

Of course, now it's boys and girls and for the most part, not unruly at all, but very impressive young men and women.

Today, we are proud also to renew our commitment to the Diocese of Wheeling-Charleston and the Diocese of Steubenville, Ohio, which includes all of the area just to our west. We are committed to partner with Catholic communities all across the region to help as creatively and effectively as we can, in the ministries of Catholic education and leadership development. I am so proud of the many, many ways that so many of our faculty and staff are already involved by serving on the boards of many service activities, and as leaders in their parishes, Catholic and non-Catholic. But the focus of this commitment needs to be renewed.

Bishop Schmitt, just last year, completed a very successful synod planning process that focused the goals of the Diocese very clearly, and we're very proud to be involved with the follow-up to that process to help make sure that this renewed vision actually happens.

Today, we also renew our commitment to our local and regional communities, to be a good institutional citizen and to participate in the activities of our area. I am continually amazed and edified when I hear from so many of you how appreciative you are of the many ways that the members of this Wheeling Jesuit community participate in service to your organizations in so many different ways. We are proud to join with Mayor Sparachane in contributing to the city's economic development efforts. We are proud to join hands with our fellow religious congregations of every denomination and tradition in the Hopeful City coalition. We are equally proud to be involved in the community renewal efforts of the Chamber of Commerce, the Ohio Valley Industrial and Business Development Corporation, and through our membership in Project Best, which assures that collective bargaining is involved in all of our construction projects.

Today we renew our commitment to our public partners at the federal, state and local levels. New technologies reflect much human creativity, and we have the opportunity to help translate that creativity into new visions for a better life and a stronger economy in our post-industrial, increasingly knowledge-based economy. In the coming months and years we will translate these opportunities into new economic vitality here in our own region.

We shall also do our part to continue improving education by developing new curricula for students in our K-12 schools, and by helping teachers use technology more effectively to help students learn. Congressman Mollohan made the remark that there are probably no other universities this size in America that have been entrusted with so much responsibility in terms of fulfilling the public purpose.

I get questions about what goes on in those shiny glass and brick buildings on campus. I think it is worth it for all of us to reflect on a couple of the big points regarding those federal projects. The story goes that when Lyndon Johnson was president, he turned one day to an aide and said, "Son, all of this money that we are spending on research, how much of it ever benefits the taxpayers in economic development?" And the answer was, "Well, none of it Mr. President because all federally funded research is in the public domain. It can't be privately owned and therefore it doesn't have any commercial value."

And so, several successive presidents worked on that problem and in 1980, laws were passed that enable the benefits of federally funded research to go back to the taxpayers in the form of commercially develop-

able intellectual property. So this research can be copyrighted, it can be patented, it can be, therefore, used in business development.

And that is the main thing that happens in that big building you see that says "Robert C. Byrd National Technology Transfer Center." That is their big job—getting that research back out to people that can use it for business development.

The other center that we have, the Erma Ora Byrd Center for Educational Technologies, produces educational software for use in teaching mostly math and science to students in the K-12 schools. They have several award-winning products and they also do on-campus training of teachers in the whole area of what they call problem-based learning.

Problem-based learning places learners in a specific situation and requires them to draw on everything they know from many disciplines to solve a problem. The CET also works closely with our Challenger Learning Center. You may have noticed that we always have a few buses on this campus. We have school groups coming in to fly the Challenger missions. Those are space mission simulations. Some of the kids are in the control room and some of the kids are up in the cockpit of the rocket and they encounter certain kinds of problems with the flights and they analyze certain kinds of satellite data about what they see on the Earth.

There again, in that sort of simulated environment, they have to solve a whole bunch of problems that draw upon their knowledge of math and science and other disciplines. It's a great way of learning and our studies have shown that the learning outcomes are just fabulous if you can teach in these kinds of simulated environments. So, we are moving that whole product into distance delivery. They are going to do 180 of those this year over the Internet and we believe that we are refining something that could be a very forceful new national model in improving education for our younger students.

