

## 57TH ANNIVERSARY OF THE INVASION OF NORMANDY ON D-DAY

**HON. FELIX J. GRUCCI, JR.**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2001*

Mr. GRUCCI. Mr. Speaker, I rise and ask all Americans to join me in pausing for a moment to remember the 57th Anniversary of one of the greatest fights for freedom in world history: the invasion of Normandy on D-Day.

The men, who fought this battle, many giving their lives, did nothing short of saving the world. At a time when Europe was dominated by Hitler, these soldiers mounted an invasion that many were sure was impossible at Omaha and Utah beaches, securing the coast against all odds, and beginning the final drive to defeat the Nazi's. Anyone who has seen the movie *Saving Private Ryan* has seen but a glimpse of this greatest battle of World War II.

Today, more than a thousand World War II veterans are dying each day. These men and women, who secured the freedom we enjoy today, both in America and abroad, are heroes. Their bold actions and selfless sacrifices will soon be honored on our National Mall with a new monument for them, and are being seen and appreciated anew through the eyes of a new generation. Whether it be at the theater seeing Pearl Harbor or countless other venues, our children are seeing that World War II isn't just a history lesson in school, it was heroic actions by ordinary men and women, which shaped the world in which we live today.

Mr. Speaker, this is why I am asking all Americans to join me in reflecting on the sacrifices made by these soldiers, and say a silent "Thank you" to them.

**AIDS EPIDEMIC**

SPEECH OF

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 5, 2001*

Mr. NADLER. Mr. Speaker, twenty years ago the medical world was riding a wave of confidence. Our scientists had conquered polio, tuberculosis, smallpox, you name it. We were ready for any new challenge. But no one was prepared on June 5, 1981 for the crisis that was to come. Some thought this new discovery to be a rare pneumonia, others a new form of cancer. It attracted minor attention at the time, but little did we know that the world was about to meet the most devastating epidemic of our time—AIDS.

When we look back now at our response to the onset of AIDS, we see a nation that ignored an epidemic and a Congress reluctant to devote resources to finding its cure. Too many people believed that they could never contract AIDS and they failed to protect themselves from it. But no one is immune, and by the time we looked up AIDS had reached every community across the world. One need only look at the decimation of the African continent to see the dramatic consequences of our inattention to AIDS.

In the last decade we have made great strides in this country in dealing with this terri-

fying crisis. Research funded by the NIH has yielded incredible breakthroughs in treatment, indefinitely prolonging the lives of people living with HIV. The Ryan White CARE Act has established a comprehensive program of treatment and support services, bringing a little hope and humanity to people living with HIV and AIDS. The HOPWA program is helping almost 60,000 people a year find the stable housing they need to live long and productive lives. We should be proud of these efforts.

But there is a new epidemic that has beset us. It is called complacency. The flat funding for Ryan White proposed by the President, the rising number of HIV cases reported in women, the dramatic increase in HIV across communities of color. These should serve as a wake-up call to all of us that our work is nowhere near done. We must redouble our efforts in prevention and treatment if we hope to ever eliminate it from our midst. Before we can eradicate AIDS, we must eradicate the complacency that surrounds us.

Mr. Speaker, anniversaries are a time for reflection, a time to look back at where we've been and look ahead to where we may be going. We have a lot to be proud of in our response to the AIDS epidemic, but let's take this opportunity to re-energize our AIDS policy and conquer this terrible disease once and for all.

**PEACE CORPS VOLUNTEER IN DIARELA****HON. JO ANN DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2001*

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, a constituent from Virginia's Northern Neck sent me a report on the work of his daughter, a Peace Corps Volunteer in Diarela, a remote village of approximately five hundred farmers near Mali's border with Ivory Coast, in Western Africa.

Until the parents visited in Mali, they had difficulty answering their neighbors' standard question, "What does she do there." There is no short, easy answer. She lives in a house built and furnished to Peace Corps specifications: a tin roof, mud walls and a concrete floor, a table and a chair. The nearest electricity and running water are hours away. She has a bicycle and some basic tools, and only a very small stipend. Where else are Americans asked to live and work with so little, and with the vaguely-implied imperative to do what you can in the best interests of the United States of America?

