesses that currently hold leases on the property. Most of the acreage has excellent development potential as an industrial area, but the details of its use will be left to the discretion of the people of Park County, WY.

I am hopeful that my colleagues in the House will see the importance of conveying this Federal property, property that is no longer needed by the Federal Government, but is significant to the local entities that will directly benefit from it.

Mr. Speaker, I commend this legislation to my colleagues and urge their support for its prompt enactment.

CONGRATULATIONS TO CAPTAIN EUGENE SWEENEY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. STUPAK. Mr. Speaker, as a retired member of the Michigan State Police, it is an honor for me to bring to the attention of the House of Representatives and the American public the celebration of the retirement of a former colleague, a constituent and most importantly, a friend, Capt. Eugene David Sweeney from the Michigan State Police.

Throughout his distinguished 30 year career, Captain Sweeney has exemplified the attributes and personal qualities it takes to achieve the respect he has earned and the official commendations he has received. As a member of the 67th Recruit School in 1967, he quickly rose through the ranks and was promoted to Sergeant on October 2, 1977, and was transferred to the Fire Marshal Division at First District Headquarters in Lansing, MI.

His leadership and abilities soon provided the basis for additional promotions, including one 8 month span in 1981 when he was promoted to lieutenant, then first lieutenant, and post commander of the Negaunee Post. In 1989, he was again promoted to inspector for the Eighth District. On September 13, 1992, Gene Sweeney received his final promotion as captain in his role as commander of the Eighth District. The Eighth District comprises all of Michigan's Upper Peninsula.

There are few, if any positions where an individual places more on the line than in the area of law enforcement. Captain Sweeney put it all on the line every day for 30 years. He received the department life saving award on May 30, 1977. He also served as a model for many State troopers who served under his command and who have gone on to be excellent troopers themselves.

Captain Sweeney is married to the former Kathleen O'Rourke. They have three children, Shawn, Colleen and Aaron who, in keeping with family tradition, is also a member of the Michigan State Police. Aaron is serving with the Fire Marshal Division at the Eighth District Headquarters in Negaunee, MI.

Mr. Speaker, John Stuart Mill once said, "Everyone who receives the protection of society owes a return for the benefit." We have all received the benefit of knowing, working with and for Gene Sweeney and his family.

Mr. Speaker, on behalf of all the residents of Michigan's First Congressional District and as cochairman of the Congressional Law Enforcement Caucus, I congratulate Capt. Eugene Sweeney upon his retirement and wish him well with all future endeavors.

CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE SANTA BARBARA MENTAL HEALTH ASSOCIATION

HON. WALTER H. CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. CAPPS. Mr. Speaker, I rise today to recognize the Santa Barbara Mental Health

Association, which is located in my district and celebrates its 50th anniversary today. Historically, the needs of people with mental illness have often been neglected and forgotten. The Santa Barbara Mental Health Association was formed in 1947 by caring people who recognized the inadequacies in the care which mentally ill people received, and were determined never to allow these individuals to be ignored.

Today, the volunteers and staff of the association run two group homes and a drop-in center providing classes, support groups, meals, and a friendly atmosphere to mentally ill people. To the families of persons with mental illness, the association offers education and support services. The association also helps build understanding in the community by putting people in contact with, and educating them about, the challenges and triumphs of the mentally disabled.

Mr. Speaker, I would also like to take a moment to thank my dear friend Tom Rogers who will be honored by the Mental Health Association for his years of dedicated service and outstanding achievement on behalf of persons with mental illness. As a county supervisor and well-respected leader of our community, Tom Rogers has had the courage and ability to stand up and work for those people who most need a friend and advocate. And as everyone on the central coast knows, Mr. Speaker, Tom's courage and strength of spirit are shining brightly in the face of his own personal adversity.

Mr. Speaker, I ask that you join me today in commending Tom Rogers and the Santa Barbara Mental Health Association for their years of service to the community.

"HAPPY 200TH BIRTHDAY TO FELLOWSHIP LODGE"

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FRANK of Massachusetts. Mr. Speaker. One of the most interesting aspects of representing Massachusetts is our history as one of the original 13 States, and as a place where much of America began.

One great example of this is the Fellowship Lodge, A.F. & A.M. in Bridgewater, MA.

On June 15 this lodge will celebrate its 200th anniversary. On that day in 1797, the grand master of Masons in Massachusetts went to the town of Bridgewater to present a charter to Fellowship Lodge, and that same charter remains in Fellowship Lodge in Bridgewater today. Of particular interest is that the grand master who made that trip is a man who made another, more well known trip in Massachusetts 20 years earlier—Paul Revere. And the man who organized the petition drive to open a lodge of Masons in Bridgewater, Hector Orr, preceded myself and my House colleagues to Washington.

I congratulate the members of the lodge for their persistence in preserving this important part of our history. Massachusetts flourishes in part because our citizens recognize the value of maintaining our strong historical traditions even as we are pioneers in so many breakthrough technologies. It is I think of great note that the town of Bridgewater is the home both of this 200-year-old lodge, begun with a charter by Paul Revere when he was grand master