So as I have told Senator BYRD and Congressman MOLLOHAN on previous occasions, the opportunities represented by these technology centers for economic development and the improvement of American education, were part of the reason that I was grateful to accept the Board's invitation to come here as your new president. I have thoroughly enjoyed the faculty, the staff, and the students. This is a very friendly, a very caring, community and I am proud to be among your number.

TRIBUTE TO BRIGEN WINTERS

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Mr. THOMAS. Mr. Speaker, I would like to recognize the outstanding work of a member of my staff. Brigen Winters, tax counsel to the Committee on Ways and Means, has worked long and hard on this pension reform legislation. His knowledge, his diligence, and his judgment have been of tremendous assistance to me and the other Members of the Committee.

Brigen could not be with us today. He is presently at the hospital with his wife, Jennifer, and his newborn son, John Brigen "Jake" Winters. Jake was born early yesterday morning. Both Jennifer and Jake are doing well. I congratulate Brigen and his growing family. Brigen has not only helped us improve retire-

ment security for working Americans, but also provided us with future funding for the Social Security trust fund.

HONORING CORINE YBARRA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a pioneer and a patriot, Corine Ybarra, whose work was part of the massive effort on the part of the United States Government to thwart the problems we anticipated with conversions in our national computer systems at the dawn of the year 2000.

I ask my colleagues to join me in commending the work of Corine Ybarra, who was the recipient of a Small Business Administration (SBA) medal crafted to honor efforts associated with Y2K, the President's Council on Year 2000 Conversion.

Mrs. Ybarra has consistently exhibited the qualities of a professional throughout the course of her career in computer technology. She began as an intern 30 years ago in Houston with the United States Small Business Administration. She was then transferred to Dallas and eventually relocated for the final time back to Harlingen.

As a result of consistently pursuing her education, Mrs. Ybarra's responsibilities, as well as her position gradually expanded. She met the challenges associated with her responsibilities with the tenacity and professionalism we are celebrating today.

Eventually, Mrs. Ybarra realized the goal of her professional pursuit—she became a computer specialist. She sought such a position because she knew it was central to our economy and our government . . . it was eventually central to the efforts of SBA's preparation for Y2K. She overcame the challenge of Y2K with grace, poise and success.

Mrs. Corine C. Ybarra is not only a pioneer for the field of computer technology but a model citizen for us all. Through her efforts she creates a pleasant and productive working environment.

I ask the House of Representatives to join me today in commending Corine Ybarra for her outstanding contribution to the stability of our business community.

REINTRODUCTION OF THE OSTEOPOROSIS EARLY DETECTION AND PREVENTION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Mrs. MALONEY. Mr. Speaker, I would like to address an important health care concern that affects nearly 30 million Americans. It is especially appropriate that I rise today because May is Osteoporosis Prevention Month. Osteoporosis is a disease characterized by low bone mass or brittle bones. The statistics are startling. For instance, 71 percent of women with osteoporosis are not diagnosed, leaving them at increased risk for fractures. Osteoporosis causes 300,000 new hip fractures each year. Less than one-third of patients fully recover from a hip fracture and only

one in five persons who suffer a hip fracture will survive more than a year. The costs associated with this disease are in excess of \$13.8 billion annually. With an aging population, costs and disability are only expected to escalate. It is time that we did something about it.

Today, joined by Congresswoman MORELLA, I have re-introduced, with strong Congressional support, the "Osteoporosis Early Detection and Prevention Act of 2001." Senators TORRICELLI and SNOWE re-introduced the companion bill in the Senate. This bill would amend the Public Health Service Act and Employee Retirement Income Security Act of 1974, requiring private insurers to reimburse for bone mass measurement.