The visiting parents of Ms. Kallus saw the intangible results of her efforts as a Peace Corps volunteer when she invited the men of the village to drink tea. At least forty came. They conversed about many subjects: from crops and weather to self respect and the brotherhood of races. Ms. Kallus skillfully translated from Bamba and French to English. Around midnight, one of the village farmers spoke up, saying, "We trust you, Batoma." (That is the name they have given her.) "You work hard and speak the truth. Because of you, we know and respect the United States."

Americans can get no better return on their tax dollar than that.

## INTRODUCTION OF THE SALES INCENTIVE COMPENSATION ACT

**HON. PATRICK J. TIBERI**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2001*

Mr. TIBERI. Mr. Speaker, I am pleased today to join my colleague, Representative ROB ANDREWS from New Jersey, in the introduction of "The Sales Incentive Compensation Act." This is a very narrow, technical amendment to the Fair Labor Standards Act of 1938. The purpose of the legislation is to clarify the treatment of certain types of sales employees under the federal minimum wage and overtime requirements.

Technological advances have dramatically changed the way in which sales employees perform their jobs. Companies now compete in a global market where many business transactions occur through use of the Internet, faxes and the telephone.

This bill is specifically written for the so-called "inside sales" employee, who works primarily at the employer's facility, using the phone, fax and computer connections to communicate with non-retail customers. Many of these employees are professional sales people who deal with very sophisticated products or function as both a consultant and salesperson to customers, yet they are not covered by any of the current exemptions from minimum wage and overtime.

The treatment of inside sales employees under the law has only become an issue in recent years, as the courts have reached differing conclusions about whether inside sales employees qualify for any of the current exemptions. Since many of these employees are covered by a 40 hour workweek, current law has the unintended effect of placing a ceiling on their income because they do not have the flexibility or the choice to work additional hours in order to generate more sales and earn more commissions.

The Sales Incentive Compensation Act takes into account the changes that have occurred in the workplace since the law was enacted in 1938. The legislation would update the law to more accurately reflect the duties and functions of inside sales employees. By doing this, employees would have the opportunity to increase their wages.

In order to qualify for this exemption, an employee must meet the requirements in the bill that outline the specific functions and duties of the job. An employee would have to have a detailed understanding of the customer's needs and specialized or technical knowledge about the products or services being sold. The employee must sell predominately to repeat customers—in other words, the exemption would not apply to telemarketers or sales employees who primarily "cold call" customers. In addition, the employee must have a detailed understanding of the customer's needs.

The legislation ensures protections for the employee in that it requires the employer to pay a minimum amount of base compensation. The remainder of the employee's compensation would be derived from commissions on sales. So employees would be provided with a base salary, an additional amount of guaranteed commissions, and continued incentives for increased earnings. Employees who choose to work longer hours in order to

make more sales are therefore guaranteed to have financial reimbursement for the additional hours in the form of commissions.

The Sales Incentive Compensation Act is carefully crafted bipartisan legislation that many Members supported during the last Congress when it was considered and passed by the House. I urge my colleagues to support expanding worker opportunity and providing sensible reform to a 1938 law.

#### PRESIDENT BUSH'S MISGUIDED ENERGY PLAN

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2001*

Mr. RODRIGUEZ. Mr. Speaker, President Bush has released his long-awaited energy plan and even with last minute changes it is as flawed and one-sided as anticipated.

President Bush has proposed nothing to deal with the immediate energy crisis facing California and the Pacific Northwest and the looming crisis for New England and other parts of the country.

The President has proposed nothing to deal with rising gasoline and energy prices. Instead, Bush has said that his tax cut proposal will help consumers with increased energy cost. However, his income tax reductions are not fully phased in until the year 2006.

How will lower and middle class families afford rising energy prices for the next five years under President Bush's solution?

In addition, 45% of his \$1.6 trillion tax plan would benefit the wealthiest 1% of Americans. Middle class families making less than \$44,000 would get only 13% of the benefits, about \$11 per week in the year 2006 under the plan.

We should not destroy our national parks, pristine federal lands, and the environment to provide a very limited amount of additional oil and gas. For example, opening the Arctic National Wildlife Refuge, "America's Serengeti" to oil and gas exploration is a mistake.

In addition, the President in proposing to rollback environmental and clean air regulations that could actually increase emissions of ozone causing pollutants.

Conservation must be an integral part of any national energy plan but the President's plan proposed very little for energy efficiency or renewable energy.

Democrats believe in a balanced energy policy that helps consumers by both increasing production and reducing energy demand.

The federal government must become more energy efficient, invest in energy research, and ensure that energy markets are fair and competitive.

