

children is too big and too important a job to tackle alone. Afterschool programs offer the chance to improve academic achievement. They provide children with the opportunity to benefit from the mentoring of a role model. They help young students tackle the challenges and learn the value of reading at an early age. They ensure that youth have access to safe and anti-substance abuse activities. And for America's working parents they provide the confidence that their children are well cared for once the school day ends.

Beyond funding for the 21st Century Learning Centers Program, the No Child Left Behind Act, makes available federal Title I funds that can be used to provide supplemental educational services through afterschool programs. The Child Care Development Block Grant is another important resource to assist parents in obtaining high quality afterschool childcare.

I urge my colleagues to visit afterschool programs in your district, encourage local businesses to help sustain and expand these programs and fight for increased federal investment in the 21st Century Learning Center Program, Title I, and the CCDBG. Congratulations to the Afterschool Alliance, the Charles Stewart Mott Foundation, and J.C. Penney, the National Sponsor, and their partners: 4-H, Boys and Girls Clubs of America, Junior Achievement and the YMCA of the USA on their third successful Lights on Afterschool national awareness campaign.

#### TRIBUTE TO FRANCESC DE PAULA SOLER

#### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. SERRANO. Mr. Speaker, it is with great pride that I welcome, once again, Mr. Francesc de Paula Soler, the gifted and prolific guitarist who played for us last fall at the Library of Congress. He is a world-renowned instrumentalist who will grace the Library of Congress for the second time on October 29, 2002.

Last year's concert soothed and lifted the spirits of those who attended, and this one will no doubt have the same effects. We learned first-hand why de Paula Soler is known throughout the world as the "Poet of the Guitar."

Born in Spain, to a family of artists, Francesc de Paula Soler grew up with the guitar. He received a rigorous and intense training with the classical instrument. As the student of two legendary guitarists, Andrés Segovia and Narciso Yepes, de Paula Soler has become a legend in his own right.

He has played music halls and auditoriums throughout the United States and Europe, mesmerizing audiences of all ages and from all walks of life. Francesc de Paula Soler has been hard at work on his second album and CD called "El Polifemo de Oro," which is dedicated entirely to Spanish music for guitar. The musician has also been working on his next book "Guitar Technique Manual," because he takes his role as a mentor and teacher as seriously as his role as a guitarist. Amazingly, Mr. Soler has managed to work on his album and book while filling a busy tour schedule. He

also instructs students in Master Classes and Seminaries that he offers in the "Ctedra Ferran Sors" and in the "Escola Catalana de Guitarra."

I am grateful that Francese de Paula Soler has returned to Washington, DC to play for us again and urge all of my colleagues to come and enjoy an afternoon of his enchanted melodies.

#### IN REMEMBRANCE OF CARL THOMPSON

#### HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Ms. BALDWIN. Mr. Speaker, I rise today in remembrance of Carl Thompson, who served as an advocate for Progressive values in the Wisconsin State Legislature for 32 years.

Mr. Thompson was the youngest delegate to the 1934 founding convention of the Progressive Party, and eventually led the Wisconsin Progressive Party into the newly reformed modern Democratic Party. After the Progressives took over the Democratic Party, they chose Carl as their first candidate for governor in 1948, and again in 1950. As a proponent of public financing of campaigns and keeping money out of politics, he ran for governor with only \$10,000. His opponent spent 16 times as much, but Carl still received 45 percent of the vote.

As a State Legislator from Stoughton, he was a crusader for Progressive ideals. I admire his tireless efforts fighting for civil rights, women's rights, and for speaking for those who so often are not heard. Many of Wisconsin's laws we take for granted today, Carl brought to the attention of the State Legislature, even though they may have been unpopular at the time. His colleagues will tell you that they have considerable respect for him because he was not afraid to challenge the establishment.

Carl's leadership in the State Assembly and State Senate from 1952–1984 has left Wisconsin with a strong Progressive tradition. While his contemporaries left Wisconsin to go to Washington as Senators and Congressmen, he felt it was important to stay at home to fight for his causes in the conservative State Senate. He should be remembered for the positive impact he had as a founder of the modern Democratic Party of Wisconsin and the legacy that he has left for the people of Wisconsin.

#### TAIWAN CELEBRATES 91ST NATIONAL DAY

#### HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. ROTHMAN. Mr. Speaker, as leaders and people on Taiwan celebrate their 91st National Day on October 10, 2002, I offer them my congratulations and wish them many more happy National Days in the future.

Much has been said about Taiwan's political achievements. It has a former political dissident as its tenth president, and people of Taiwan enjoy numerous political freedoms and

protection of human rights. As political reforms are continuing, Taiwan will soon complete its total democratization.