My bill requires private health insurance plans to cover a bone mass measurement test for qualified men and women who are at risk for developing osteoporosis. Bone mass measurement is a non-invasive, painless and reliable way to diagnose osteoporosis before costly fractures occur. The average cost to treat one hip fracture is \$32,000, while a simple bone density test costs an average of \$250. Bone density is the most efficient and predictive method for determining whether an individual is at risk for future fracture.

Building strong bones can be the best defense against developing osteoporosis later in life. Women and men are encouraged to eat a balanced diet rich in calcium and vitamin D, to exercise and lead a healthy lifestyle. However, because many Americans are unaware that they are at risk for contracting this debilitating disease, early detection is even more critical and can be a matter of life or death. If we can identify those at risk, we can reduce pain, suffering, and billions of dollars in health care expenditures. According to the National Osteoporosis Foundation, a recent study of 1,162 women age 55 years and older who had broken their wrists found that fewer than one-fourth of them had received a bone density diagnostic test or a medication approved for osteoporosis treatment after the fracture. More women and men must be tested.

The Osteoporosis Early Detection and Prevention Act of 2001 is needed because by the time men and women, but especially women, come of age to enter the Medicare program, it is often too late. Medicare covers bone density testings, but many private health insurance plans do not. It is extremely important that we target individuals at the age of menopause, before they begin excessive bone loss. We do not want to continue to lose hundreds of thousands of individuals to this disease.

Currently, many private insurance companies do not reimburse for bone mineral density exams. Others severely limit access to the technology by requiring physicians to refer their patients out to large imaging centers. These insurance companies are preventing those at risk from being screened. We need to require insurers to provide access to the technology so we can identify those at risk. The number of individuals who will benefit from this technology is significant. In the U.S. today, eight million women and two million men have osteoporosis and 18 million more have low bone mass, placing them at risk for this disease. The primary care physician should have the means to adequately screen for this disease. The technology is there.

So to mark Osteoporosis Prevention Month and to save thousands upon thousands of Americans from suffering, I urge my fellow

Members to join me in my support of this bill. Let's do what we can to put an end to this disease.

UNBORN VICTIMS OF VIOLENCE ACT OF 2001

SPEECH OF

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2001

Mr. HOSTETTLER. Mr. Speaker, I rise in strong support of H.R. 503, the Unborn Victims of Violence Act and oppose the Lofgren one-victim substitute.

This bill is really a simple one. It states that if a criminal, in his attack on a pregnant woman, injures the child also, then that criminal should be held responsible for his attack on both individuals.

As a father myself, I have witnessed people's reaction to my wife's pregnancy. They do not ask if we hope that our product of conception will continue in pregnancy without interruption. No, they ask questions like "Is it a boy or a girl?"; "Have you picked out a name for your baby yet?" "Are your other children looking forward to their new brother or sister?"

You see, Mr. Speaker, they recognize what should be obvious to all. They recognize what our Founding Fathers thought obvious. In fact, they called it "self evident" that our Creator has endowed everyone with this unalienable right.

Its inconsistent and hypocritical that federal law fails to recognize crimes against the pre-born as just that . . . crimes. I see no valid legal or moral difference between committing a crime against an individual one day prior to birth and one day after. We hear stories like that of Ms. Pace, who was assaulted one day before her due date. Her boyfriend had paid hit-men \$400 for the express purpose of killing the child, not her. Did he hire them to kill a "product of conception"? No, he hired them to kill a baby for whom he did not want to be responsible.

Rightfully, we find ourselves outraged at stories of child abuse and neglect . . . Stories of babies being beaten and abandoned by their parents. Yet those on the other side would have us believe that an assailant should face no penalty for the willful killing of the same child before birth.

If an assailant, while in the commission of a federal crime, harms a baby then he should be responsible for the harm caused to that baby. Its really that simple. For most Americans it's common sense. Unfortunately, what would otherwise make perfect sense gets lost here in Washington.

Mr. Speaker I urge my colleagues to support the underlying bill and reject the Lofgren amendment.

