

low as 80 percent of costs avoided, and certainly never 125 percent of costs avoided as the Postal Service is proposing.

I want to emphasize again how critically important this issue is. Universal mail service at a uniform cost to mailers is essential to a sound economy, and it is particularly important to those non-urban areas who must depend on the United States Postal Service. Every year, the United States Postal Service adds 1.7 million additional delivery points to its universal service. This is enough delivery points to be about as big as the City of Chicago. That is an enormous undertaking and it is an undertaking that is enormously important to our country. Many of the people served by the Postal Service have no other practical alternative to the U.S. mail. As this network expands, it must be maintained on a sound financial footing. But that financial footing may be undermined if the Postal Service continues on its present course.

The Postal Service already has frozen 800 capital investment programs that are important to the future health of the Postal Service. The Postal Service's 2001 Annual Report described the impact of this freeze as follows:

The Capital plan is at extreme risk . . . for the second year in a row we will not be able to make the necessary capital investments to meet the growth demands of universal delivery.

Given the present rate proposal, these programs will continue to be frozen, further compromising the future of the Service. Furthermore, withholding \$800 million in Postal Service automation spending will contribute to the unfortunate softness in the economy. For this large postal enterprise to be taking a backward stance at this important turning point in our hoped-for economic recovery will be counterproductive for all concerned.

Because the compromise proposed by the Postal Service would set rates at an artificially low level, we are facing the need for another rate increase in the near future, and that rate increase may have to be substantially larger. Predictably, there will be opposition to large postal rate increases in the future. So, by misallocating postal rates now the Postal Service is setting itself up for even greater difficulties in the future. I am afraid that difficult future is at hand.

I urge my colleagues to take note of this important issue, and I urge the Postal Service and the Postal Rate Commission to reconsider this misguided course of action.

#### MARKING THE 100TH ANNIVERSARY OF THE GENEVA CHAMBER OF COMMERCE

##### HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2002*

Mr. REYNOLDS. Mr. Speaker, I rise today to mark the 100th anniversary of the founding of the Geneva Chamber of Commerce in Ontario County, New York.

When the Rev. Ninian Remick first assumed the chairmanship of the Geneva Chamber of Commerce in 1902, he and the group had a simple yet important mission: "foster and promote the trade, manufacturing and other business interests of Geneva and . . . to enjoin

upon our people the necessity of a wise and conservative expenditure of the public money."

The Chamber's initial membership of 148 businesses began a bedrock commitment to promoting economic opportunity in the Geneva area and improving the quality of life of the community's residents.

Throughout their first century, the Geneva Area Chamber of Commerce has sponsored a wide-variety of programs and events showcasing the area, and have continually worked to promote and revitalize the city.

Today, under the leadership of incoming chairman Tom Bowers and its 580 members, the Geneva Area Chamber of Commerce is continuing a great tradition of commitment to community.

Mr. Speaker, on Friday, March 22, 2002, the Geneva Area Chamber of Commerce will hold its One Hundredth Annual Dinner Meeting, and I ask that this House of Representatives pause in its deliberations to salute the men and women, past, present and future, of the Geneva Area Chamber of Commerce on their proud record of service and accomplishment.

#### A TRIBUTE TO BARBARA HUGHES, 27TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2002

##### HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2002*

Mr. SCHIFF. Mr. Speaker, I rise today to honor Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's most notable women during the month of March and it is my honor to not only recognize women of the past but to also recognize women who are making a difference in my community. While a month of remembrance is certainly not sufficient, I am honored today to pay homage to such women as Eleanor Roosevelt, Sandra Day O'Connor, Harriet Tubman, Sally Ride and all the women of my Congressional District, whose contributions have made a profound difference in the face and fabric of our nation.

In honor of Women's History month, it is my honor to recognize an outstanding woman of the California's 27th Congressional District. Ms. Barbara Hughes of Tujunga, California has been pivotal in the social and economic vitality of her community and I wish to salute her efforts today.

Born and raised in Sunland-Tujunga, Barbara attended Verdugo Hills High School and currently resides on the property which her grandparents homesteaded years ago. She is married to Harry Hughes, the proud mother to three adult children: Michele, Mark and Michael and the even prouder grandmother to her five grandchildren: Justin, Travis, Jennifer, Marshall, and Jaymie.

