

TRIBUTE TO GEORGIA LORETTA
JONES ELAM

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 25, 2003

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Georgia Loretta Jones Elam, a resident of the Sixth Congressional District, and a longtime friend of mine and my family.

Born and raised in Hartsville, South Carolina, Mrs. Elam finished her elementary education in record time and entered my alma mater, South Carolina State College, now University, at the tender age of 14. After her dreams of becoming a Chemist were thwarted because of gender stereotypes of the 1920's, she entered the field of Home Economics. Upon graduating with her Bachelors degree, Mrs. Elam taught at South Carolina State College where most of her students were older than she. She went on to Columbia University in 1949 where she earned her Master's. Throughout her career, Mrs. Elam taught at seven institutions in the State of South Carolina. Most notably, she taught for 31 years at C.A. Johnson High School in Columbia, South Carolina. She also participated in workshops to further her education at University of Georgia, Winthrop College, and the University of South Carolina.

It was during her tenure at C.A. Johnson High School that Mrs. Elam started the first day care center in a public school in South Carolina. It was her innovative idea to give her Child Care and Development students the opportunity to have them care for real children instead of dolls that led her to start the day care center. Also while at C.A. Johnson, Mrs. Elam served as Head of the Home Economics Department, advisor to the New Homemakers of America—the predecessor of Future Homemakers of America—the cheerleads, the pep squad and the modern dance club.

Always a leader, be it in her professional life or that of her community, Mrs. Elam was given the Teacher of the Year award by the South Carolina Home Economics Association in 1975. She was also honored with a Distinguished Service Award by the Association of Vocational Home Economics Teachers in 1978. And, giving further credence to her merits as a leader, Mrs. Elam was named Boss of the Year in 1979 by the Midlands Chapter of the American Business Women's Association.

While this lively 90-year-old worked in the field of Home Economics for over half a Century, her dedication goes far beyond the parameters of her job requirements. Mrs. Elam has been an ardent community leader and continues to be very active in her church, Bethel A.M.E. She has been involved in numerous political campaigns over the years, and never turns down an opportunity to volunteer with church programs that have anything to do with youth or her congregation. Mrs. Elam has served as Director of Christian Education, which meant leading vacation bible school for many years, and also served as leader of the scouting program, and sponsor of the Young People's Gospel choir which she founded. For many years, she presented "Golgatha," a religious pageant which she wrote and directed.

In 1995, Rev. Ronnie Brailsford made her a Steward at Bethel A.M.E. Her actions of devo-

tion to others, particularly the young people in her community, should be an inspiration to us all.

Mrs. Elam is the widow of Leon M. Elam. She has one daughter, Loretta E. Taylor who is married to John B. Taylor of Wilmington, Delaware; three grandchildren, and one great-grandchild. Mrs. Elam also has two siblings, Elise Martin and Gottlieb Harvest, both of Columbia, South Carolina, where Mrs. Elam herself now resides.

Mr. Speaker, I ask that you and my colleagues join me in honoring Georgia Loretta Jones Elam for her selfless dedication to citizens, particularly young people, across the State of South Carolina. She is a pillar of the community, and I wish her good luck and Godspeed.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 25, 2003

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Tuesday, November 22, 2003, I was unavoidably detained and unable to cast my vote.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

(1) Rollcall No. 670: "no" (on Table Motion to Reconsider H.R. 1).

VETERANS BENEFITS ACT OF 2003

SPEECH OF

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 20, 2003

Mr. EVANS. Mr. Speaker, I rise in strong support of H.R. 2297, as amended. This bill is a compromise agreement that was carefully negotiated between the House and Senate, and contains a number of important measures to assist this Nation's veterans and their families. I want to take a moment to recognize and thank Chairman CHRIS SMITH, Benefits Subcommittee Chairman HENRY BROWN and Benefits Ranking Democratic Member MICHAEL MICHAUD for working with me to successfully craft this bipartisan, bicameral benefits package. I appreciate your leadership, professionalism and all of your hard work in guiding this legislation through the process and into law.

I also would like to thank the staff members of the House Committee on Veterans Affairs for their work in preparing this legislative package and for their work throughout the year—Patrick Ryan, Darryl Kehrer, Paige McManus, Devon Seibert and Kingston Smith of the majority staff and Jim Holley, Mary Ellen McCarthy, Geoffrey Colver and Leah Booth of my Democratic staff. Likewise, I would like to thank Chairman ARLEN SPECTER and Ranking Member BOB GRAHAM of the Senate Veterans Affairs Committee, as well as the Senate staff who worked diligently on this conference agreement—Mary Schoelen, Ted Pusey, Jon Towers and Chris McNamee.

