

HONORING SANDRA W. HEIMANN AS SHE RECEIVES THE JUVENILE DIABETES RESEARCH FOUNDATION'S 2002 CINCINNATIAN OF THE YEAR AWARD

**HON. ROB PORTMAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2002

Mr. PORTMAN. Mr. Speaker, I rise today to recognize Sandra W. Heimann, a distinguished constituent, who will be honored as the Juvenile Diabetes Research Foundation's (JDRF) 2002 Cincinnati of the Year at JDRF's Cincinnati Chapter Gala on April 27, 2002. The JDRF Cincinnati chapter has done an excellent job of both raising awareness of the issue of juvenile diabetes and raising needed funds for medical research on this debilitating disease and possible cures.

In selecting Sandy Heimann as this year's honoree, JDRF has chosen well. Sandy is well deserving of this honor. She has worked tirelessly to make our community a better place and has done so quietly, without seeking public recognition for her service.

Sandy is a director of the Drake Planetarium, the Tri-State Foundation, the Cincinnati Zoo, the Medical Center Fund at the University of Cincinnati, and the UCATS, the University of Cincinnati's booster organization. She is a member of the Board of Trustees and Administrative Board of Hyde Park Community United Methodist Church, where she chairs the Endowment Committee. A director emeritus for the Hospice of Cincinnati, in 1998 Sandy received Hospice of Cincinnati's prestigious Donna West Award.

She has served with great distinction on the Bethesda Foundation Board, Downtown Council Board, Fine Arts Board and the Cincinnati Zoo's Center for Reproduction of Endangered Species. Sandy is also a founding member of the Metropolitan Club and co-founder of Cincinnati Aquatics Swim Team.

Sandy has a special interest in higher education. In addition to her work with the University of Cincinnati, she is Vice President of the National Executive Board of the Jefferson Scholar Program at the University of Virginia (UVA), Chairman of the Regional Selection Committee for UVA, and is on the National Selection Committee for Jefferson Scholars. She also served as Chairman of the Parents Committee at UVA.

Currently, Sandy is Vice President of American Financial Corporation and Great American Insurance Company, and is a former director of American Financial Enterprises. She has served American Financial in various management capacities since the company was founded in 1959.

Devoted to her family, Sandy and her husband, Bob, have a son, Rob, and a daughter, Paige. All of us in the Cincinnati area congratulate Sandy Heimann on receiving the JDRF's Cincinnati of the Year award in recognition of her exemplary service to our region.

HONORING JIM MYERS OF THE TULSA WORLD

**HON. BRAD CARSON**

OF OKLAHOMA

**HON. J.C. WATTS, JR.**

OF OKLAHOMA

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

**HON. FRANK D. LUCAS**

OF OKLAHOMA

**HON. WES WATKINS**

OF OKLAHOMA

**HON. JOHN SULLIVAN**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2002

Mr. CARSON of Oklahoma. Mr. Speaker, we as the Congressional delegation from the great state of Oklahoma rise today to extend our congratulations to an individual who is responsible for informing our constituents in Oklahoma of the work we are performing on their behalf in Congress. Jim Myers, the Chief of the Washington Bureau for the Tulsa World, was recently highly honored by his colleagues to be inducted into the Oklahoma Journalism Hall of Fame.

Jim Myers, a native of Tonkawa, began his professional work in journalism with the Enid News and Eagle from 1976-77, as a reporter for the Lawton Constitution, 1977-1979, and Lawton Magazine in 1980. He joined the Tulsa World in 1981, where he covered city and county government. In 1984, he was promoted to the World's statehouse bureau and, in 1990, he was named Washington correspondent. In 1992, he was a Paul Miller Fellow for the Freedom Forum and, in 1995, a Knight Center Fellow at the University of Maryland. The veteran political and government reporter is known for his tenacity to get to the truth and the pursuit of fairness and accuracy. An Army veteran, he has three degrees from Oklahoma State University: bachelor's degrees in social studies and journalism and a master's degree in history.

Jim, congratulations on an honor well deserved. The dedication you have shown to your profession and the valuable service you continue to provide to the people of Oklahoma is worthy of this high commendation of being selected a member of the Oklahoma Journalism Hall of Fame.

HONORING MR. SAMUEL ANGEL OF LAKE VILLAGE, ARKANSAS

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2002

Mr. ROSS. Mr. Speaker, Sammy Angel is no stranger to public service in Arkansas' Chicot County located in the Arkansas Delta. He served in the Arkansas House of Representatives from 1994-2000 and represented his constituency well.

Sammy is a true leader and a man of action. When a project arises in his community, Sammy is always one of the first people to begin planning and organizing the steps that

will be needed to successfully complete the project at hand. When his community of Lake Village recognized the need for a new fire station, Sammy went to work.