Her involvement in the community of Sunland-Tujunga has made it one of the most vibrant areas in my district. Through her involvement with the Sun Valley Chamber of Commerce as Executive Director and then as President of its Board of Directors, Barbara has been able to plan and execute community events which have vastly improved the quality of life for the residents of Sunland-Tujunga.

She was a leader in the initial planning stages for the community's neighborhood

council, she helped organize the "Business Focus" group which addresses the current and ongoing business needs of the community, and has been instrumental in strengthening community togetherness through an array of outstanding events. She has served as a columnist for the Foothill Leader and is currently working on publishing a community newspaper for the Sunland-Tujunga area.

Over the years she has been awarded the "Women of Achievement" and "Women in History" honors from the Sun Valley Chamber of Commerce and was recently named one of the Glendale News Press's 103 Most Influential People in the foothills communities.

I ask all Members of Congress to join me today in honoring an outstanding and extraordinary woman of California's 27th Congressional District, Ms. Barbara Hughes. The entire community joins me in thanking Barbara for her continued efforts to make the 27th Congressional District a more vibrant and enjoyable place to live.

#### AGUA FRIA NATIONAL MONUMENT TECHNICAL CORRECTIONS ACT

##### HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2002*

Mr. STUMP. Mr. Speaker, on January 11, 2000, President Clinton stood in front of a backdrop of the Grand Canyon and proclaimed two national monuments in Arizona using the Antiquities Act of 1906. One of the monuments created by President Clinton was the Agua Fria National Monument.

There is no doubt that the Agua Fria National Monument has values that need to be protected from encroachment. The Monument spans 71,000 acres and contains two mesas, the Perry Mesa and the Black Mesa. The Monument boasts one of the most significant systems of prehistoric sites in the American Southwest. Yet, the area is located within fifteen miles of the northern-most reaches of the Phoenix Valley. The tremendous growth of Arizona over the past decade has placed additional pressures on this region. With Cordes Junction to the north, and Black Canyon City to the south, the threat of encroachment is growing.

Mr. Speaker, since the proclamation of the Agua Fria National Monument, we have seen a tremendous increase in visitorship, as well as abuse of the lands contained in the Monument. However, nothing in the proclamation ensures the long-term protection of the resources we value. In fact, the Bureau of Land Management (BLM) reported that illegal artifact excavation occurred just days after President Clinton issued the proclamation.

Mr. Speaker, today I rise to introduce legislation, the Agua Fria National Monument Technical Corrections Act, to address the management of the Agua Fria National Monument. My intent in introducing this legislation is to ensure that Congress, the State of Arizona and the people of Arizona have a say in how these areas are managed and protected. Specifically, this legislation:

1. Codifies commitments made by the previous Administration that were not explicitly stated in the proclamation;

2. Provides the President with an opportunity to increase the size of the monument to

88,000 acres, and adjusts the boundary of the Monument to facilitate long-term resource management by the BLM and adjacent land owners;

3. Ensures that all interested parties have a voice in planning;

4. Protects the interests of the State of Arizona in managing wildlife, water and transportation;

5. Ensures that the Monument remains accessible;

6. Recognizes the educational potential of the Monument; and

7. Provides the BLM with a flexible management framework that will allow protection of the resources of the Monument.

Mr. Speaker, I have a long history in working to resolve resource management issues in the area containing the Agua Fria National Monument. Working with then-Arizona Governor Bruce Babbitt and State BLM Director Dean Bibles in the early and mid-1980's, we were able to eliminate the checkerboard land ownership pattern in the area. A few years later, I supported the Area of Critical Environmental Concern, or ACEC, designation of much of the area, as well as the establishment of the Perry Mesa National Register Archaeological District.

The BLM has historically done an excellent job of working with their constituents in managing this area. When the Agua Fria National Monument was created by proclamation, however, past collaborative management of the land and the history and tradition of these areas was ignored. In fact, a committee established by former Secretary Babbitt went as far as to discuss the construction of gondolas in the Monument.

