

TOM LANTOS, will eliminate this irreconcilable conflict of interest that fuels the engine of an ever-expanding tax shelter industry.

Ongoing Senate hearings and the General Accounting Office investigations reveal that tax revenue lost from known shelters totaled \$33 billion over the past decade, and that losses from undetected shelters could total another \$52 billion. Last year, for example, an abusive tax shelter known as "Slapshot" was expected to produce tax breaks exceeding \$120 million for Enron. It was based on a \$1 billion loan and concealed by a highly intricate combination of loans and stock transactions occurring within minutes of each other that were designed to prevent tax regulators and authorities from discovering what really happened.

As William McDonough, Chairman of the Public Company Accounting Oversight Board recently said, major accounting firms have suffered a "complete ethical collapse." Chairman McDonough added during recent testimony before Congress that the willingness to sell faulty tax shelters and hide them from the IRS is "immensely and immorally repugnant." Moreover, David Clay Johnston of the New York Times and author of *Perfectly Legal*, reports that tax avoidance among corporations and upper-income individuals is far outrunning the audit capacity of the IRS. He estimates that a \$113 billion gap exists between what corporations should be paying and what they actually pay. Clearly, the burden of this gap in tax receipts is being shouldered by middle-class families.

In response to this costly and unethical practice, our legislation prohibits auditors from providing those tax shelter services for which a significant purpose is the avoidance or evasion of federal income tax to the publicly traded corporations they audit. The bill also prohibits auditors from offering tax shelter services to the corporation's officers and directors. Additionally, guiding principles under this bill will clarify how audit committees decide whether the corporation's auditor may provide certain non-audit services to the corporation. If the audit committee finds that a proposed service would reasonably result in an impairment of the auditor's independence by violating one of these principles, the audit committee would be unable to approve the proposed service.

Under our legislation, auditors would still be able to market tax reduction strategies to other companies and individuals, but not to the companies that they are responsible for auditing. This is a common sense approach to protecting our investors and American middle-class families from the increasing cost and the expanding prevalence of tax shelters, which should be exposed for what they really are—unfair and unpatriotic corporate behavior, and which should be stopped once and for all.

COMMENDING LAFARGE
CONSTRUCTION MATERIALS

SPEECH OF

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. BEAUPREZ. Mr. Speaker, I would like to take this opportunity to commend Lafarge Construction Materials on their exceptional contribution as a corporate member of the Golden community.

Lafarge West operates the Specification Aggregates Quarry on Colfax Avenue in Golden, Colorado. I am proud to serve Golden as their Congressman, especially after watching this tremendous effort put forth by all parties involved to create a win-win situation for Lafarge, the city of Golden, concerned environmental groups and, of course, the citizens of Jefferson County.

In fact, I recently received a letter from the mayor of Golden, Charles Baroch where he said, "Lafarge has for many years been a good neighbor, being very concerned about the impact of the mine and crushing plant on the neighborhood. Lafarge listens to citizens concerns and takes action to correct the problem. Most everyone in Golden is proud to have this business a part of Golden."

The partnership began when Lafarge realized it's basic need to increase the reserves of the quarry to serve the growing Denver market. A market, I hope, that will be even stronger soon with the passage of a new transportation re-authorization bill.

So, in the spirit of cooperation, Lafarge began a 2-year process of meeting with local citizens, businesses, community leaders and environmental groups to learn what concerns may be out there regarding a quarry expansion. In the end, after many presentations, many meetings and many late nights, they did find that win-win solution. Scott Gudahl put it simply when he said, "We kept addressing expectations and concerns until there were none left—and that's what you basically have in the final proposal."

That final proposal was an innovative land swap. The quarry will be able to expand by 60 acres and Jefferson County will receive more than 500 acres of added scenic open space. Even the quarry itself, once reclaimed, will be donated as additional open space for the enjoyment of Jefferson County citizens.

Mr. Speaker, you know as well as I that all too often, good honest businesses are painted with unfair labels by those who do not understand the process of making the roads and highways that keep our economy moving. I applaud the people at Lafarge for putting forth the extra effort not only to create a better company, but also create a better community. I am proud of their efforts and I am proud to represent their employees in this Congress.

IN RECOGNITION OF THE 125TH ANNIVERSARY OF THE CITY OF HURTSBORO, ALABAMA

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to pay tribute to the City of Hurtsboro, Alabama, on its 125th anniversary of its incorporation on December 4, 2003.

Hurtsboro, Alabama, located in Russell County, Alabama, was originally station Number 4 on the Mobile and Girard Railroad. In 1857, Joel Hurt, Sr. came to the site of Hurtsboro and with a partner, William Marshall, bought land and established a sawmill by a creek now called Hurtsboro Creek. Mr. Hurt had moved from Eatonton, Georgia, to Olivet, Alabama, a thriving farm community about 3 miles from Hurtsboro. However, when Olivet was bypassed in the survey to the Mobile and Girard Railroad, Mr. Hurt moved to

the railroad site. In 1858, when the railroad reached the place, the mill company laid out off the town, with the mill in the center. It was called Hurtsville for the principal founder.

