

Council and served his district for the next two years. This position laid the groundwork for Lavelle to run for Mayor, a position he has held for the past four years. Following four successful and prosperous years as the town's chief executive, Lavelle now prepares to hand the office to his new successor.

In his service to his community, Lavelle played a crucial role in the maintenance of city values and infrastructure. He negotiated tough contracts with the Royal Gorge Bridge Co., which provide a large amount of revenue to Canon City, thereby allowing for record low real estate taxes in the region. He promoted public work programs such as road building, public recreation facilities, and was at the forefront of decreasing voter apathy and increasing civic involvement, a daunting and often difficult task. As for his future plans, Lavelle intends to remain active in his civic responsibilities as well as enjoy a well-deserved retirement.

Mr. Speaker, it is a great honor to recognize Lavelle Craig and thank him for his contributions to the community of Canon City, the State of Colorado, and this nation. His selfless service and dedication to improving citizen's lives has brought much credit to himself, his family, and the community. His actions and forbearance in preserving our western ideals and lifestyle deserve the recognition and thanks from this body of Congress. Congratulations on your retirement Lavelle, and good luck in your future endeavors.

THANK YOU ANN BROWN AND THE  
STAFF AND VOLUNTEERS OF  
SAFE

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. MORAN of Virginia. Mr. Speaker, thank you Ann and all the fine staff and volunteers of SAFE. I am proud to be here today standing along side of this nation's foremost safety advocates.

Ann Brown has dedicated much of her life to our families safety. Her particular emphasis has been on children. Because our children naturally assume that anything, particularly a toy, that their parents give them couldn't possibly cause them harm.

But do you know that more than 1.7 million children under the age of 5 are injured each year by defective or hazardous products. For older children, the figure is almost 5.5 million.

So, as I was saying, Ann Brown is determined, she's tough, and she doesn't give up. And if I'm ever not on her side, I'll know I'm on the wrong side. Because through effective regulatory action, encouraging voluntary steps by companies, and creating unique public-private partnership with industry and other governmental agencies, she has made a major difference in the quality and the safety of our lives.

In fact, no one, before Ann, has been as consistently effective in making more people aware of dangerous and defective consumer products and getting them recalled—300 products were recalled during Ann's 7½ years

chairmanship of CPSC. Too many children have been injured, some have even died because people didn't learn about the recall of a dangerous product from television, radio or their daily paper.

Sometimes they don't hear about the recall. Oftentimes, it's not their fault. The way the system works today, it's surprising anyone knows about some of these recalls.

Most companies try to contact people directly about recalled products based on the limited records they've collected from the so-called warranty cards companies send out with products.

These records are grossly inadequate.

Over 90 percent of consumers toss the cards out because they contain marketing and personal questions people just don't want to answer. And they shouldn't have to.

I like Ann's idea that if you could create a simple safety card, like she has shown today, people would be much more likely to send them back.

We want to commend Mattel and BrandStamp for stepping up to the plate to help CPSC test this idea.

Ann Brown and SAFE are right that CPSC should move forward on a proposed rule to improve recall effectiveness.

So we are introducing legislation which would require CPSC, within 9 months to adopt a standard for companies to develop shorter, simpler consumer friendly Product Safety Cards, or online product registration beginning with juvenile products and small electrical appliances, and then other consumer products.

The legislation also encourages companies to look at other new technologies that will help them do the job.

This bill is designed to help the government do what it needs to do to protect American consumers.

I'm proud to be here today, standing alongside Ann Brown, my colleague from Massachusetts, JIM MCGOVERN, and the folks from these good companies who want to save lives and prevent injuries by developing a way to let more people know about dangerous products.

#### THE EMPLOYEE PENSION FREEDOM ACT

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. GEORGE MILLER of California. Mr. Speaker, the following is a summary of the Employee Pension Freedom Act.

#### I. IMPROVED DISCLOSURE

Annual Benefit Statements: pension plans would be required to provide annual pension benefit statements to participants and beneficiaries including notification of employee and employer contributions that consist of employer stock and the importance of a well balanced and diversified investment portfolio for long term retirement security.

Accurate Financial Information: in all pension plans where participants make investment decisions, the employer and plan administrator must provide all material investment information to participants as required under securities law to make invest-

ment decisions. Prohibits the employer or plan administrator from making any misleading statements to participants regarding the value of employer stock or other investments available under the plan or from omitting information relevant to the value of the stock or other investment options.

#### II. STRENGTHENED EMPLOYEE DIVERSIFICATION RIGHTS

Unrestricted Employee Choice Over Employee Contributions: in pension plans where participants make investment decisions, participants will have the right to allocate employee contributions to any plan investment option (eliminate current law rule permitting employers to require 10% employer stock holdings).

