

provide Internet access and telephone service, in addition to traditional television programming. Confusion over whether section 631 of the Communications Act or the Electronic Communications Privacy Act (ECPA) applies to cable operator disclosures of information about their subscribers to government entities could hamper or delay government investigations. In the wake of the terrorist attacks against the United States on September 11, 2001, we as policymakers have examined ways in which to improve law enforcement's ability to trace, intercept, and obtain records of the communications of terrorists and other criminals with great speed, regardless of the mode of transmission. Clarifying which law applies when will greatly assist law enforcement in their antiterrorism, investigative efforts.

Therefore, as the committee of jurisdiction over this issue, the Energy and Commerce Committee worked with the Department of Justice, and the Senate Commerce Committee, to arrive at language now found in section 211 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, that clarifies that cable television subscribers continue to enjoy certain privacy protections, while also ensuring that law enforcement officials have the same ability to gain access to cable subscriber Internet and telephony information as they do with conventional telephone service.

The drafters of this language intend the phrase "records revealing cable subscriber selection of video programming from a cable operator" to mean information about which video programming service or services a cable subscriber has purchased from a cable company. It does not include information such as a cable subscriber's name, address, or the means of payment. Importantly, this language does not impose any new requirements on cable companies to maintain or collect additional records containing subscriber information.

"Video programming" is intended to refer to traditional video programming services comparable to broadcast television, see 47 U.S.C. 522 (20), as opposed to the emerging types of video programming services that enable subscribers to communicate with other viewers or subscribers. Nor does "video programming" include streaming of content over the Internet.

Moreover, to the extent a cable company enables its subscribers to communicate with other persons through the provision of telephone service or Internet access service, it must comply with the same laws, found in title 18, governing the interception and disclosure of wire and electronic communications that apply to any other telephone company or Internet service provider. In these instances, Section 631 simply would not apply. Under Title 18, providers of these interactive services are not required to provide notice to their subscribers when disclosing information to a governmental entity, and in certain cases may disclose information without a court order.

With this clarification, cable companies will be in a better position to assist law enforcement with their anti-terrorism, investigative efforts without fear of violating other provisions of the law. Thank you.

CHILOQUIN DAM FISH PASSAGE
FEASIBILITY STUDY ACT OF 2001

SPEECH OF

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 2001

Mr. DEFAZIO. Mr. Speaker, nobody could have foreseen the devastating drought that has besieged Oregon over the past year. The lack of water has adversely effected agriculture, energy generation, recreation, and fish and wildlife habitat. The Klamath Basin in Southern Oregon and Northern California has suffered particular hardship through this drought. The snowpack and rainfall that supply the Basin with life-sustaining water are critical to the economic viability of the Basin, and have been significantly below normal. Because the federal government, through the Bureau of Reclamation, has encouraged the Basin's dependence with nearly a century of promised federal water allocation, this Congress has an obligation to take further steps to provide further funding for relief and mitigation.

The Chiloquin Dam, on the Sprague River, currently blocks as much as ninety percent of the spawning grounds for two species of listed as endangered suckerfish. This bill, H.R. 2585, to study the feasibility of increasing fish passage at Chiloquin Dam, would be a modest but important step toward providing a long-term solution for the Basin's water shortage.

Last spring, the federal government announced that many of the irrigators in the Klamath Basin would not receive their annual deliveries of water from Upper Klamath Lake. This decision was largely based upon the U.S. Fish and Wildlife's portion of the biological opinion stating that water levels in Upper Klamath Lake must remain at a certain level to protect the endangered suckerfish. By improving fish passage at Chiloquin Dam in the Modoc Point Irrigation District, we can be proactive in recovering suckerfish populations. Hopefully, working toward full recovery of the species will eventually result in a delisting, thus providing for fewer restrictions on lake levels and more flexible water management.

The situation in the Basin has been exacerbated by judges' rulings and the application of the Endangered Species Act (ESA). In 1995, as a member of the House Resources Committee, I voted in favor of reforming the ESA. The bill I supported, authored by a moderate Republican, would have maintained the core principles of the ESA, but could have prevented the fish versus people situation that we now have. The reforms would have involved the state in any proposed species listing. It would have allowed the state to propose an HCP or long term recovery strategy to prevent a listing. It would have also clarified the process to weigh social and economic impacts prior to listing. Unfortunately, the moderate, bipartisan reforms I supported were rejected by Chairman Young. Instead, he pushed for a virtual repeal of the ESA. The Chairman's radical approach to reforming the ESA was flatly rejected by the Republican leadership.

The ESA expired in 1992. With exception of the 1995 attempt, the Republican House leadership has scheduled no action to review, reform, or re-authorize the ESA. Unfortunately, it continues to be authorized year to year, without change, through appropriations riders.

