

On behalf of the United States Army, I proudly present the Schroeder family an Air Medal with three oak-leaf clusters, a Purple Heart, a POW Medal, an American Campaign Medal, a European, African, Middle-Eastern Campaign Medal, and Honorable Service Lapel Pin, WWII.

Mr. Speaker, I ask that this 107th Congress join me in posthumously recognizing a member of our Greatest Generation, Eldred Clifford Schroeder.

INTRODUCTION OF LEGISLATION
TO REPEAL PUHCA

HON. CHARLES W. "CHIP" PICKERING
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mr. PICKERING. Mr. Speaker, I am pleased to introduce a bill today to help America's energy consumers by repealing an outdated law that serves as a barrier to competition for increased supply and transmission in today's troubled energy marketplace. This bill, which is identical to legislation introduced by Chairman TAUZIN in the last Congress and very similar to legislation approved by the Senate Banking Committee in the last Congress, would repeal a New Deal Law, the Public Utility Holding Company Act of 1935 (PUHCA).

I am pleased to be joined by Representative TOWNS, Representative STEARNS and Chairman TAUZIN in introducing this important bipartisan legislation. I will be working closely with these members as we seek to bring an end to this outdated policy which has outlived its usefulness and purpose. Chairman TAUZIN has been the author of this legislation in the past and I am proud to take his mantle forward. In addition, Representative STEARNS and TOWNS have long been involved in the fight to repeal PUHCA and I look forward to working with them and having their leadership on this effort.

This legislation is a bipartisan initiative. The current Republican and previous Democratic Administrations have called for the repeal of PUHCA. Further, the bill would implement the recommendations of the Securities and Exchange Commission (SEC) made in 1995 following an extensive study by the SEC of the effects of this outdated law on the energy markets.

Mr. Speaker, one of the factors that has contributed to the current California energy crisis and will stand in the way of any permanent solution is the structural and financial restraints imposed under PUHCA. PUHCA unnecessarily restricts the flow of capital into the troubled California market, which is inhibiting the development of new generation and transmission capacity. Repeal of PUHCA would eliminate these artificial structural and financial barriers and could contribute to the alleviation of California's energy problem and the Western regional energy problem.

PUHCA is a law that has long outlived its usefulness. It imposes unnecessary costs on consumers and directly undermines the intent of recently enacted federal and state policies designed to bring more competition and capital to America's energy market.

PUHCA was enacted in 1935 to address abuses arising out of pyramid corporate structures at a time when electric utility regulation was just starting at both the federal and state

level. PUHCA's primary purpose was to simplify complex holding company structures and to limit inappropriate business practices. This purpose was accomplished in the 1950's and the SEC has recommended to Congress that PUHCA be repealed since 1981.

Today, a significant number of electric and gas utility holding companies are required by PUHCA to operate under arbitrary rules that preclude them from investing in areas of need, developing new technologies and services, and competing in open markets. Other utility companies are exempt from PUHCA's restrictions, but must operate primarily within one state in order to maintain their exemptions. Our nation's gas and electric utility companies, therefore, must operate principally within certain geographic "boxes." This stifles innovation, hinders competition, and creates market power problems in the regional electricity markets which conflicts directly with FERC's efforts to open the country's wholesale markets and transmission lines.

PUHCA also delays or, in some cases, prevents registered companies from offering new products and services to their consumers. As a barrier to entry for gas and electric utilities in all states, PUHCA limits investment and growth opportunities on a nationwide basis in the gas and electric industries. PUHCA also unnecessarily restricts the flow of capital into all states thereby inhibiting the development of new transmission and generation capacity. PUHCA stands in the way of the efforts by our nation's utility industry to serve consumers in a more competitive manner.

The counterproductive restricts that PUHCA places on the natural gas and electric power industries are based on historical assumptions that are no longer valid. The factors that existed when PUHCA was enacted in 1935 no longer exist today. Federal and state laws at that time were inadequate to protect consumers and investors 66 years ago. Today, federal and state regulations have become much more comprehensive and sensitive to market conditions. PUHCA, however, remains an economic drag on America's energy industry.

Mr. Speaker, I first became aware of PUHCA's outdated restrictions when I served as an aide to Senator Lott on the Telecommunications Act of 1996. At the time, we were trying to modernize the Communications Act of 1934, another command and control New Deal legislation like PUHCA. PUHCA had to be amended to allow competition in our telecommunications industry. Today, we need to repeal the 1935 Act and replace it with one that makes sense in today's energy and capital markets.

There exists no reason to retain this outdated regulation. The ability of State commissions to regulate holding company systems and, together with the development of regulation under the Federal Power Act of 1935 and the Natural Gas Act of 1938, have eliminated the regulatory "gaps" that existed in 1935 with respect to wholesale transactions in interstate commerce. The expanded ability of State commissions and the FERC to regulate inter-affiliate transactions have further rendered the 1935 Act unnecessary. In addition, important market power issues will continue to be reviewed by FERC, the Department of Justice and the Federal Trade Commission.

