

TRIBUTE TO SISTER HELEN COSTELLO, RSCJ RECIPIENT OF THE 2003 ST. MADELEINE SOPHIE BARAT AWARD

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Ms. ESHOO. Mr. Speaker, I rise today to honor Sister Helen Costello, RSCJ, a distinguished Californian, as she receives the 2003 St. Madeleine Sophie Barat Award. This award, named for the foundress of the Society of the Religious of the Sacred Heart, honors individuals who over a significant period of time have made extraordinary contributions to Sacred Heart Schools, Atherton. Founded in 1897, Sacred Heart Schools includes St. Joseph's School of the Sacred Heart and Sacred Heart Preparatory.

Sister Helen Costello was born in San Francisco and entered the 8th grade at the Convent of the Sacred Heart in 1929, which was then a boarding school for girls. Sister Costello graduated from Sacred Heart School in 1935 and took her final vows in Rome in 1949. She taught at St. Joseph's School from the early 1950's until 1967. During that time she was responsible for overseeing the altar boys, some of whom still keep in touch with her. Since leaving the School, Sister Costello has worked with the Handicapped, assisted children with cancer, and counseled students. Throughout the years, Sister Costello has dedicated her time and talents to the students and families of Sacred Heart School.

Mr. Speaker, I'm proud to honor her work, her values, and her deep love for her students and I ask my colleagues to join me in honoring Sister Helen Costello, RSCJ, as she receives the 2003 St. Madeleine Sophie Barat Award for her extraordinary contributions to Sacred Heart Schools.

REINTRODUCTION OF DEPARTMENT OF STATE REVIEW BILL

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Mr. THORNBERRY. Mr. Speaker, for some time, I have believed that it is essential to transform our military so that the United States is better able to deal with the enormous security challenges of the 21st century. Since my first term in Congress, I have worked to develop a more flexible, adaptable military with a "culture of innovation" that will ensure that our security is protected as the threats against us, our allies, and our values grow in number and complexity. But at the same time, I recognize that American national security does not rest solely on the shoulders of the U.S. military.

Based on my work in defense transformation, I became convinced that homeland security was a vital area requiring not just more money, but a major reorganization of the government agencies charged with protecting the American homeland. I introduced the first bill creating a new organization to better protect the homeland on March 21, 2001, and that new Department is now up and running.

I also believe that a transformation is needed at the Department of State so that it is bet-

ter able to formulate and implement American foreign policy in the coming years. On September 18, 1998, I introduced H.R. 4065 in the 105th Congress to require that an independent, non-partisan panel review all the facts and functions of the Department of State and to provide Congress with its findings and with a plan for reorganizing the Department. The bill was reintroduced as H.R. 106 in the 106th Congress and as H.R. 304 in the 107th Congress.

I believe that the events of the past two years only add a greater degree of urgency to the need for such a transformation. It is time for Congress to take action.

The gentleman from Arkansas, Mr. Snyder, has also been working on these issues for some time. He has suggested a number of improvements in my previous proposals, and today we are introducing the revised version of the bill. It does not prescribe in legislative language exactly how the Department of State should be reorganized despite the many studies and reports which have recommended various actions. It does establish the framework for a serious study of all of the recommendations and requires that a proposal be submitted to Congress. We would then have to act upon the legislation in the normal order.

There have been a number of outside studies which recommend reform in very strong terms. For example, in January 2001, a study cosponsored by the Council on Foreign Relations and the Center for Strategic and International Studies and chaired by former Secretary of Defense and career foreign service officer, Frank Carlucci, issued "a scathing report," warning that "the United States will soon face serious dangers and enormous costs because its foreign policy establishment has not come to terms with global changes a full decade after the Cold War ended." (Los Angeles Times, January 30, 2001). "No government bureaucracy is in greater need of reform than the Department of State," the report found.

In March 2001, the United States Commission on National Security/21st Century, better known as the Hart-Rudman Commission, found that "The Department of State is a crippled institution that is starved for resources by Congress because of its inadequacies and is thereby weakened further. The department suffers in particular from an ineffective organizational structure in which regional and functional goals compete, and in which sound management, accountability, and leadership are lacking (p. 47)." Other studies and reports have reached similar conclusions.

This bill requires a serious study of the organization of the Department of State and our diplomatic structure. The Commission created by the bill will examine all levels of the Department, from the organization chart of bureaus and offices to staffing at embassies around the world. It will also look at issues such as public diplomacy—whether we are organized to wage the battle over ideas, which is so critical to the ultimate success of the war on terrorism—and use of foreign assistance—whether we are prepared to use effectively innovative new programs, such as the Millennium Challenge Account.