Mr. Speaker, last week on November 11th we celebrated and honored the sacrifices and

heroic deeds of our Nation's veterans with speeches and parades. Indeed, it is appropriate, necessary even, that we recognize and honor the many sacrifices of the brave men and women in uniform who have so gallantly served our nation. Mr. Speaker, speeches and parades are nice but they are not enough. Today, however, we match our complimentary words with actual deeds. We celebrate and honor those who have served the country and protected our freedoms by passing this legislative package, which truly honors their service and provides them and their families with important benefits that they most certainly have earned.

Mr. Speaker, I am very proud that this legislative package contains a number of measures that I introduced or of which I am an original cosponsor. Additionally, I commend all the Members of the House Veterans Affairs Committee on both sides of the aisle who have worked diligently this session to bring important measures forward. This compromise agreement contains many bills introduced by Committee members. Indeed, crafting and passing this benefits package has truly been a bipartisan effort.

I am pleased the provision to provide the Department of Veterans Affairs (VA) benefits to children with spina bifida whose veteran parent was exposed to Agent Orange in Korea is drawn from my bill H.R. 533. During a hearing the Committee received moving testimony from Michael Ruzalski, a young man severely disabled by spina bifida. Michael's father John served in the region of Korea's Demilitarized Zone (DMZ) during the time that the Department of Defense acknowledges Agent Orange was used there. Congress has authorized benefits for children of veterans affected by such exposure in Vietnam. The children of veterans who served in the Korean DMZ are no less deserving. When military service results in harm to the children of our Nation's veterans, our country should assume the responsibility to compensate them for their disabilities.

A provision to remove unnecessary and arbitrary time barriers for certain former prisoners of war to qualify for service-connection of their disabilities on a presumptive basis is drawn from H.R. 1838, which I introduced. I believe that we should consider additional presumptive conditions for former prisoners of war and will continue to support legislation to accomplish that end. Nonetheless, we need to take action now to assure those prisoners of war who were interred in Iraq for less than 30 days, as well as those from earlier conflicts, that no durational requirement will be imposed for certain psychiatric and physical disabilities which may follow a brief period of internment.

The package includes a provision to permanently authorize the VA home loan program for members of the National Guard and Reserve. It also lowers their home loan fees. This provision is drawn from H.R. 1257, which I introduced with the Ranking Member of the Subcommittee on Benefits, Mr. Michaud. Now more than ever, our Reserve and National Guard forces are an integral component of our national defense policy. Making this program permanent for members of the National Guard and Reserve is the right thing to do, it's also the right thing to do financially—as Reservists have an exemplary record of repayment on VA home loans.

I am also pleased that this package contains provisions that provide long overdue

benefits for our Gold Star Wives. Specifically, it provides that remarriage of the surviving spouse of a veteran after attaining age 57 would not result in termination of dependency and indemnity compensation (DIC), home loan, or education benefits eligibility.

This legislative package would also repeal current law restricting a surviving spouse or dependent children to receiving no more than two years of accrued benefits if the veteran dies while a claim for VA periodic monetary benefits is being processed. I have worked to end this unfair restriction for a number of years. This provision is drawn from a bill I introduced a few years ago. I am pleased to finally have succeeded in repealing this two-year cut off.

The provisions reinstating VA's vendee loan program that previously passed the House are included in H.R. 2297. I would note that the language has been changed slightly. The change is intended to assure that VA will be required to operate a vendee loan program through September 30, 2013. I believe that these changes are necessary after reviewing an opinion of the Comptroller General concerning VA's authority to terminate the program.

H.R. 2297, as amended also contains a number of important measures that aim to expand self-employment training opportunities and provide valuable career and employment counseling to servicemembers transitioning from the military to civilian life. The bill also provides a substantial increase in monthly payments under the survivors' and dependents' educational assistance program. This action is consistent with my goals to improve and restore all veterans' education benefits to the necessary levels. As we all know, we have much to do in the area of veterans' education programs to keep up with the ever-increasing costs of higher education.

Another important measure that I am pleased the negotiated bill contains is the provision to authorize certain contracting opportunities for service-disabled veteran owned and controlled small businesses. A fair opportunity is all that veterans request. This provision should lead to improved results with respect to federal contracting with disabled veterans. However, improved results will also require increased efforts by the Administration to reach out to disabled-veteran owned and controlled small businesses. Indeed, federal agencies have a 3 percent contracting goal for service-disabled veteran small businesses, and currently not one federal agency comes close to meeting this goal. Hopefully, this provision will allow all federal agencies to improve their record in this area, as well as provide more opportunities for veteran entrepreneurs and a much-needed spark to the small business sector of this economy.

I am also pleased that in this package we have included provisions to permit state cemeteries to receive VA burial plot allowances for burial of all eligible veterans, including peace time veterans; allow a remarried surviving spouse to retain eligibility for burial in a national cemetery based on a prior marriage to a deceased veteran; and make permanent the State Cemetery Grants Program. We must do all we can to provide a dignified final resting place for our veterans and be attentive and caring to the surviving family members.