This legislation would reform the regulation of utility holding companies by repealing the

duplicative SEC-related provisions of the Public Utility Holding Company Act of 1935, while assuring that the SEC retains all of its non-PUHCA jurisdiction of securities and securities markets in order to protect investors. The bill would put gas and electric power companies on an equal competitive footing, allowing them to take advantage of market opportunities that benefit consumers, investors and utility companies.

Registered companies will continue to be subject to the same government regulation intended to protect consumers and investors as that to which other industry participants are subject. SEC authority under the Securities Act, Exchange Act, Investment Advisers Act, and Trust Indenture Act will all remain in place. The State securities commissions will also have available to them the various State Blue-Sky laws. The bill will assure FERC access to those books, records, accounts, and other documents of holding companies, their affiliates and subsidiaries, which are relevant to costs incurred by a public utility company and which are necessary for the protection of consumers with respect to rates.

In the new environment confronting the utility industry, PUHCA has become nothing more than a bottleneck that constrains the ability of our nation's natural gas and electric power industries to serve consumers. PUHCA is an anachronism that burdens utility systems with costs and restrictions that impair their competitiveness and prevent them from adapting to the new and more competitive environment. PUHCA is no longer a solution because the problems of the 1930's have been replaced by effective state and federal legislation and by the realities of today's marketplace. Simply put, America no longer can afford the Public Utility Holding Company Act of 1935. It is time for Congress to act on the recommendations of the SEC and to enact this legislation.

IN HONOR OF THE MEMBERS OF
THE FEDERATION OF THE DODECANESEAN SOCIETY OF AMERICA
AND CANADA

HON. CAROLYN B. MALONEY
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to the members of the Federation of the Dodecanesian Society of America and Canada. The Dodecanesian Islands include the twelve Aegean islands of ancient Greece ringing Asia Minor. The goal of the Federation is to salute the islands' struggle to remain Greek through years of occupation and their ultimate triumph 50 years ago when the twelve islands united with modern Greece. The Federation will celebrate their 50-year independence on Saturday, March 11, 2001.

The Dodecanesian Islands most certainly have a remarkable history that dates back to ancient times. The epic and legendary story of the Dodecanesian Islands is truly one of captivating heroics. The chain of islands, which include the island of Rhodes whose great colossus was one of the seven wonders of the world, are where Hippocrates, the father of Medicine, called home and began his first scientific investigation of disease and the organs of the body.

Certain individual Dodecanesian Islands have fascinating histories that accurately illustrate Greek history. The Dodecanesian island of Patmos sheltered Saint John the Evangelist and it was there he wrote the Book of Revelation. The island of Kassos contributed a large fleet to the independence struggle and as well a large part of the Greek merchant fleet which aided the allied cause in the Second World War. Homer writes that the Dodecanesian Islands aided Agamemnon in the siege of Troy, where Rhodes bought from "that most pleasant land" nine "tall ships."

Mr. Speaker, the members of the Federation of the Dodecanesian Society of America and Canada do valuable work ensuring that the American and Canadian Dodecanese descendants develop strong and unbinding ties to their homeland of Greece. This organization does an admirable job promoting and instilling "enosis," the Greek word for ties to one's homeland, for thousands of my constituents and I am proud to recognize them today.

**TRIBUTE TO RALPH O. WALTON,
JR., A SKI INDUSTRY LEADER**

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mr. McINNIS. Mr. Speaker, I would like to take a moment to pay tribute to a ski industry leader. Ralph O. Walton Jr. announced on March 14th that he is retiring as Chairman of the Board of Crested Butte Mountain Resort, Inc. where he has been the driving force behind shaping Crested Butte as one of Colorado's premier destination mountain resorts. His leadership in this important industry deserves the recognition and praise of this body.

In 1970, Ralph and his brother-in-law, Howard H. (Bo) Callaway bought the Crested Butte Ski area. In the 30 years since, he has been the senior officer. "I have had a great 30 years at Crested Butte, but now is the right time for Martha and me to spend a little more time together and let the younger generation take the ski area forward," Ralph said.

Under his leadership, the resort invested over \$100 million in improvements, including 13 lifts, two warming houses, and 700,000 square feet of construction at the base area. He pioneered the first non stop, scheduled jet service to regional mountain airports, and developed both the Crested Butte Marriott Hotel and the Crested Butte Sheraton Hotel.

"Ralph Walton has been the guiding force behind the ski area at Crested Butte for the past 30 years and the ski area owes him a great debt of gratitude for helping it get to its position today. Everyone in Crested Butte will sorely miss his active leadership but we understand his desire to retire at this time," said Bo Callaway, the Resort's co-owner.