Hopefully, the dire circumstances in the Klamath Basin and elsewhere will be a catalyst for the House to properly re-authorize and reform the ESA.

I am pleased to be working with Mr. Walden, and many members of the Oregon and California delegations, to find reasonable short and long term solutions to the situation in the Basin. This bill can provide for one of those reasonable solutions. I urge adoption of H.R. 2585, the Chiloquin Dam Fish Passage Feasibility Study Act.

TRIBUTE TO MAE GRAYSON
HAMILTON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. ROSS. Mr. Speaker, I wish to pay tribute to the life and accomplishments of my friend, Mae Grayson Hamilton, who passed away on October 17, 2001, in Little Rock, Arkansas.

A Dumas, Arkansas, native, Mae was a longtime teacher in the public school system in my hometown of Prescott. During the course of her career, she enriched the lives of generations of Prescott school children through her love for her students and dedication to teaching. As an educator, she was an active member of the National Education Association, the Arkansas Education Association, the Literacy Council and the Nevada County Retired Teachers Association.

Mae was also a devoted member of the Macedonia Missionary Baptist Church in Broughton, Arkansas. In the church, she served as a deaconess and a member of the Hospitality Committee, the Outreach Mission and the Women's Missionary Society. In addition, she gave of her time to be Children's Church Coordinator and Chair of the Program Committee.

Mae Grayson Hamilton was truly a role model not only to our young people, but to all those who knew her well. Her passing is a great loss to her former students, her church family, and all the people of Nevada County. I am grateful for her lifelong commitment to education and her community, and I was proud to represent her in the United States House of Representatives.

My heart goes out to Mae's husband, Johnny Hamilton, Jr., and her two daughters, Michele Hamilton Rhodes and Nicole Hamilton, and my thoughts and prayers are with all her family and friends.

TRIBUTE TO THE GOVERNMENT
OF THE REPUBLIC OF TURKEY

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. WEXLER. Mr. Speaker, I would like to extend my sincere congratulation to the people and Government of the Republic of Turkey as they celebrate the seventy-eighth anniversary of the founding of their nation by Mustafa Kemal Atatürk on October 29th. This celebration is an important opportunity to highlight the

incredible accomplishments of one of the world's most dynamic nations. I know I speak for many Members of Congress and the American people in extending our wishes for the continued strength and success of the Republic of Turkey.

Over the past seventy-eight years, Turkey has emerged as the secular and modern democracy that Kemal Ataturk envisioned in 1923. Turkey has proven that democracy and Islam are compatible concepts and that freedom and tolerance are universal ideals that should be embraced by all peace-loving nations. As Turkish President Sezer said in a speech commemorating the foundation of the Republic of Turkey on Sunday, "The Republic which was founded as a result of Great Leader Mustafa Kemal Ataturk's foresight after our nation won its War of Independence is an idea of enlightenment and modernization."

As America faces her toughest test both domestically and internationally since World War II, it is reassuring to know that we have the unconditional and unequivocal support of the Republic of Turkey in our counter-terrorism efforts. Turkey's support and sympathy for the American people following the September 11th attacks are testament to the strength of our nations relations and our common commitment to democracy and freedom. As Turkey celebrates her national day, it is important for the United States to recommit to strengthening our strategic partnership with our NATO ally.

As Co-Chairman of the Caucus on U.S. Turkish Relations and Turkish Americans, I believe that we would be remiss if we did not mention the significant contributions of the Turkish American community to our nation. This growing and increasingly important American community has enjoyed unparalleled success at every level of American society and in every profession. As American ambassadors of Turkish culture and history, they are without a doubt the Republic of Turkey's greatest asset in the United States and have enriched America.

Mr. Speaker, as the people of the Republic of Turkey celebrate their nation's seventy-eighth anniversary, I know that they will continue to build on the political, economic, and cultural success envisioned by one of the twentieth century's greatest leaders, Mustafa Kemal Ataturk. Again, I congratulate the government and people of the Republic of Turkey as they celebrate the founding of their nation.

**FUNDING FOR THE FREEDMEN'S
BUREAU RECORDS PRESERVA-
TION ACT**

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. HORN. Mr. Speaker, I am pleased that the Treasury-Postal Appropriations Bill, H.R. 2590, includes funding to implement the Freedmen's Bureau Records Preservation Act of 2000. The Freedmen's Bureau Records Preservation Act was cosponsored by Representative JUANITA MILLENDER-MCDONALD and Representative J.C. WATTS. I was privileged to manage the legislation on the floor of the House last year.