There may be a variety of opinions on what the Department of State should be doing and on exactly what organizational and process changes should be made, but we should all be able to agree that how decisions are made,

and especially how they are implemented, needs drastic improvement.

Mr. Speaker, change is always difficult, and we should not impose change without a good reason for doing so. We also have an obligation, I think, to seek better, more effective ways to advance American interests, and no Department should be exempt from penetrating examination in pursuit of those larger interests.

INTRODUCTION OF THE VIDEO CONSUMER PRIVACY PROTECTION ACT OF 2003

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Mr. MARKEY. Mr. Speaker, I rise to introduce the Video Programming Consumer Privacy Protection Act of 2003. Mr. Speaker, as our Nation's communications networks continue to grow and become ever more sophisticated, more individuals and industries will be using broadband networks at home and work. As America upgrades its communications infrastructure for the 21st century, we must make sure that the information superhighway is safe for all its travelers and this is particularly true with respect to personal privacy.

As the co-chair of the Congressional Privacy Caucus, along with Representative JOE BARTON (R-TX), I have been concerned about protecting privacy and closing anachronistic or technology-specific loopholes in consumer privacy protections for a long time.

Mr. Speaker, it is becoming increasingly apparent that, in addition to the protections accorded consumers with respect to information gathered by cable operators, video rental stores, and telecommunications carriers, which are contained in current law, further protections are needed to ensure that consumer privacy rights are retained and respected on the information superhighway by other entities. This includes entities with access to consumer video information, or who are using other technologies to essentially deliver similar services to those covered by current law.

This is especially the case in the video marketplace. Current law contains privacy protections for consumers when they rent video cassettes—as contained in the Video Privacy Protection Act of 1988, codified at 18 U.S.C. 2710—or subscribe to cable or other services from a cable operator, as contained in the Communications Act of 1934 47 U.S.C. 551.

Since the privacy provisions protecting cable subscribers were put in place in 1984, the Direct Broadcast Satellite industry has developed. Today, Echostar and DirecTV, for example, have approximately 20 million subscribers. Although they offer multichannel video programming across the country in a manner comparable to many cable operators, current legal privacy protections protect cable subscribers but not satellite subscribers. This makes absolutely no sense when one considers that millions of such satellite subscribers are watching the same programming as the cable subscriber next door. Consumers who switch from cable to satellite service often do not know that the privacy protections the law accords them in one market do not follow them when they switch technologies even

though the video services they obtain are similar.

In addition, the provisions of the Video Privacy Protection Act of 1988, which was enacted in the wake of a scandal involving the disclosure of the video rental records of Judge Robert Bork in a newspaper, covers video cassette rentals but not such "rentals" if they are not in cassette form. In other words, if a consumer physically rents a movie from Blockbuster and walks out of the store with a video cassette, there are legal privacy protections governing the unauthorized disclosure of the consumer's rental choice. Yet if the very same movie is delivered online or over-the-air, and not as a video cassette, it is not covered by that statute.

Moreover, the digital video recorder is quickly becoming a popular device in homes around the country. The personal records of video subscriber choices and viewing habits are available to companies such as Tivo and Replay TV. Consumers should certainly be accorded the same privacy protections for subscribing to these services in my view as they receive under the law from cable operators today. Indeed, the information available to such companies may be more detailed and specific about a consumer's viewing habits than that which may be obtained by many cable operators. The total lack of any legal protections in this area is especially troubling given reports that such companies are willing to sell certain, aggregate data about consumer viewing habits to marketers and others. Currently there is no prohibition on the sale or disclosure of more personal television viewing data.

Mr. Speaker, the bill I'm introducing today is very simple and straightforward. It merely takes the provisions of law governing consumer privacy which today apply to cable operators and makes them applicable to satellite providers as well as vendors of other multi-channel video services, including Tivo and Replay TV. This bill provides essential, similar privacy protections for consumers regardless of whether they subscribe to Comcast or Cox cable, Echostar or DirecTV, or whether they also subscribe to Tivo or ReplayTV. This will keep our critical consumer privacy laws current with changes in the marketplace and advances in technology.

I look forward to working with my House colleagues, including my colleagues on the Telecommunications and Internet Subcommittee and fellow members of the Congressional Privacy Caucus, in addressing these issues perhaps in the next session of Congress.

PERSONAL EXPLANATION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Mr. KOLBE. Mr. Speaker, yesterday, I was unavoidably detained and missed the vote on S.J. Res. 18, Commending the Inspector General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement during the past 25 years (No. 621). I intended to vote "aye."