The 70 year old Georgia native graduated from Auburn University in 1951 with a BS in Electrical Engineering and spent two years in the United States Army as a First Lieutenant.

Ralph has also been associated with the National Ski Areas Association as a board member. He spent time as the Vice Chairman of the Board of Colorado Ski Country, USA and as a board member. He also worked for Westinghouse Electric Corporation for sixteen years.

Ralph has also found time to be active in Rotary International, the Optimist Club, IEEE, the Hamilton Baptist Church, and the United Congressional Church of Crested Butte.

Mr. Speaker, Colorado's ski industry is losing one of its great leaders. He has done so much for the ski industry, and for Crested Butte. I would like to take a moment to thank Ralph for all his work and wish him good luck in his future endeavors.

BERENSTEIN BEAR BOOK DONATION FOR THE CHILDREN OF SAN ANTONIO

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mr. RODRIGUEZ. Mr. Speaker, today I would like to share with you the devotion to public service displayed by a group known as the Southwestern Bell Communications (SBC) Telephone Pioneers. The San Antonio Council #40 of this organization worked diligently to have 991 popular Berenstein Bear books donated to their community's schools. With this donation they are taking concrete steps to promote reading of these fun books and others by elementary school children.

The SBC Telephone Pioneers have the goal of impacting over 86,000 families by donating a set of eleven books to ninety-one elementary schools in three different San Antonio school districts. The hope is that the teachers will read these stories about the popular Berenstein Bear family to help children better understand life's little and big issues while gaining an appreciation of reading books. Brother and sister bear share their stories of starting school, making friends, and dealing with their feelings while Mama and Papa give advice. They learn about honesty, sharing, and responsibility. These wonderful stories will not only help the children relate to different situations, but hopefully will also inspire the children to continue learning through reading.

This tremendous donation by the SBC Telephone Pioneers is commendable. The over 40,000 students that will have access to these books are fortunate. The SBC Telephone Pioneers have set an example of how to improve our communities one child at a time. The donation of these books is a special tribute to the children of San Antonio and volunteers who cared enough to make a difference.

**HIGH PERFORMANCE SCHOOLS
RESEARCH ACT**

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the High Performance Schools Research Act, a bill that would establish a research program at the National Science Foundation to quantify the relationship between the physical characteristics of elementary and secondary schools and student academic achievement in those schools.

I am pleased that my colleagues Mr. ETHERIDGE and Mr. HONDA are joining me as original cosponsors of this bill.

This legislation is part of a package of bills I plan to introduce or cosponsor that together will promote "federal smart growth." As we have seen in my state of Colorado, sprawl around our fast-growing towns and cities destroys valuable open space, farmland, wildlife, and natural, cultural and recreational resources. I believe that the federal government can do a better job to support state and community efforts to control growth and prevent sprawl.

I am introducing the High Performance Schools Research Act in conjunction with a bill I am reintroducing today, the High Performance Schools Act of 2001 (H.R. 3143 in the 106th Congress). The High Performance Schools Act takes the concept of "whole buildings" and puts it into the context of our schools, establishing a program in the Department of Energy to help school districts produce "high performance" school buildings. With energy costs and school enrollment on the rise and school buildings across the country in need of construction or major repairs, school districts need to have the appropriate tools and assistance to make good building decisions. The High Performance Schools Act is intended to help school districts make these good decisions, as well as to conserve energy and protect the environment.

In addition to the economic and environmental benefits of smart building choices, evidence is growing that high performance buildings are beneficial for student performance. A growing number of studies link student achievement and behavior to the physical building conditions. A study from Mississippi State University, for example, showed that in schools in North Carolina, Texas and Nevada, variables such as natural light and climate control played a role in improved test scores, higher morale and fewer discipline problems. And in one of the most rigorous studies of its kind, a 1999 report commissioned by Pacific Gas & Electric found that students who took their lessons in classrooms with more natural light scored as much as 25 percent higher on standardized tests than other students in the same school district.

But while these studies have begun to reveal important information correlating a school building's environment with student performance, no large-scale, comprehensive study has been conducted to date. Understandably, school districts are reluctant to base infrastructure investment decisions on the results of a few narrowly conceived studies. So to give them the information they need to make better decisions, I am introducing the High Performance Schools Research Act, which will establish a National Science Foundation research program to thoroughly investigate the linkages between specific characteristics of the physical environment of a school and student learning. My hope is that further research will confirm initial findings correlating a school's environment to academic achievement, thus bolstering the case for high performance schools, which are themselves important components in any smart growth plan.

I look forward to working with my colleagues Mr. ETHERIDGE and Mr. HONDA and other Members of the House to move forward with this initiative.

THE HIGH PERFORMANCE SCHOOLS RESEARCH ACT

The High Performance Schools Research Act would establish a research program at