On November 5, 1878, a petition was filed with the Russell County Judge of Probate Simeon O'Neal by more than 20 of the male inhabitants of the town laying out the boundaries of the town and the name to be given if incorporated and requesting that an election be held for incorporation. Judge O'Neal then set the election for December 3, 1878, and on that day, no votes were cast against incorporation. Therefore, on December 4, 1878, Judge O'Neal made entry in the record that inhabitants of the town of Hurtsville were incorporated under the name of "Hurtsville" with such boundaries to extend one half mile in every direction from the present public copping at the depot of the Mobile and Girard Railroad. On March 24, 1883, a petition was filed by more than 10 of the male inhabitants of Hurtsville that the name of the town be changed to Hurtsboro (to avoid confusion with the town of Hurtsville, Alabama). An election was held on April 11, 1883, and based on the results, Russell County Judge of Probate Simeon O'Neal entered into the record that the town's name be changed to "Hurtsboro."

I congratulate Hurtsboro, Alabama, on its 125th anniversary of incorporation and join its residents in recognizing their proud history.

COMMENDING PENNINGTON
ELEMENTARY IN WHEAT RIDGE

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. BEAUPREZ. Mr. Speaker, I rise today to add to the RECORD a story of true leadership and determination occurring in the very place that it should, our school system.

I recently had the honor of visiting Pennington Elementary, a small school located back home in my great Colorado district. Not only was I impressed by the moral this house of education puts forth to its visitors, I was amazed at the progress I learned of that these young minds are making and the dedication of their instructors and administrators.

Four years ago Pennington Elementary was considered to be the school to which no one wanted to send their children. The children in the community were known to be impolite and irresponsible. Now if you ask neighbors of this accomplished school about the little ones' demeanor in and out of the school setting, they will tell you the children are intelligent, delightful and always polite and courteous to those around them.

This school of only 248 students has risen to the top of the pile and now begins their day with a "Pennington Pledge" as a daily reminder of what they stand for; a good motto for any upcoming citizen. It reads:

We the students of Pennington agree to have a drug free school, a safe and orderly learning environment, to be big brothers and big sisters to any little student. As a responsible citizen I will follow the rules of Pennington.

Because the school has changed the outlook of the staff, community and parents, success is a regularly heard word within the walls

of Pennington Elementary. The school's standardized state test scores have risen from 28 percent proficient or better in 1998–1999 to 56.7 percent during the 2002–2003 school year and continue to rise. Their fourth grade reading scores alone have gone from 35 percent proficient or greater to 82 percent during the same span of time, gaining them the recognition for the largest, improvement in reading scores for the state of Colorado.

I would also like to make mention that Pennington has achieved these great strides by adopting a “no excuses attitude.” The students and faculty of Pennington believe that there is no reason that their school should not be a school of excellence, and that very attitude is what has placed them as such in my eyes.

Pennington illustrates pride in education and excitement for the learning process. Mr. Speaker, I am proud to have such a school of excellence back home in my district. Pennington has truly shown that they are an excellent educational institution that strives daily to deliver on their goals and dedication to their children and the futures that await them. I am truly proud of the students, staff and community surrounding and supporting Pennington Elementary.

COMMEMORATING FIRST ANNI-
VERSARY OF TERROR ATTACK
ON MOUNT SCOPUS

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. CANTOR. Mr. Speaker, I had the great opportunity to return to Israel during this past August. Every visit to Israel brings forth so many emotions, some happy, some sad, but always inspirational. My visit was approximately a year after one of the most senseless and brutal attacks that has taken place since the beginning of the so-called second Intifada. On July 31, 2002, a terrorist placed a bomb in the cafeteria at Hebrew University. Nine young people were killed and many more wounded. Of the nine, five were Americans. I mourn the loss of all innocent lives, but this particular attack stands out for two main reasons.

First, of course, the attack underscores the close relationship of Hebrew University to the United States. This goes beyond the tragic deaths of the five Americans. The fact that so many Americans were there and that so many are still going there to study underscores the close relationship between this university and the people of the United States. Thousands of Americans have studied at Hebrew University, particularly in their exceptional “year-abroad” program and in their graduate schools. Many are there still and many more will follow. Many scientists from Hebrew University are also recipients of research grants from the American government and American institutions. Their work has been and continues to be of the highest quality. Second, targeting Hebrew University for such an attack was truly heinous. Throughout its long and distinguished history, Hebrew University has reached out to students and scholars of all religions and races.

The Hebrew University of Jerusalem, the “flagship” of Israeli universities, was first conceived in the 19th century against the back-

ground of discrimination and persecution in Europe. Jews were barred from higher education in Russia and Romania, and there were similar restrictions in many other countries. Also, there was an increasing demand from high school graduates in pre-state Israel for higher education.