Mr. Speaker, this legislation requires the BLM to review the Interim Management Policy, dated October 1, 2001, and to develop a comprehensive management plan for the long-range management of the Agua Fria National Monument. My goal is to ensure that the Interim Management Policy recognizes valid existing uses of the Monument, and that it is consistent with current laws and regulations.

With the increase in visitorship since the creation of the Monument, it has become clear that a new management plan that reflects the resources and values of the Monument is needed. The legislation I am introducing today requires that the BLM create a long-term management plan for the Monument within two years of enactment. While this is an aggressive schedule, I believe that it is essential if we are to address the immediacy of the threats perceived by the previous Administration.

To assist in this endeavor, the legislation creates an advisory committee to ensure that local community leaders, state representatives, conservationists, Native Americans, as well as scientists, are involved in the decision-making and planning of the Agua Fria National Monument Management Plan. Seven BLM managed monuments and national conservation areas, including the Gila Box and San Pedro National Conservation Areas in Arizona, currently benefit from advisory committees. Three additional advisory committees, recommended by former Secretary Babbitt, are awaiting publication in the Federal Register, and the Grand Staircase-Escalante National Monument Management Plan recommends the establishment of a permanent advisory council. I believe that the eight positions avail-

able on the advisory committee represent those interests that are necessary to ensure that the BLM receives broad public input, participation and support in planning and developing management strategies for the Agua Fria National Monument.

Since the creation of several monuments under the Clinton Administration, the issue of whether to modify the boundaries of these monuments has been widely discussed. This legislation moves the western boundary of the Agua Fria National Monument 400 feet to the east. The Arizona Department of Transportation has concerns that if the boundary is not modified, any future expansion of Interstate Highway 17, the main thoroughfare from central to northern Arizona, will be impossible. This small boundary adjustment may also make it feasible for the State of Arizona and the BLM to cooperatively develop and manage a new visitor center near the planned Sunrise Point Rest Area.

Mr. Speaker, it is well known that there are significant archaeological sites adjacent to the current boundaries of the monument. This legislation requires the Secretary of the Interior, in consultation with the Secretary of Agriculture, to study the lands adjacent to the existing boundaries, and make a recommendation to the President on any boundary changes to the Agua Fria National Monument. The legislation authorizes the President, subject to the study, to make any boundary adjustment necessary to enhance the protection of the archaeological resources located within the Monument and adjacent lands or that will offer expanded opportunities for public education or scientific research. This language has the potential to expand the monument to 88,000 acres.

This legislation recognizes that there are valid existing uses of the monument, including hunting, grazing and electric transmission right-of-ways. The fact that the lands are now within the boundaries of a national monument should not have an effect on their management. The archaeological resources within the Monument have existed for centuries, and the creation of the Monument has not changed their significance to Arizona's heritage. Because all uses of the Monument will continue to be governed by existing laws and regulations, it is expected that the BLM will review all aspects of land use, including grazing levels, during the planning process.

This legislation also ensures that state water rights are protected. In the original proclamation, an unspecified amount of water was reserved for the Agua Fria National Monument. In Arizona, where water is as precious as gold, we must ensure that a new or implied water reservation to the United States does not hinder management of this limited resource. This legislation allows the United States to reserve water for the Monument by following the laws of the State of Arizona.

The Agua Fria National Monument Technical Corrections Act has been reviewed and is supported by archaeologists, recreation groups and ranchers, as well as the Governor of Arizona and state agencies, including the Arizona Department of Transportation, the Arizona Game and Fish Commission and Department and the Arizona Department of Water Resources.

Mr. Speaker, I have included a letter for the record that Arizona Governor Jane Dee Hull sent to Secretary Gale Norton on April 6,

2001, outlining the State of Arizona's concerns with the monuments established in Arizona. The Governor expresses her concern that the state was not included when the decision to declare the national monuments was being weighed. Specifically, the Governor states, "I am simply asking that boundaries and proclamation language be amended where necessary to protect the best interests of the citizens of this state." Mr. Speaker, I believe that this legislation addresses these concerns and ensures that the citizens of Arizona can use and enjoy the Agua Fria National Monument for years to come.

