

Throughout his career Mr. Smith has displayed continued leadership and community involvement in the Cleveland area. He spent 10 years beginning in 1959 as a Councilman in the city of Highland Heights, the last three as President of the Council. He has served as an officer and member of the board of directors of many Cleveland based corporations as well as a member of various civil organizations.

James M. Smith's educational background, professional experience and extensive community involvement in Cleveland made him an ideal candidate to serve as President of the Cuyahoga County District Board of Health. His leadership, vision and genuine concern for the people of Cuyahoga County have led the department to be a leader in public health issues statewide. On behalf of the residents of Cuyahoga County and the city of Cleveland I would like to express sincere gratitude to the years of devoted service by James M. Smith.

I ask my colleagues to join me in rising to honor this truly remarkable public servant for his distinguished years of service to the Cleveland community.

#### H.R. 1542, THE INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT

#### HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BOUCHER. Mr. Speaker, I rise today in full support of the Tauzin-Dingell bill, H.R. 1542. Included as a part of that bill by means of the Manager's Amendment is an antitrust savings clause. This is an important addition to the bill and the authors, the Chairman of the Committee on Energy and Commerce and the Chairman of the Committee on the Judiciary, are to be congratulated on the development of this amendment.

Regulatory and antitrust laws serve different functions. This amendment recognizes and embraces that fact as it preserves the antitrust laws and it indicates that these laws are not affected by H.R. 1542, the Telecommunications Act of 1996, nor the Communications Act of 1934. Second, and equally important, is the fact that it does not overrule nor affect any court case interpreting those laws including the Goldwasser case. The savings clause preserves this case law as well. Third, when the savings clause uses the term antitrust laws, such term includes antitrust defenses and immunities.

Congress and the courts have recognized how ill-equipped antitrust courts are to serve as regulatory agencies. That's why the 1996 Act replaced judicial supervision under the AT&T consent decree with regulatory supervision of the process through which competition in the telecom industry would be jump-started. If we had simply abolished the AT&T consent decree and left all these details to antitrust enforcement agencies, private litigants, and the courts, five bad results would have occurred.

First, the courts would have been flooded with regulatory tasks they are not suited to handle. It was a formidable task having one federal judge trying to micromanage the telecommunications industry under a consent de-

cree. We did not repeat that experiment by authorizing many state and federal antitrust courts to undertake the same tasks.

Second, the antitrust enforcement agencies, including the Department of Justice, would have been called on to duplicate, second guess, and perhaps contradict the telecommunications policy decisions Congress instead decided to entrust to the FCC and to the state commissions. We need the enforcement agencies to enforce the antitrust laws, not establish telecommunications policy or duplicate the regulatory expertise of other agencies.

Third, incumbent carriers would not have been subject to many of the requirements they now face. By this bill, we limit regulation in the broadband segment of the industry, but we leave in place many regulatory requirements imposing on carriers duties they do not have under the antitrust laws.

Fourth, as courts reached different and inconsistent conclusions in different cases, chaos would reign in an infrastructure industry critical to our economy and our nation's security.

Fifth, we would bog down the deregulatory process through the protracted process of antitrust litigation in which cases often drag out for many years and, in some cases, decades.

The 1996 Act assigns responsibility for working out the difficult details of interconnection and other transitional arrangements to private parties, state regulators, and the FCC. Antitrust laws are not expanded or diminished in any way by the 1996 Act or this Act. Among the antitrust laws preserved by the savings clause in the Managers' Amendment are the well-crafted and carefully applied judicial doctrines that govern the manner through which antitrust courts coordinate their activities with those of the regulatory agencies to avoid potential incompatibilities that might otherwise occur. We did not expand or diminish the antitrust laws, or the manner in which the courts apply those laws, when we enacted the Telecommunications Act of 1996. We will not do so now by enacting this Act.

#### PAYING TRIBUTE TO CLARA HORAN

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor a woman whose passion for life and whose incredible human spirit is an inspiration to us all. Clara Horan, a Colorado resident of almost sixty years, who will soon achieve an extraordinary milestone, celebrating her one-hundredth birthday with four generations of her friends and family.

Clara was born on April 11, 1902 in Elba, Nebraska. She was raised by her parents, Peter and Katherine Andrzejewski, on a cattle, corn and wheat farm with her eight brothers and sisters. On December 7, 1921, Clara married Lloyd Horan of Cotesfield, Nebraska. The couple relocated to Mesa, Colorado in 1943, and then moved to Clifton, Colorado five years later. Her friends and family fondly refer to her as "Grandma."