The idea of a university in the Holy Land was proposed by Chaim Weizmann, Israel's first president. Among those backing the idea and assisting in raising financial support for the future university was Albert Einstein. The university's foundation stones were dedicated on Mount Scopus overlooking Jerusalem in 1918. Even before the university officially opened its doors in 1925, there was an inaugural lecture given by Einstein in 1923.

From its core of three institutes in the exact sciences and Jewish studies, the university expanded rapidly to eventually include all areas of higher education—the social sciences, law, medicine, dental medicine, agriculture, social work and education. The War of Independence, with its division of Jerusalem, caused the loss of the Mt. Scopus campus to the university in 1948 and its subsequent dispersal to various sites in West Jerusalem.

After the Six-Day War of 1967 and the reunification of Jerusalem, the university returned to Mt. Scopus, which again became the main campus. Today the university operates from four campuses—three in Jerusalem and one in Rehovot and has a total enrollment of some 23,000 students and an academic staff of about 1,200.

The Hebrew University of Jerusalem is an institution of international renown and is a beacon of open inquiry and academic freedom in the Middle East. The key point is that the university is open to all, regardless of nationality, ethnic origin, religion or race. Its Rothberg International School hosts students from dozens of countries, and its Jewish National and University Library is an unparalleled research source used by scholars from around the world.

The following is a copy of a speech delivered by Menachem Magidor, President of the Hebrew University, on the occasion of the first anniversary of the attack on the school.

PRESIDENT MAGIDOR'S SPEECH AT THE CEREMONY COMMEMORATING THE FIRST ANNIVERSARY OF THE TERROR ATTACK ON MOUNT SCOPUS

Just one year ago, at exactly this moment, this was the scene of a ghastly event, a scene of broken glass, overturned tables, blood and the cries of the injured and dying.

“Desolation, devastation and destruction!”

One year has passed—the murdered have been laid to rest, and among the injured, there are those who have recovered fully, and there are those who will never return to their former selves. The blood has been washed away, the blackened walls have been repainted, students rush to classes, and young people gather at the new tables in the cafeteria, engaged in lively and friendly conversations.

Has life simply returned to the way it was before? Of course not, because of those who are no longer with us.

Because Marla Bennett and Benjamin Blustein will never continue on their marvelous journey of discovery of their roots and traditions;

Because David Gritz will never continue with his unique combination of philosophy, Jewish Studies and music;

Because David Diego Ladowski will never serve society and the country as he had as-

pired to, and to promote the peace in which he believed despite the forces of darkness exemplified by those who murdered him;

Because Revital Barashi will no longer share her pleasant manner with her colleagues in the corridors of the Faculty of Law;

Because Dina Carter will never continue with her dedicated work in the Library and Janis Ruth Coulter will never continue to devote herself to the University in America.

Because we will never again see the wonderful smile that lit up the face of Levina Shapira.

Because the intelligence and the wisdom which Daphna Spruch personified has gone and will never return.

And even those amongst us who were not here last year, or who arrived after the dreadful explosion, cannot return to being how they were before. Because we all understand that this University, which is so dear to us all, is hated by the forces of darkness, and that it was not by chance that the University was chosen as a target because we are Israeli or Jewish, but dafka because we are dedicated to openness and tolerance, because we are part of the free and enlightened world and the wicked spared no effort to strike at the University, dafka because our Campuses are oases of wisdom, of dialogue between people of different faiths and backgrounds, of different beliefs and religions.

And then, you realize that this Campus is part of the war zone in the war for the rebirth of the Jewish people in its land, part of the war zone in the war of the free world against the forces of hate, intolerance and tyranny.

The year that has passed has not been an easy one. Those who lost their dear ones have found it difficult to accept their loss; the wounded have fought to rebuild their lives again, but the emotional and physical scars will forever be with them.

The Hebrew University family gritted their teeth, and returned to the sacred work of research and teaching. We were faced with almost impossible decisions. The threats against this University, its principles and all that it represents haven't disappeared.

We have had to make painful compromises between security considerations and maintaining a free and dynamic Campus. The economic situation and the budgetary burdens have not made it any easier, but the year that has passed has proved to us all, as has happened so many times during the 78 years of the existence of the Hebrew University, that this living and growing tree, called the Hebrew University, is difficult to uproot.

Because the University's existence draws its life's breath from the never-ending struggle for truth; because it aspires to help the advancement of humanity; because it is rooted deep in the essence of our traditions while its branches stretch forth to the winds of tolerance, openness and respect for one another; because despite the forces of darkness that tried to destroy it, it has not lost its aspirations for peace.

May the memory of the nine be blessed.

CONFERENCE REPORT ON ENERGY
POLICY ACT OF 2003

SPEECH OF

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 20, 2003

Mr. TAUZIN. Mr. Speaker, I rise to explain for the record the role of the FERC in regulating public utility holding companies following repeal of the Public Utility Holding Company Act. The repeal contains several savings