Unrestricted Employee Choice Over Employer Contributions When Vested: the plan administrator must notify all participants upon vesting of the right to transfer employer stock matching contributions to other plan investment options; the plan administrator would have up to 30 days to effect any requested transfer; in an ESOP, employees may diversify employer matching contributions after 10 years of service.

#### III. IMPROVED EMPLOYEE ACCOUNT ACCESS

Faster Vesting for Employees: covered employees will be vested in their employer contributions after completion of one year of participation in the plan (many plans currently vest after five or more years and some, like Enron, do not permit employees to transfer employer contributions even following vesting).

30 Days Advance Notice of Plan "Lockdowns": the plan administrator must provide at least 30 days advance written notice of any plan change that would restrict a participant's access to his or her account.

No More Than 10 Business Days for Lockdowns: an employer or plan administrator may not limit participant access to his or her account for a period of more than 10 business days.

#### IV. ADEQUATE LEGAL PROTECTION FOR EMPLOYEES

Fiduciaries Must Have Insurance or be Bonded: all defined contribution plan fiduciaries shall maintain sufficient fiduciary insurance or bonding to cover financial losses due to breach of fiduciary duty as determined by the Secretary of Labor.

Employee Pension Plan Representation: in pension plans that permit employees to direct control of their pension investments, the plan must include an equal number of employer and employee trustees to oversee the plan. Many plans today have no employee trustees overseeing employees' funds.

No Waivers of Legal Rights: Employers may not require participants to sign waivers of statutory pension rights as part of a termination or severance agreement.

Right to be Made Whole in Court: in cases of fiduciary breach of duty by a fiduciary or knowing participant in a breach, the plan or participants may be made whole by the court.

Improved Labor Department Assistance: the Department of Labor shall establish an office of the Participant Advocate which shall monitor potential abuses of employee pension plan rights and assist pension plan participants in preventing and resolving abuses.

Feasibility Study for Guaranty Insurance: the PBGC shall study and report to Congress no later than 3 years after enactment the options for and feasibility of developing an insurance guarantee system for defined contribution plans.

PAYING TRIBUTE TO RON  
BERGMANN

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Ron Bergmann and thank him for his contributions to the Chaffee County Sheriff's Department and community. Ron will always be remembered as a dedicated leader and guardian of the community, and as he celebrates his retirement, let it be known that this will be a great loss for a community that has relied on him for his knowledge and wisdom in times of hardship and prosperity.

Ron was elected Sheriff of Chaffee County eight years ago and has served in this position with great diligence and commitment to his fellow Coloradans. As a former law enforcement officer, I know the challenges and hardships our peace officers face every day. The greatest honor bestowed on these brave men and women is not awards and promotions, but the maintenance of integrity. Through his responses to render assistance and guidance, Ron has always maintained his composure and served in his capacity with the utmost professionalism and compassion.

Ron has been an active member in the civic community by dedicating his time and energy to noble community activities throughout the area. He serves on the Chaffee County Child Protection and Child Evaluation Teams, as a board member for programs such as "Kid's Campus" and "Build a Generation," and the Chaffee County Fairboard. He continues to serve the area's younger generation as a 4H leader and as coach for a little league baseball team. In addition, Ron can be found training residents in the prevention of wildfires, forming neighborhood watch programs, lecturing about drug use prevention, and teaching First Aid/CPR to local high schools.

Mr. Speaker, I have mentioned several of the many successes and accomplishments in Ron Bergmann's life, but none compare to his character and dedication to the people of Chaffee County. He is known as a kind soul and caring father and his efforts towards improving the community certainly deserve the recognition of this body of Congress, and this nation. I would like to extend my congratulations on Ron's retirement and wish him and his wife, Sarina, the best in their future endeavors.

COMMEMORATING THE 100TH  
BIRTHDAY OF LANGSTON HUGHES

**HON. JIM RYUN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. RYUN of Kansas. Mr. Speaker, I rise today to commemorate the 100th birthday of Langston Hughes, which will take place on February 1, 2002.

Langston Hughes grew up in Topeka, Lawrence and Kansas City, Kansas. His mother, Carrie Hughes, raised him on her own as she worked in the office of Topeka's first African-American lawyer, James H. Guy.

Langston discovered poetry in the eighth grade and published his first poem, "The Negro Speaks of Rivers", shortly after leaving Columbia University. After moving to Harlem he published many works including his first book of poems, "The Weary Blues."