In terms of economic achievements, Taiwan is one of the world's major economies. Our trade with Taiwan totaled \$51.5 billion in 2001. We exported electrical machinery, optical instruments and parts, aircrafts, aircraft parts, organic chemicals, corn, and soybeans to Taiwan. Taiwan represents the 7th largest market for U.S. exports worldwide.

In other non-economic areas, I believe we must continue to supply Taiwan with defensive arms—to help Taiwan maintain peace in the Taiwan Strait. Also, the U.S. must take an active role in helping Taiwan join many important international organizations such as the United Nations and the World Health Organization.

The U.S. is also grateful for Taiwan's assistance in the fight against global terrorism. Immediately after September 11, Taiwan President Chen Shui-bian lost no time in condemning the brutal act against American civilians and offered resolute support of America's anti-terrorism campaign. Taiwan has also taken concrete actions. For instance, Taiwan has shared intelligence information with the United States, security at Taiwan airports has been heightened, legislative bills have been passed to stop money laundering which could aid terrorists, and humanitarian assistance has been provided to Afghan refugees. We appreciate Taiwan's help in combating global terrorism.

Again, congratulations to our good friends on Taiwan on their National Day.

#### RECOGNIZING THE REPUBLIC OF CHINA (TAIWAN)

#### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. SESSIONS. Mr. Speaker, this October 10th marks the 91st National Day of the Republic of China (Taiwan). On this important occasion, I wish to congratulate the leaders and the people of Taiwan.

Taiwan and the United States have a very productive relationship despite the lack of official relations. Taiwan has always been supportive of U.S. policies and actions. Last year, Taiwan was one of the first countries to come to our aid in our campaign against worldwide terrorism.

Taiwan's leaders have pledged whatever assistance we need, such as intelligence gathering, in our continuing war against terrorists. Apart from Taiwan's support of us in combating terrorism, Taiwan maintains close cooperation with us in many areas such as economics, politics, immigration, culture and education, science and technology, human rights, and environmental protection.

On the occasion of ROC's National Day, I urge all Americans to continue to lend their support to Taiwan.

America must continue to help Taiwan and the PRC resume dialogue, continue to supply Taiwan with the means to defend themselves, and ease unnecessary restrictions we have imposed upon Taiwan's representative offices in the United States and our "unofficial" official offices in Taiwan.

I am certain that relations between America and Taiwan will continue to grow. Taiwan is a

free, democratic, and open society and shares the same ideals as we do.

On a foundation of mutual confidence and mutual benefit, bilateral relations between the United States and Taiwan will continue to grow.

#### INTRODUCTION OF LEGISLATION ON SECTION 1032

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. NEAL of Massachusetts. Mr. Speaker, today I am re-introducing a modest bill to remove incentives for corporations to bet on their own stock. In recent weeks, the Wall Street Journal has reported on the downside risk of this behavior, with several well-known and otherwise successful U.S. corporations forced to recognize hundreds of millions of dollars in losses when a stock price dramatically decreased. What was a successful game during the bull market, has turned into a risky venture in the bear market with corporations forced to buy back stock at prices greatly in excess of market value. A more pernicious aspect of this transaction is that some corporations take the 'best of both worlds.' If they bet right and the price rises, they will pay no tax on the gain; if they bet wrong and it declines, they will simply deduct the loss.

This legislation would apply Internal Revenue Code section 1032 to all derivative contracts. The impact of this change is to prohibit corporations from recognizing gain or loss in derivative transactions to the extent the derivative purchased by the corporation involves its own stock.

Section 1032 states that a corporation generally does not recognize gain or loss on the receipt of money or other property in exchange for its own stock. In addition, a corporation does not recognize gain or loss when it redeems its own stock for cash. Section 1032, as originally enacted in 1954, simply recognized that there was no true economic gain or loss in these transactions.

However, the 1984 Deficit Reduction Act extended this policy to option contracts, recognizing the potential for tax avoidance inherent in these contracts. Since that time, the financial industry has developed a number of new types of derivative products. My legislation merely updates current law to include in section 1032 current and future forms of these new types of financial instruments.

On June 16, 1999, the Tax Section of the New York State Bar Association issued a report on section 1032 which recommended the changes discussed above. In addition, building on the work of the Treasury Department's budget recommendation, the Bar Association also recommended that Congress require a corporation that retires its stock and "substantially contemporaneously" enters into a contract to sell its stock forward at a fixed price, to recognize as income a time-value element. In effect, these two transactions provide a corporation with income that is economically similar to interest income but is tax-free. This legislation includes a provision that recognizes a time-value element, i.e., the version recommended by the Bar Association. The effective date of this legislation is for transactions entered into after date of enactment.