Mr. Speaker, this bill also authorizes the receipt of full compensation, dependency and in-

demnity compensation (DIC) and burial benefits to eligible members of the New Philippine Scouts, and other individuals who served in the organized military forces of the Commonwealth of the Philippines, including organized guerilla units, if the individual to whom the benefit is payable resides in the United States and is either a citizen of the U.S. or an alien lawfully admitted for permanent residence. The bill also extends the authority of the Secretary of Veterans Affairs to maintain a regional office in Manila, Philippines, through December 31, 2009. I want to thank Representatives BOB FILNER and JUANITA MILLENDER-MCDONALD for their tireless work on this important issue.

On another important matter contained in this legislative package, I would like to express my thanks and applaud the actions of my friend and colleague Representative TED STRICKLAND of Ohio. Representative STRICKLAND, along with Senator BILL NELSON of Florida, introduced legislation to clarify the prohibition on assignment of veterans' benefits. This provision would protect veterans, their survivors' and dependents from unscrupulous business entities that attempt to prey on unsuspecting or elderly beneficiaries. Mr. STRICKLAND's language would make clear that certain arrangements, including opening joint bank accounts that remove control and choice from the veteran over the receipt of veterans' benefits, are illegal.

I am also pleased that the bill removes a provision that the VA has indicated could limit benefits to veterans. This language was contained in section 5103 of title 38, United States Code and was intended to provide claimants with one year to submit information or evidence requested by the Secretary of Veterans Affairs. Unfortunately, the language used in that section "no benefits may be paid" could be interpreted to bar consideration of evidence that a claimant submitted in connection with an appeal. That language has now been removed, so that no claimant should lose benefits as a result of its application. The bill also permits the VA to decide claims in less than one year. If the claim is denied and evidence supporting the claim is submitted within the year, the Secretary is required to consider the evidence.

Mr. Speaker, H.R. 2297, as amended, contains many provisions that will make a difference in the lives of this nation's veterans and their families. It is a good bill, and I urge all Members to show their support for the men and women who have worn the uniform in defense of our country by voting to pass this legislative package.

CONFERENCE REPORT ON H.R. 2622,
FAIR AND ACCURATE CREDIT
TRANSACTIONS ACT OF 2003

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. OXLEY. Mr. Speaker, I am inserting for the RECORD an exchange of correspondence between myself and the gentleman from Wisconsin (Mr. SENSENBRENNER), the Chairman of the Committee on the Judiciary, regarding his committee's jurisdictional interest in the Sen-

ate amendment to H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 19, 2003.

Hon. MIKE OXLEY,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN OXLEY: In recognition of the desire to expedite conference consideration of H.R. 2622, the "Fair and Accurate Credit Transactions Act of 2003," I will not request that Members of the Committee on the Judiciary be appointed as additional conferees. However, certain of the provisions contained in the Senate-passed version of H.R. 2622 do fall within the Rule X jurisdiction of the Committee on the Judiciary, and the Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over these provisions is in no way diminished or altered.

Section 115 of the Senate version of H.R. 2622 makes some minor amendments to 18 U.S.C. 1028, the existing identity theft provision in the criminal code. These amendments add possession of false identification documents to the criminal prohibition and increase the penalty from the 3 to 5 years.

Section 151 of the Senate version of H.R. 2622 adds new provisions to §609 of the Fair Credit Reporting Act that provide for a new right to consumer victims of identity theft to obtain records from businesses of fraudulent transactions conducted in their name. The right is only enforceable by the public agencies under existing law. However, new §609(e)(9) provides for a new affirmative defense for the businesses so that they can show they have searched for the records and do not have any.

Section 156 of the Senate version of H.R. 2622 amends the current statute of limitations under the Fair Credit Reporting Act. Under current law, the statute allows the claim to be brought until the later of two years from the date on which the liability arises or two years from the date of discovery if there has been willful misrepresentation. The bill would change this to the earlier of two years from the date of discovery, irrespective of misrepresentation, or five years from the date on which the liability arises.

I understand that our staffs have worked out a mutually acceptable resolution of these provisions that will be included in the conference report. I appreciate your willingness to work together on these provisions. I would appreciate your including this letter in the Congressional Record during consideration of the conference report on H.R. 2622 on the House floor. I appreciate your attention to these matters.

Sincerely,

F. JAMES SENSENBRENNER, JR.,
Chairman.

COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, November 20, 2003.

Hon. F. JAMES SENSENBRENNER, JR.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER: Thank you for your recent letter regarding your committee's jurisdictional interest in certain provisions of the Senate amendment to H.R. 2622, the Fair and Accurate Credit Transactions Act of 2003. I appreciate your willingness to forgo the appointment of additional conferees on those provisions in an effort to expedite the conference on this important legislation. I agree that your decision not to seek additional conferees on those sections in no way diminishes or alters the jurisdiction of the Committee on the Judiciary with respect to those provisions.