He graduated from Lincoln University in 1929 with a Bachelor of Arts degree. In 1943 he received an honorary doctorate. Both the Guggenheim and Roeswald granted Hughes fellowships and he later accepted assignments as Atlanta University's poet in residence and news correspondent during the Spanish Civil War.

Langston Hughes was a prolific writer. In the forty-odd years between his first book and his death in 1967, he devoted his life to writing and lecturing. He wrote sixteen books of poems, two novels, three collections of short stories and much, much more.

Mr. Speaker, I rise today to commend Mr. Langston Hughes for holding strong the belief in equality, for being an influence in the literary community and for being the people's poet.

PERSONAL EXPLANATION

**HON. ROBIN HAYES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. HAYES. Mr. Speaker, let the RECORD reflect that due to a scheduling conflict, I was unable to be present for votes on Wednesday, January 23, 2002. Had I been present I would have voted YEA on the following: H.R. 700, H.R. 2234, and H. Res. 330. Thank you.

HONORING BROWARD COUNTY  
VETERANS

**HON. PETER DEUTSCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Mr. DEUTSCH. Mr. Speaker, I rise today to congratulate Broward County, Florida, World War II Veterans who, on May 1, 2001, received honorary high school diplomas from the Florida Department of Education and Broward County Public Schools. Half a century ago, thousands of young Americans risked their lives to fight for our freedom in World War II, and I applaud the dedication of these veterans during that time of war, as well as their loyalty to the security of the American people.

Many who fought in World War II forfeited their chance to complete high school and continue onto college when, in the prime of their youth, they were asked to save the world. They entered the war as teenagers and those that survived came home as adults. Many veterans had to immediately enter the workforce upon their return to support the families they left behind. Broward County, through this special ceremony, has honored these deserving veterans for their personal sacrifices and their protection of democracy and humanity.

Last year, the State of Florida offered all veterans meeting a general criteria their high school diplomas. Florida's actions are accompanied by similar programs throughout the nation. I commend Broward County Public

Schools and the Florida Department of Education on their efforts to honor these World War II Veterans. These institutions further saluted Broward County veterans by arranging a special graduation ceremony at which the diplomas were received.

Mr. Speaker, World War II interrupted the lives of young America in the 1940's, and now the State of Florida has presented a chance to thank these individuals by recognizing this well-deserved and hard-earned accomplishment.

HONORING SGT. 1ST CLASS  
MICHAEL MCELHINEY

**HON. KAREN MCCARTHY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2002*

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise to honor a heroic native of Kansas City, Missouri, Sergeant 1st Class Michael McElhiney, graduate of Hickman Mills High School and a special honoree tonight at the State of the Union. The US military recently bestowed upon Sgt. McElhiney both a Bronze Star with a "V" for valor and a Purple Heart for his exceptional bravery in battle during the war in Afghanistan. As an officer of the Army's 3rd Battalion, 5th Special Forces Group, Sergeant 1st Class Michael McElhiney has heroically served our country. I am extremely honored to recognize Mr. McElhiney and his wife today for their sacrifices for our country.

During his arduous mission in Afghanistan, Sergeant 1st Class McElhiney and his fellow soldiers successfully rescued citizens who had helped resist the Taliban. Traveling with Hamid Karzai, Afghanistan's interim prime minister, the coalition of Afghan and US soldiers helped force the Taliban to retreat. During a US air strike aimed to weaken the Taliban control of Kandahar, Sergeant 1st Class McElhiney was wounded in "friendly fire," a term used by the military to describe injuries resulting from allies' weapons. As a result of this battle in Kandahar, Sergeant 1st Class McElhiney lost his right hand and suffered a collapsed lung. Sergeant 1st Class McElhiney was reunited with his wife after being airlifted to the Marine Corps base at Camp Rhino and then to a US military base in Germany.

Sergeant 1st Class McElhiney is a hero to residents of both Missouri's fifth district and the country. As part of an assignment on American heroes, fifth grade students at Comanche and Westwood View, two local elementary schools in Johnson County, adopted Mr. McElhiney as their hero. The children have sent numerous letters to Sergeant 1st Class McElhiney to thank him for his courage and integrity in battle. In addition, the students are preparing a book for Mr. McElhiney that will be bound and will include their picture on the cover. The bravery and perseverance shown by Mr. McElhiney in Afghanistan exemplify the sacrifices our Armed Forces make every day for our freedom.

Mr. Speaker, please join me in honoring Sergeant 1st Class Michael McElhiney and his wife as they represent the best of our country. All Americans owe Sergeant 1st Class McElhiney a debt of gratitude for his service to promote freedom and democracy worldwide.