The problem identified in 1984 and in 1999 by the Department of the Treasury is best described in the New York State Bar Association Report. The report states, "We are concerned that all the inconsistencies described above (both in the general scope of section 1032 and in its treatment of retirements combined with forward sales) present whipsaw and abuse potential; the government faces the risk that income from some transactions will not be recognized even though those transactions are economically equivalent to taxable transactions. In addition, the government faces the risk that deductions are allowed for losses from transactions that are equivalent in substance to transactions that would produce nontaxable income, or—because taxpayers may take different positions under current law—even in the same form as such transactions. To avoid these inconsistencies, we believe it is necessary to amend section 1032."

Mr. Speaker, I consider the legislation I am introducing today to be a normal house-keeping chore, something the Committee on Ways and Means has done many times in the past and hopefully will do so in the near future in order to preserve the original intent of the law. As such, I hope it will be seen both in Congress and in the industry as relatively non-controversial, and that it can be added to an appropriate tax bill early in the next Congress. Despite the disappointing record this Congress has compiled to address the fallout from Enron, WorldCom, Tyco and other recent corporate failures, I am hopeful that the next Congress will quickly respond to eliminate provisions in our tax law encouraging such risky behavior by corporations.

#### TRIBUTE TO REGINA FISHER ORIOR

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to pay tribute to Regina Fisher Oriol, who died in May of this year. She was a loving and caring wife and mother and a tireless champion in the fight to eliminate drunk-driving.

Born into a military family, Regina's primary home was Kentucky, where her Army career father was stationed at Fort Knox. Upon graduating from high school, she became a welder, a rare profession for a woman, and rose to the top of her field. Sadly, she was exposed to poor working conditions and developed "metal fume fever," which left her lungs permanently damaged. Deciding to end her career, which now included college welding instruction in western New Mexico, Regina became a full-time wife to husband, John, and a stay-at-home mom to son, Raymond, and daughter, Margaret.

In 1996, Regina's retired father, Franklin, was tragically killed by a drunk driver and, soon after, five others, from one family, were killed in the same manner in the Four Corners area of northwestern New Mexico. Determined to make a difference in the state's DWI fatality rate, Regina created the DWI "Victims' Remembrance Wall," which displayed photographs and stories of victims of drunk drivers,

and she was instrumental in the Wall becoming a traveling exhibit that raised public awareness. The display was placed on view several times in the state Capitol Rotunda in Santa Fe, drawing the attention of the governor, other state officials, and state legislators.

Regina's DWI eradication efforts continued. Because of assistance from her and many others, drive-up liquor windows were closed during my tenure as New Mexico's Attorney General. Regina also worked with state officials in implementing a state highway sign program to remind motorists not to drive while drinking. Over 130 signs now stand in various areas of New Mexico that both warn drivers of DWI and offer tribute to specific victims. The same program has been adopted in other states. Regina was subsequently named the first "Traffic Safety Ambassador of New Mexico" by the New Mexico Department of Transportation.

Regina's dedication was not limited to DWI-related events. She became a public servant volunteer with the local Child Support Division of state government, where she offered remedies to problems related to child support collection and distribution. Regina's efforts helped to increase funding for staff increases, procedure updates, and security enhancements.

Tragedy again struck Regina and her husband, John, in 1999 when both their son, Raymond, two days short of 17, and daughter Margaret, 11, were killed by an inattentive driver while passengers in a friend's car. Even though devastation and a broken heart were now constant companions, Regina continued to work faithfully on the causes in which she so passionately believed.

Regina Fisher Oriol was a generous, compassionate and remarkable individual, whose humanitarian efforts will never be forgotten. I ask my colleagues to join me today in recognizing the life of this extraordinary woman.

#### IN RECOGNITION OF REVEREND C.C. CAMPBELL GILLON

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 10, 2002*

Mr. BENTSEN. Mr. Speaker, I rise to honor Reverend C.C. Campbell Gillon, on the occasion of his retirement from his pastoral duties at the Presbyterian Congregation in Georgetown located in Washington, D.C., where he has faithfully served his congregation for more than 23 years. His retirement comes at the end of fifty years in the ministry.

The Presbyterian Congregation in Georgetown has over two hundred years of distinguished history, beginning in 1780, under the eminent Stephen Bloomer Balch, pupil of religious leader John Witherspoon and soldier of the Revolution. The church serves as the first Presbyterian Church in what was to become modern-day Washington, D.C., and the oldest church of any denomination with an unbroken ministry. A rare charter, still in effect, was granted in 1806 to "the Presbyterian Congregation in George Town" by an act of Congress signed by President Thomas Jefferson. The Presbyterian Congregation in Georgetown, pioneered in both the religious and cultural life of the community, has served as a cornerstone of faith in our nation's capital, attracting a wide variety of worshipers from political leaders to those seeking spiritual direction.