Because Sammy is a man of action, he did more than have conversations, make phone calls, and write letters to broaden support for the needed project, he also began the very hard task of raising funds for the newly proposed fire station. He worked hard to find financial support, and, after countless hours, Sammy Angel had raised \$150,000 towards the new fire station that will save numerous homes and lives during its years of operation.

To the people of Lake Village and the rest of our state, Sammy Angel is known as a truly selfless public servant. On Thursday, April 25, 2002, they will be dedicating their new fire station, the Lake Village Fire Station No. 2, in his name, a fitting honor for a man who worked so hard to see it built. Sammy is an inspiration to those around him, and I am privileged to call him a friend and even more honored to serve as his Representative in the United States Congress.

Mr. Speaker, I extend my sincerest congratulations to him on this distinguished honor and to the entire Lake Village community on the dedication of this new fire station.

INTRODUCTION OF THE AUCTION REFORM ACT OF 2002

**HON. W.J. (BILLY) TAUZIN**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 2002

Mr. TAUZIN. Mr. Speaker, I rise today to introduce the Auction Reform Act of 2002. This bill will eliminate the statutory deadlines that have prompted the FCC to schedule auctions in June for spectrum in the 700 MHz band currently occupied by television broadcasters.

I believe that this legislation should not be necessary to preclude the Commission from conducting the auctions in June. The FCC currently has the authority to delay these auctions, and should do so. But, in addition, to asking the FCC to use its own authority to delay the auctions, I, along with JOHN DINGELL and 50 of our colleagues from the Energy and Commerce Committee, am introducing this bill to strip the deadlines from the books.

It is true that the auction of the upper portion of the 700 MHz band has been delayed five times. But, Mr. Speaker, conducting the auctions for both the upper and lower parts of the 700 MHz band in June would be wrong. These auctions are simply not ready for prime time.

Let me address some of the reasons why these auctions should not take place:

No comprehensive plan exists for allocating additional spectrum for third generation wireless and other advanced mobile communications services. The 700 MHz band may prove to be the commercial mobile wireless industry's only viable short-term option for obtaining additional spectrum for advanced mobile communications services if spectrum from other bands below 3 GHz is not allocated for such purposes.

The study being conducted by the National Telecommunications and Information Administration (NTIA) and the Pentagon to determine whether the Pentagon can share or relinquish

additional spectrum for third-generation wireless and other advanced mobile communications services will not be completed until after the June 19th auction date for the upper 700 MHz band, and long after the applications must be filed to participate in the auction.

It is difficult for wireless carriers to make a sound business decision concerning what options are available for spectrum for third-generation and other advanced mobile communications services until the NTIA/Pentagon report has been released and evaluated.

The Commission is also in the process of determining how to resolve the interference problems that exist in the 800 MHz band, especially for public safety. One option being considered for the 800 MHz band would involve the 700 MHz band. The Commission should not hold the 700 MHz auction before the 800 MHz interference issues are resolved or a tenable plan has been approved.

The 700 MHz band is still occupied by television broadcasters, and will be so until the digital transition is complete. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 MHz band reduces both the amount of money that the auction would be likely to produce and the probability that the spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most-productive use.

The Commission's rules governing voluntary mechanisms for the vacation of the 700 MHz band by the broadcasters produced no certainty that the band would be available for advanced mobile communications services, public safety operations, and other purposes any earlier than the existing statutory framework provides.

Mr. Speaker, the FCC and the Administration clearly have a lot of work to do with respect to allocating and assigning additional spectrum for advanced mobile communications services and with respect to speeding the transition to digital television. Until more progress is made in these areas, the 700 MHz band auctions should not occur.

Mr. Speaker, I am delighted that 52 Members of the Energy and Commerce Committee are original co-sponsors of this legislation. It demonstrates that an overwhelmingly majority of members of our committee know that holding the auctions in June is the wrong policy decision for the FCC to make. The FCC should use its own authority to delay these auctions. And we are making clear that holding the auctions within the FCC's designated timeframe is contrary to both sound regulatory policy and contrary to the Communications Act.

#### SITUATION IN THE MIDDLE EAST

##### HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mrs. MYRICK. Mr. Speaker, I rise today to speak about the situation in the Middle East that is of grave concern to all of us.

Since September 11th, we have had a taste of normal life in Israel. Americans have experienced the fear, the terrorist alerts, the military

and police presence at airports and public sites and we don't like it. Yet we must have it because we are at war with terrorists just as Israel is at war with terrorists.

We must stand by Israel as they work to eliminate terrorism in their homeland and as we try to do the same thing in the United States. We must stand by Israel as they fight for their very own survival and as we fight for ours.

As President Bush said in his address to Congress, we must root out terrorism worldwide and all those organizations that support it.