Mr. Speaker, this legislation will protect the archaeological resources and enhance the educational opportunities of the Agua Fria National Monument. At the same time it ensures that the BLM, State of Arizona, Forest Service, private landowners, conservationists, scientists and Indian tribes work together to develop a working management plan for the future of the Agua Fria National Monument.

Mr. Speaker, I urge my colleagues to support the Agua Fria National Monument Technical Corrections Act of 2002.

JANE DEE HULL,  
State of Arizona, April 6, 2001.

Hon. GALE NORTON,  
Secretary of the Interior,  
Washington, DC.

DEAR SECRETARY NORTON: Thank you very much for your letter of March 28, 2001 in regard to the impact of National Monument designations within the State of Arizona.

As you know, during the past year, five new National Monuments were declared in Arizona encompassing an estimated two million acres of Arizona. This is an area approximately equivalent in size to the combined states of Delaware and Rhode Island a land mass of such notable size carries with it a number of impacts, and I am grateful for the opportunity to share my perspective on those impacts.

As a preliminary matter, I would like to say that much of the land that lies within the boundaries of our five new National Monuments is exquisite and certainly worthy of conservation. In Arizona, we are aggressive in our pursuit of conservation, and we have several ongoing programs and projects that allow us to set aside our most magnificent scenery. Even now, we are supporting state legislation that will enable Arizona to engage in land exchanges that will result in the conservation of special State Trust lands.

My fundamental concern with the five new National Monuments is the inadequate selection process through which they were established. As a result of planning that occurred almost exclusively in Washington D.C., and not in Arizona, we have monuments with boundaries that do not protect the best of the terrain, do not give due consideration to wildlife management, do not allow vital energy transmission to cross into regions of the state, render hundreds of thousands of acres of School Trust land nearly valueless, prohibit essential roads, create uncertainty in the state's long-term water supply, and diminish the use of thousands of acres of private property.

I believe the inadequacy of the selection process was the direct result of a nearly complete failure on the part of the former administration of the Department of the Interior to provide meaningful opportunity for Arizona residents and qualified experts to participate. To highlight the absence of that participation, please note that neither I nor any member of my cabinet was ever invited to a public meeting to discuss the potential

declaration of any monument. Moreover, three of the monuments were declared with virtually no public process. The only sign that an area was under consideration for monument status was a visit to this state by the former secretary for a short hike to which a handful of supporters and select media were invited.

Please review your records to verify his claim. It would be very interesting to learn what the file has to say in regard to public participation prior to each declaration in Arizona.

Other concerns I have in regard to the monuments are site specific, and I have attached for your review a list of concerns my cabinet and I have compiled on each monument. You will notice the same concern often arises with multiple monuments. Where possible, we have also listed potential solutions to the issues raised. While the solutions may not be perfect, they certainly reflect more closely the will of those who make their home in this state.

Please note before you review this list that I am not suggesting the repeal of any monument in Arizona, nor a reduction in the size of any monument. I am simply asking that boundaries and proclamation language be amended where necessary to protect the best interests of the citizens of this state, including the certainty of their water and electricity supplies, school funding, necessary roads and sound wildlife management.

I appreciate your consideration of the following lists. If you need any additional information, I would be delighted to provide it.

Sincerely,

JANE DEE HULL,  
Governor.

#### CLASS ACTION FAIRNESS ACT OF 2002

SPEECH OF

**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 13, 2002*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2341) to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes.

Mr. POMEROY. Mr. Chairman, I rise in reluctant opposition to H.R. 2341, the Class Action Fairness Act.

Our system of class action litigation is in dire need of reform. Most class action cases are national in scope and should be heard in federal court, where like claims may be combined and uniform decisions rendered. Under the current system, however, these interstate suits are often filed in state or county court, where the decision of a local judge and jury may affect the laws of all 50 states. As a former state insurance commissioner, I am deeply troubled that a jury panel in a class action case in Mississippi or New Mexico could

effectively overturn state regulations in my home state of North Dakota.

In addition, by allowing interstate class action claims to be filed in any of the thousands of local courts across the country, the likelihood is increased that a plaintiffs lawyer will find at least one judge who is willing to entertain a claim that most people would consider to be without merit. Once a sympathetic judge is found, the plaintiffs' attorney can leverage nationwide settlements that all too often provide little benefit to the actual plaintiffs but enormous benefit to the attorney.