This important Act requires the Archivist of the United States to preserve the records of

the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly known as the "Freedmen's Bureau," so that these records can be maintained for future generations. It further requires the Archivist to work with Howard University and other institutions to index the records so that they will be more easily accessible.

The Freedmen's Bureau, which was established in 1865, accumulated a treasure trove of records concerning newly emancipated African-Americans. These records contain information on marriages, births, deaths, labor contracts, Government rations and back-pay records, and indentured contracts for minors. The records are, in many instances, a key source of information to American families tracing their heritage. They are also a vital source of information for historians and students.

The Freedmen's Bureau Records Preservation Act has special relevance for Howard University. The fact that both the Freedmen's Bureau and Howard University grew out of the same impulse to remediate the wrongs of slavery at the end of the Civil War linked the two institutions together at their birth. The fact that General Oliver Otis Howard served both as the Commissioner of the Freedmen's Bureau and as the third president of the University that bears his name adds additional strength to the link. Therefore, Representative MILLENDER-MCDONALD and I were honored to join many others in a ceremony at Howard University on February 27, 2001, to commemorate enactment of this important legislation.

With the support of Congress, the National Archives will employ microfilming technology to preserve the invaluable Freedmen's Bureau records, and Howard University will develop indexing strategies to provide their widest accessibility to scholars, genealogists, and the general public. Through this partnership, the Act's goals of ensuring preservation and promoting access can and will be achieved.

**IN HONOR OF THE CONTINUING
SERVICE OF THE NATIONAL
GUARD AND RESERVE UNITS AC-
TIVATED IN SUPPORT OF OPER-
ATION ENDURING FREEDOM**

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. FORBES. Mr. Speaker, I rise to introduce a resolution honoring the continuing service and commitment of the members of the National Guard and Reserve units activated in support of Operation Enduring Freedom. In the days following September 11th, it was the National Guard and Reserve who were present on our streets and in our skies. They were present in our airports and on our waterways. They were deploying overseas in support of active duty units. This is not the first time we have seen these heroes in action. They are our associates and neighbors, our friends and relatives. And yet to many of us, their presence means so much more now than it did before.

We must honor the modern day Minuteman, for as our citizen-soldiers stand watch over us, they remind us that long before the phrase

"Homeland Security" was crafted, they were here to preserve liberty on the home front. They were there to support our Army, Navy, Marines, Coast Guard and Air Force. And they are still there, supporting our nation in this time of danger.

This war against terrorism may be lengthy and difficult, and we may at times feel less than fully secure, but I stand here today to tell you that I rest easier with the knowledge that the National Guard is on the job. We owe the men and women who have left their families and jobs to heed this call a great deal, and I urge my colleagues to join me in supporting our National Guard and Reserve. Let us not allow a single Guard or Reserve member to join in this conflict, without knowing that the House of Representatives, and more importantly a grateful nation, holds them in the highest esteem. Let us pass this resolution now and give our heroes even greater strength to draw on in the difficult days ahead.

**REMEMBRANCE OF GERALD
SOLOMON**

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. CROWLEY. Mr. Speaker, I thank my colleague from New York, Mr. SWEENEY, for leading this special order. I rise tonight to commemorate the life and career of Gerald B.H. Solomon.

Gerry Solomon was well known as a tough-talking advocate for his Congressional district. But as a former Marine, he was perhaps the House's biggest advocate for veterans during his 20 years in Congress. As the ranking member on the House Committee on Veterans Affairs, Solomon worked tirelessly on behalf of veterans and veterans' benefits, including beneficiary travel for veterans going to and from VA hospitals. Solomon was also successful in efforts to elevate the Veterans Administration to a cabinet-level department. This work won him wide praise from veterans groups.

AMVETS National Commander Joseph W. Lipowski called Solomon "one of our foremost advocates in Congress." In 1989, Solomon was presented with the AMVETS Silver Helmet Award. The award, which is a silver replica of the World War II GI helmet, has come to be known as the "Veterans Oscar."

It is fitting that Solomon was laid to rest with military honors in Saratoga National Cemetery. From his key position on the House Veterans Affairs Committee, Solomon was the driving force behind the creation of the cemetery and helped secure \$1.45 million to buy the land for the cemetery. Solomon loved the unique place in history held by Saratoga, as it was the turning point in the American Revolution.

In addition to serving as ranking member of the Veterans Affairs Committee, Solomon was Chair of the powerful Rules Committee. As the first Republican Chairman in four decades, Solomon used this chairmanship to promote the interests of New York.

Public service was clearly Solomon's life. Coming from a family full of firefighters and policemen, I would be remiss if I failed to note that Solomon also served for years as a volunteer firefighter in his home town of Glen Falls, New York.