CONSTITUTIONAL CHALLENGES TO STATE UNBORN VICTIMS LAWS

(All challenges were unsuccessful. All challenges were based on Roe v. Wade and/or denial of equal protection, unless otherwise noted.)

California: *People v. Davis*, 872 P.2d 591 (Cal. 1994).

Georgia: *Smith v. Newsome*, 815 F.2d 1386 (11th Cir. 1987). Related state supreme court decision: *Brinkley v. State*, 322 S.E.2d 49 (Ga. 1984) (vagueness/due process challenge).

Illinois: *U.S. ex rel. Ford v. Ahitow*, 888 F.Supp. 909 (C.D.Ill. 1995), and lower court decision, *People v. Ford*, 581 N.E.2d 1189 (Ill.App. 4 Dist. 1991). *People v. Campos*, 592 N.E.2d 85 (Ill.App. 1 Dist. 1992). Subsequent history: appealed denied, 602 N.E.2d 460 (Ill. 1992), habeas corpus denied, 827 F.Supp. 1359 (N.D.Ill. 1993), affirmed, 37 F.3d 1501 (7th Cir. 1994), certiorari denied, 514 U.S. 1024 (1995).

Louisiana: *Re double jeopardy—State v. Smith*, 676 So.2d 1068 (La. 1996), rehearing denied, 679 So.2d 380 (La. 1996).

Minnesota: *State v. Merrill*, 450 N.W.2d 318 (Minn. 1990), cert. denied, 496 U.S. 931 (1990). *Re establishment clause—State v. Bauer*, 471 N.W.2d 363 (Minn. App. 1991).

Missouri: *State v. Holcomb*, 956 S.W.2d 286 (Mo. App. W.D. 1997).

Ohio: *State v. Coleman*, 705 N.E.2d 419 (Ohio Ct. App. 1997).

Wisconsin: *Re due process—State v. Black*, 526 N.W.2d 132 (Wis. 1994) (upholding earlier statute).

STATEMENT OF MICHAEL LENZ BEFORE THE SUBCOMMITTEE ON THE CONSTITUTION HEARING ON H.R. 2436; THE UNBORN VICTIMS OF VIOLENCE ACT OF 1999, JULY 21, 1999

Committee members, I would like to give you some background on myself and my late wife Carrie Lenz.

We met in the spring of 1986. I had recently moved from the City of Tulsa to Oklahoma City. Carrie was a high school senior at Moore, OK. We began dating, she graduated high school and went on to College, and I took a job back in Tulsa and then in Ponca City. All the while, we maintained our relationship. I eventually took a job that required extensive travel around the country, and although it was difficult at times, our long distance relationship worked because we were both committed to the same ideas and goals. (Our plan) First, she would graduate from college. I would get promoted over the State of Oklahoma. Then we would get married, and when we thought we were mentally and financially prepared, we would have children.

While Carrie was attending college, she took a part time position with the Alcohol, Tobacco and Firearms under the Stay in School program. As the Oklahoma City ATF office grew, their need for a full time position grew as well. Carrie then transferred to a position with the U.S. Secret Service Administration under the same program until she graduated from college. After graduation, she accepted a position with the Drug Enforcement Administration through EBON, a company contracted with the Department of Justice to assist in the Asset Forfeiture program. Since her first job with Federal Law Enforcement, Carrie and I were always extremely proud to be a part, albeit a small part, of our government.

Our plans all came together in the fall of 1991 (September 14) when we were finally married. Married * * * Yes. Financially ready to raise a family? Not yet. That didn't come until 1993. Seven years after we first met, we believed we were finally ready to start our family.

I'm telling you all of this to give you some background on our relationship and our goals, and maybe to give you some insight on what it might be like to have a seven-year plan blown up in your face.

We began trying to have children 1993. After several months with no success, we sought assistance from a fertility doctor who put Carrie on some medication, and we continued our efforts at beginning a family. We no success, in early 1994 the doctor recommended exploratory surgery, which she underwent. A few months later, she informed me that she was pregnant. We were