#### COMMENDING CLEAR CHANNEL COMMUNICATIONS AND AMERICAN FOOTBALL COACHES ASSOCIATION FOR THEIR DEDICATION AND EFFORTS FOR PROTECTING CHILDREN

SPEECH OF

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 5, 2001*

Mrs. JACKSON-LEE of Texas. Mr. Speaker, I rise to add my commendation of the American Football Coaches Association for its efforts in providing fingerprint kits to parents that would be used to help locate missing, kidnapped or runaway children.

As founder and co-chair of the Congressional Children's Caucus, I applaud this group's work to help children who are desperately in need. I also thank my colleague Representative DUNCAN for introducing this resolution.

It is particularly timely that we recognize this group, because we just observed National Missing Children's Day on May 25. Every day in this country, 2,100 children are reported missing to the FBI's National Crime Information Center. There are at least 5,000 children missing per year in Houston.

The National Child Identification Program was created in 1997 with the goal of fingerprinting 20 million children. This program provides a free fingerprint kit to parents, who then take and store their child's fingerprints in their own homes. If this information were ever needed, fingerprints would be given to the police to help them in locating a missing child. The American Football Coaches Association, in partnership with a large chain of radio stations, has agreed to raise funds to help provide such a fingerprint kit for every child in America.

It is crucial that, in each of our districts, we support this and all other efforts to protect our children and help those who are missing and

I have taken initiative to protect the very youngest of such victims by introducing H.R. 72, the Infant Protection and Baby Switching Prevention Act. This legislation would require certain hospitals reimbursed under Medicare to have in effect security procedures to reduce the likelihood of infant patient abduction and baby switching, including procedures for identifying all infant patients in the hospital in a manner that ensures that it will be evident if infants are missing.

Another successful nationwide effort is the AMBER plan (America's Missing: Broadcast Emergency Response), which permits law enforcement agencies and broadcasters to rapidly exchange information in the most serious child abduction cases and quickly alert the public during the critical first few hours of a child abduction. This program is named after Amber Hagerman, who was abducted and murdered in Arlington, Texas several years ago. This program has been responsible for the amazing recovery of at least ten children. One of these programs is based in my district of Houston, Texas. In response to the May 1 abduction of 11-year-old Leah Henry of Houston, the Amber plan has been made more

flexible, permitting alerts to air more frequently and through radio and television stations, rather than resorting to the emergency broadcast system. It is my hope that cities around the nation will adopt this valuable program.

We must all take a stand against child abduction and victimization. I am grateful to the American Football Coaches Association and all other concerned organizations and citizens for doing so.

#### INTRODUCTION OF END RACIAL PROFILING ACT OF 2001

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 6, 2001*

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the End Racial Profiling Act of 2001, along with additional bipartisan cosponsors. Both the President and the Attorney General have said that we need federal legislation and that the practice of racial profiling should be prohibited. This bill accomplishes both these goals and we're anxious to work with the administration to pass legislation during this Congress.

Racial profiling not only undermines constitutional rights, but also undermines the trust on which law enforcement depends. Since I first introduced racial profiling legislation in the 105th Congress, the pervasive nature of racial profiling has gone from anecdote and theory to well-documented fact. Data collected from New Jersey, Maryland, Texas, Pennsylvania, Florida, Illinois, Ohio, New York, and Massachusetts show beyond a shadow of a doubt that African-Americans and Latinos are being stopped for routine traffic violations far in excess of their share of the population or even the rate at which such populations are accused of criminal conduct. A recent Justice Department report found that although African-Americans and Hispanics are more likely to be stopped and searched by law enforcement, they are much less likely to be found in possession of contraband.

Racial profiling is a double-barreled assault on our social fabric. Nearly every young African-American male has been subjected to racial profiling or has a family member or close friend who has been a victim of this injustice. Racial profiling sends the message to young African-Americans and others that the criminal justice system, and therefore the system at large, belittles their worth, that message and its impact sticks. Second, and relatedly, it causes a breakdown of trust on which community policing depends. And unless that trust is built, deep seated, nurtured, then the police can't do the job of protecting our communities, a job we all want the police to do.

Our legislation is designed to eliminate racial profiling by addressing the policies and procedures underlying the practice. First the bill provides a prohibition on racial profiling, enforceable by injunctive relief. Second, we condition federal law enforcement and other monies that go to state and local governments on their adoption of policies that prohibit racial