Incredibly, Clara is the matriarch of a family that includes 3 children, 8 grandchildren, 16

great-grandchildren and 10 great-great-grandchildren. It is an impressive lineage of which she is extremely proud, and which, more importantly, is extremely proud of her. She has been a member of St. Ann's Church in Palisade, Colorado for nearly 25 years, and continues to volunteer on a weekly basis at the Migrant Center in Palisade. She still loves to attend to her garden, and finds time to fish on Grand Mesa. The remarkable longevity of Clara's life is a testament to the extraordinary passion for life that she has always carried with her, and her family and friends are all fortunate to be able to share in a life as rich and varied as hers.

Mr. Speaker, it is with great pleasure that I bring to the attention of this body of Congress the life and spirit of such an incredible woman. She has lived her life with extraordinary passion and kindness, and possesses an innate ability to brighten and invigorate the lives of those around her. She is truly an inspiration to all of us, and I, along with the many people whose lives she has touched, am honored to recognize her tremendous accomplishment in reaching her one-hundredth birthday, and more importantly, her passion for life and indomitable human spirit.

#### RECOGNIZING JOHN PLACK AS TOP STUDENT VOLUNTEER IN PRUDENTIAL FINANCIAL'S SPIRIT OF COMMUNITY AWARDS

#### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of John Plack, my constituent from New Hyde Park who has been chosen as a top student volunteer in Prudential Financial's Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism. John is one of only nine students from New York chosen for this award. He will receive an engraved bronze Distinguished Finalist medallion in the Prudential Spirit of Community Award ceremony.

John is a sixteen-year-old junior at New Hyde Park Memorial High School. John's project was to create the "Children Helping Children Remembrance Quilt." He headed the worldwide effort to make remembrance quilts from squares displaying personalized messages of condolence and hope for children affected by the September 11 terrorist attacks.

Thanks to John our community will always remember the support and help given by the world to New York during a desperate time. Children everywhere will always be aware of the contributions made by many to a city in need. Our community can rest assured that its future is in good hands with people like John demonstrating outstanding public service.

The awards, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honor young people for outstanding community service. This year, a record 28,000 youth volunteers across the country were considered for these awards.

John's ideas and creativity show his vision and determination to make the world a better place. It is refreshing to see such a young person with such a mature outlook and it bodes

well for our future generations. I applaud John for his hard work, generosity and leadership. Long Island is proud to commend such a talented young individual.

We are fortunate to have John Plack in Nassau County.

#### HEART OF A CHAMPION PROGRAM

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Ms. GRANGER. Mr. Speaker, each of us shudders in horror when we hear about a school shooting or about the drug and alcohol abuse that haunts our youth. We immediately want to do something—perhaps draft new legislation—something, anything, that will make things “safe” for our children and grandchildren.

As a former teacher with three children of my own, I know the anxiety and anguish that students and their parents often experience in facing the world today—it can be a very scary place.

So, last December, I sponsored a Safe Schools Summit in Fort Worth, Texas. Five hundred middle school and high school students from across my district participated in this 3-hour session. They were students of all races and backgrounds, male and female. The purpose of this summit was to hear directly from the students about how they felt in their schools. It was an amazing day, and the students produced some remarkable and somewhat surprising results.

Today, I want to talk about what the students said about character education. The students told me that they would feel safer at their schools if there were greater attention to the development of character in those schools. We found that students overwhelmingly support character education in their school, by nearly 80%. I knew that parents and educators were supportive of quality character education programs, but I learned through that gathering of students that, these young people also know that character is the critical element for creating safer schools. Yes, there are mechanical and physical elements of a safe school, but these students identified a “human” element of safe schools, and character is a critical aspect of that element. To simplify, these students know that in order to have safe schools, we must have safe students.

On February 4th, what I believe will be one of the most effective character education programs in the nation was launched in my district. The Heart of a Champion character development program is a one-of-a-kind curriculum that combines video, and audio, with a print curriculum, to reach today's “sight and sound” generation on a year-round basis. Heart of a Champion's founder, Steve Riach, has created a comprehensive in-class program to reinforce positive character traits and virtues, and demonstrate examples of persons with high character to students in our schools.

Using positive role models, the Heart of a Champion program tells the stories of widely known athletes—stories that demonstrate virtues such as commitment, perseverance, integrity, courage, honesty, discipline, responsibility and fairness. These stories, and the ap-

plication lessons that follow, encourage students to examine these character traits, and inspire them to embrace and integrate those traits into their own lives. It is a winning formula.