As important as it is to reform class action litigation, I am concerned that this legislation could have the effect of closing the courthouse door to even meritorious class action suits. The bill places a significant new responsibility on federal courts without providing the resources necessary to carry out that responsibility. The only study on record indicates that this legislation would burden federal courts to the point that class action cases could not be heard in a timely fashion. As serious as the abuses are in the current system, we cannot risk denying access to our civil justice system for people who are the victims of wrongdoing.

With additional time, we could have further evaluated the workload of the federal courts and crafted legislation that would ensure that class reform did not result in class action repeal. In scheduling this legislation, I regret that the majority leadership did not allow us that time. We have not heard the last of this issue. I took forward to continuing to work on this issue so that we have reform the class action system without denying the opportunity for worthy class action cases to be heard.

A TRIBUTE TO LUCIA G. REYES,  
27TH CONGRESSIONAL DISTRICT  
WOMAN OF THE YEAR—2002

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2002*

Mr. SCHIFF. Mr. Speaker, I rise today to honor Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's most notable women during the month of March and it is my honor to not only recognize women of the past but to also recognize women who are making a difference in my community. While a month of remembrance is certainly not sufficient, I am honored today to pay homage to such women as Eleanor Roosevelt, Sandra Day O'Connor, Harriet Tubman, Sally Ride and all the women of my Congressional District, whose contributions have made a profound difference in the face and fabric of our nation.

I would like to pay special recognition to Ms. Lucia G. Reyes, an outstanding woman of California's 27th Congressional District. Over the years, Lucia has been an outspoken proponent for women's issues and has helped bring those issues to the forefront of my community.

Lucia currently serves as a project manager for the Keck School of Medicine at the University of Southern California. She is overseeing a very exciting clinical trial to determine the effectiveness of a T Cell Vaccine to treat Secondary Progressive Multiple Sclerosis. If effective, this treatment may prove a powerful

weapon in the fight against this debilitating and deadly disease.

Lucia's positive energy can be seen all around the City of Pasadena. She has thrown herself into activities with the expressed purpose of making the lives of those around her better. She serves as a Commissioner on the City of Pasadena's Commission on the Status of Women in which she focuses on addressing the specific concerns and needs of women throughout the community. Her tireless efforts are to ensure the future provides the freedom and dignity each human deserves.

Complimenting her role on the Commission, Lucia also serves on the boards of Planned Parenthood of Pasadena and Pasadena's Cinco de Mayo. She serves as a religious instructor at St. Andrew's Catholic Church, volunteers at Pasadena's Youth Center, and is a committee member of the Adelante Mujer Latina Conference and HOPE'S Latina Symposium.

Her breadth of volunteer work is remarkable and all who have the opportunity to work beside her are better off for the experience. The women of my district and especially the women in the City of Pasadena could find no better advocate than Lucia.

I ask all Members of Congress to join me today in honoring an outstanding and extraordinary woman of California's 27th Congressional District, Ms. Lucia Reyes. The entire community joins me in thanking Lucia for her continued efforts to make the 27th Congressional District a more accepting place in which to live.

IN RECOGNITION OF ROBERT H.  
STERN

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 20, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay special tribute to Robert H. Stern, who dedicated so much of his life to serving the community in which he had lived. From his childhood up until his death, Mr. Stern spent the majority of his time preserving and improving the business district of Steinway Street in Queens. For his many contributions within the community at large, we honor him.

The family business, "Sig Stern" was opened in the early 1920's by Robert Stern's father. For over fifty years it was considered "the" children's store of Steinway Street. After his father's death, Robert ran Sig Stern, Inc. In 1975, Robert closed Sig Stern, and embarked onto a successful second career as a real estate broker.

Throughout his life, Robert Stern's passion was the successful, community oriented development of Steinway Street. Sensing that Business Improvement Districts were the salvation to commercial strips, Mr. Stern worked hard to bring the business improvement district to Steinway Street. At the time of his passing, Robert was President of the Steinway Street Business Improvement District. Steinway Street and its surrounding community acknowledges a huge debt of gratitude for its past, present and future success.

This vibrant neighborhood center of commerce is part of the legacy Mr. Stern leaves