TRIBUTE TO SISTER ANN
MCGOWAN, RSCJ—RECIPIENT OF
THE 2003 ST. MADELEINE SOPHIE
BARAT AWARD

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OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Ms. ESHOO. Mr. Speaker, I rise today to honor Sister Ann McGowan, RSCJ, a distinguished Californian, as she receives the 2003 St. Madeleine Sophie Barat Award. This award, named for the foundress of the Society of the Religious of the Sacred Heart, honors individuals who over a significant period of time have made extraordinary contributions to Sacred Heart Schools, Atherton. Founded in 1897, Sacred Heart Schools includes St. Joseph's School of the Sacred Heart and Sacred Heart Preparatory.

Sister Ann McGowan, RSCJ, was born in Washington DC, and moved with her family to the West Coast when she was still a child. She attended La Jolla High School in San Diego and the San Diego College for Women, where she majored in Biology. She entered the Society of the Sacred Heart soon afterward, and spent her years as a novice at the Sacred Heart School in nearby El Cajon. She was given special permission to come to teach at St. Joseph's School, which was transitioning from being an all-boys parish school to being a co-ed Sacred Heart School.

Sister McGowan loved working with boys during the day, pinning up the skirts of her habit to coach baseball in the afternoons, and working in the girls boarding school at night. In the fall of 1976, she began her tenure as Principal of St. Joseph's School, Preschool through 8th Grade, and the school prospered under her enlightened leadership for 16 years. It was Sister McGowan's vision that the school pride itself on excellence in all areas, educating the whole child. She insisted on the highest standards for her students and for her faculty, and of course, for herself. Her eye for excellence helped to build one of the finest schools in the San Francisco Bay Area.

Mr. Speaker, I'm proud to honor Sister McGowan's work, her values, and her deep love for her students. I ask my colleagues to join me in honoring Sister Ann McGowan, RSCJ, as she receives the 2003 St. Madeleine Sophie Barat Award for her extraordinary contributions to Sacred Heart Schools.

U.S.-CHINA MARITIME AGREEMENT
BEGINS A NEW ERA OF CO-
OPERATION

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 18, 2003

Mr. OBERSTAR. Mr. Speaker, I rise today to express my support for the recent U.S.-China maritime agreement, the result of successful U.S.-China maritime negotiations that concluded in August of this year. The agreement, which is now under final review by the Departments of Transportation and State, is the most significant maritime pact with China in the last 15 years, and represents a major breakthrough in U.S.-China maritime relations.

Its conclusion is a testament to the will of both governments and the importance of U.S.-China bilateral relations.

The recently announced framework agreement between the U.S. and China is significant because it addresses a number of long-standing impediments to expanding maritime trade between our two nations. The agreement achieves a long overdue goal, which I have supported, of ensuring a level playing field for both countries. While the specific details of the agreement are yet to be released, the fundamental issues of concern for the U.S. involved market access issues such as: bonding for Non-Vessel Operating Commercial Carriers, opening branch offices, and provision of logistics services. Issues for China included the filing of confidential freight rates and controlled carriers, among others.

The commitment of lead U.S. negotiator Captain William Schubert, U.S. Maritime Administrator and his Chinese counterpart, Su Xiang, Director General of the Department of Water Transport, was significant in reaching this agreement. Captain Schubert and Director General Su reflected the newfound will of their governments since the expiration of the last agreement in 1998.

Since 1998, the policies of the government of China on international maritime trade have evolved from protectionism, to an acceptance of the benefits of competition and open access for consumers and shippers of both countries. In January 1999, I met with Vice Minister of Communications Hong Shanxiang in Beijing. Minister Hong referred to China as a developing country whose maritime interests needed protection. I pointed out that in maritime it was the United States that was in the position of a developing country, with our fleet declining from 3,000 vessels in 1945 to 450 in 1999, making us the smallest maritime nation. China, meanwhile has become a maritime power.

I am pleased that the government of China has now recognized that in the maritime field, their industry is capable of meeting the challenges, and gaining the benefits, of a competitive system. With this agreement, both governments committed to making the concept of a more open and economically successful bilateral maritime relationship a reality.

The China Ocean Shipping Company (COSCO) was an important force behind the U.S. China Maritime agreement. COSCO is the 5th largest shipping company in the world and the principle maritime carrier between Asia and the United States. I wish to applaud COSCO's leadership in both Beijing and Washington, notably Mr. Gao Weijie, who kept all of us informed and helped to forge a consensus among the maritime parties involved.

Much work remains once the agreement is officially signed. Both sides must take completing actions to ensure that the discriminatory policies are dismantled, as provided for in the agreement.

Mr. Speaker, as the Ranking Democrat on the House Transportation and Infrastructure Committee, and an active maritime policy participant for over two decades, I want to commend Captain Schubert and Bruce Carlton of MARAD, Minister Hu of China, Mr. Gao of COSCO, and all maritime agreement participants who worked so hard to ensure that this U.S.-China Maritime agreement would become a reality.