The Heart of a Champion program, has already received the endorsement of several key national community and educational groups, and their representatives will meet with members of the Department of Education later this month. I believe there is nothing else like this program available for schools today. I am in full support of this program and believe it will have a dramatic impact.

President Bush has repeatedly said that character education in our nation's schools is of great importance in this day. He is aware that each year, 10 million school kids abuse alcohol or drugs; that 65 percent of youth in school say they are sexually active by the 12th grade; and that 80 percent admit to cheating in school. We know there is a problem that needs our attention. I believe that character education programs like Heart of a Champion are a solution for this generation.

My fellow members of the House, we all agree our young people are the most valuable asset we have for our nation's future. That is why I believe the Heart of a Champion program is so necessary for our country at this time. This program will provide our kids with the character our society so desperately needs; will give them direction for the future, and will create champions in our schools, homes, and communities—young men and women of character who will become leaders for the next generation. But that can only happen if leaders like you and I show our young people that we truly care about them, by getting behind this program and helping to see that no young person is “left behind” in the development of their character.

Mr. Speaker, I invite all of my colleagues to get to know the Heart of a Champion program. I am confident that you will see the powerful impact it can have on the youth of your cities and counties. Today, it is impacting my district. Tomorrow, with your help and support, it could make a difference in yours.

#### COMMENDING TONY MONROE

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Tony Monroe for his commitment to his community through service to disadvantaged youth and gang members in the Fresno area. Mr. Monroe rides a horse in some of the roughest neighborhoods and encourages those he encounters to find a better way of life.

Mr. Monroe has made numerous personal sacrifices to continue his service. Previously, he was a Fresno reserve police officer and a Santa Cruz County deputy sheriff. Now, he offers the children and youth a chance to feed his horse and talk about God, gangs, and life in general. A young Fresnan met Tony six years ago when he was an angry and violent street fighter. This young man credits Mr. Monroe with helping him get his life turned around.

The community has also responded by helping Tony with supplies and assistance. Jen-

sen's Armstrong Stables houses two of Mr. Monroe's horses in exchange for maintenance work. All three of his horses, Max, Gumby, and Impact, were donated when his first horse died. This generosity shows how warmly received and appreciated Mr. Monroe is in the community.

Mr. Speaker, I rise to commend Tony Monroe for his community service and dedication to helping those in need. I encourage my colleagues to join me in wishing Mr. Monroe many more years of continued success.

#### PERSONAL EXPLANATION

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BECERRA. Mr. Speaker, on Tuesday, March 5, 2002, I was unable to cast my floor vote on roll call number 47, on the Motion to Suspend the Rules and Agree, as Amended to H. Con. Res. 305, a Resolution Permitting the Use of the Rotunda of the Capitol for a Ceremony to Present a Gold Medal on Behalf of Congress to Former President Ronald Reagan and his wife Nancy Reagan.

Had I been present for the vote, I would have voted “aye” on roll call vote 47.

#### CALIFORNIA UNIVERSITY OF PENNSYLVANIA INTERMODAL TERMINAL FUNDING

### HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. MASCARA. Mr. Speaker, I submit to the RECORD a letter I have sent to Secretary Norman Mineta of the U.S. Department of Transportation. My letter is to clarify to the D.O.T. the intended use of an earmark I requested in TEA 21 for an intermodal transportation terminal on the campus of California University of Pennsylvania. I requested that earmark in order to fund an intermodal facility that would help connect the main campus to the new campus over one mile away. Now, the campus has an exciting opportunity to create a low speed magnetic levitation system connection between the two campuses and this intermodal facility would be a vital part of the system.

HOUSE OF REPRESENTATIVES,

*Washington, DC, March 6, 2002.*

Hon. NORMAN MINETA,  
Secretary, U.S. Department of Transportation,  
Washington, DC.

DEAR SECRETARY MINETA: I write to clarify the intended use of funding I have obtained for an important project in my district. Over the years I have been working with California University of Pennsylvania officials to acquire funding for a much needed intermodal facility on the campus. Consequently, I have secured a \$1 million TEA-21 earmark and other related earmarks for the University to construct an intermodal facility/transportation improvement project.

My intent for funding the intermodal facility was to support a people-mover system to connect the main university campus to the new auxiliary campus in the Roadman Park