It is time we firmly support our Israeli friends in their fight against terrorism. We must join Israel now and continue this fight until the wrath of terrorism is ended.

#### EMERY FLIGHT 17 (DC-8) NTSB HEARING

##### HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. SWEENEY. Mr. Speaker, I am very pleased that the National Transportation Safety Board (NTSB) has scheduled a hearing for May 9th regarding Emery flight 17 (DC-8) that crashed in Sacramento on February 16, 2000, killing its entire crew. I strongly urge the NTSB to follow through with the scheduled hearing rather than postponing it as other hearings have been postponed. The Captain of Emery 17 was Kevin P. Stables, 43, of Berlin, New York, the First Officer was George Land, 35, of Placerville, California, and the Flight Engineer was Russell Hicks, 38, of Sparks, Nevada. I look forward to the hearings as part of the ongoing crash investigation to help prevent future air cargo tragedies, encourage government and business accountability, and enhance public confidence in the regulatory oversight of the rapidly expanding air cargo industry.

On February 16, 2000, Emery flight 17, a DC-8, took off from Sacramento en route to Dayton. Two minutes later, the massive jet plowed into a salvage yard. National network news provided live broadcasts of the fiery aftermath. The pictures were telling—none of the crewmembers escaped alive.

Mr. Speaker, an exam of the wreckage found indications that part of the DC-8's mechanical flight controls may not have been connected prior to the flight. Key flight control components of that particular airplane had been overhauled by a Federal Aviation Administration-approved repair station three months before the crash. In August 2001, the Federal Aviation Administration (FAA) finally "grounded" Emery and cited safety concerns that included "mechanical irregularities" and "operating unairworthy aircraft."

Mr. Speaker, Emery 17 is not the only DC-8 cargo jet in recent years to wipe out its entire aircrew shortly after takeoff. Thirty months earlier in Miami, Fine Air flight 101 slammed into the ground, burst into flames, and killed five people. The probable cause finding included the "failure of the FAA to ensure that known cargo-related deficiencies were corrected." Many believe the FAA's failure to provide adequate oversight and its failure to enforce Federal Aviation Regulations are direct causes of the Emery tragedy.

Almost immediately after Emery 17 crashed, safety groups and families of the crews pushed hard for public hearings on the Emery accident and the NTSB announced that official hearings would take place and would center on contract maintenance and oversight by "airline and FAA personnel." Mr. Speaker, these were the identical issues for which the NTSB criticized the FAA in the aftermath of ValuJet's 1996 crash.

Emery's own aircrews warned the FAA in the months leading up to Emery flight 17's crash. In a 1998 letter to the FAA, Capt. Tom Rachford, speaking for the Emery pilots' union, wrote, "Our maintenance has dramatically fallen off. . . . I can't say it any clearer: This airline is going to put a hole in the ground and kill someone. Please don't let this fall upon deaf ears." Later, five months before the fatal crash, the Emery pilots' group expressed their concern yet again with FAA leadership. They wrote: "EWA is out of the regulator's eye. . . . Why are the authorities continuing to turn a blind eye? The lower echelon of the regulatory agencies have substantiated our concerns. . . . However, it is the upper echelon that appears to be dragging its feet. . . . If we have an accident in the near future, the subsequent investigation will show sainthood on the part of ValuJet when compared to Emery Worldwide Airlines. . . . Emery crews are living on borrowed time."

Mr. Speaker, it's been two long years since Emery 17 crashed. The rapidly expanding air cargo industry is still waiting for the overdue hearings. The air cargo industry is the fastest-growing segment of the commercial airline industry. Many government and industry experts consider oversight of third-party maintenance stations inadequate. The NTSB has never before convened public hearings on an air-cargo-only accident. I am pleased the board is sticking to its earlier decision and promise to convene the Emery hearings. To many, this suggests a turning point and an indication that relaxed oversight and maintenance, and unsafe operational practices will no longer be ignored. I look forward to expedient and thorough public hearings.

The U.S. government must not wait for another massive air cargo disaster to force the NTSB into action. This is a race against time: The NTSB must convene the public hearings on Emery 17 before another air cargo blunder kills yet again.

#### POSTHUMOUS HONORARY U.S. CITIZENSHIP FOR ANDREI DMITRIEVICH SAKHAROV

##### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 24, 2002*

Mr. SMITH of New Jersey. Mr. Speaker, it is with great pleasure and a deep sense of solemnity that I introduce, along with Mr. Frank of Massachusetts, a resolution to bestow honorary citizenship posthumously upon a man whose contribution to world peace and the struggle for human rights inspired, and continues to inspire, his own generation and those who have followed him. That man is the late Dr. Andrei Dmitrievich Sakharov, renowned physicist, humanitarian, and winner of the Nobel Peace Prize.