

providing the Department of Justice, DOJ, with resources specifically for that purpose.

With the advent of the Internet, identity theft has grown exponentially in recent years. The Federal Trade Commission, FTC, recently released a survey showing that 27.3 million Americans have been victims of identity theft in the last five years, including 9.9 million people in the last year alone. According to the release, last year's identity theft losses to businesses and financial institutions totaled nearly \$48 billion, with consumer victims reporting \$5 billion in out-of-pocket losses.

While most identity thieves use the information to make purchases, according to the FTC release, 15 percent of victims—almost 1.5 million people in the last year—reported that their personal information was misused in non-financial ways, such as to obtain government documents, for tax fraud, and other non-financial purposes. The most common nonfinancial misuse took place when the thief used the victim's name and identifying information upon routine stops by law enforcement officials, or while attempting or committing a crime. Identity theft prevention and detection can assist in preventing terrorism, as well.

The Identity Theft Investigation and Prosecution Act would provide 100 million dollars to the Department of Justice, DOJ, for dedicated enforcement of the laws against identity theft and credit card fraud. While states can enforce similar state laws, today's interstate travel, Internet and technology realities make it difficult and cumbersome for state prosecutors to effectively address national and international identity theft and credit card fraud scams.

We already have sufficient laws to address identity theft. It is a serious crime to use someone else's identity and credit to steal money, goods, services or to use the information to perpetuate other frauds. The problem is that there are not sufficient dedicated resources where they are most needed to have a significant immediate impact on the matter. We have developed the "Identity Theft Investigation and Prosecution Act of 2003" to do just that.

Much effort is underway to prevent and limit identity theft and fraud through consumer education, consumer hotlines, public service announcements, more sophisticated identity theft detection and cutoff mechanisms, law enforcement and consumer advocacy training, etc. Yet, it is not enough to effectively address the problem. Although credit card companies wipe out most credit card fraud debts for the victims, the thieves are rarely pursued or prosecuted. The DOJ devotes some resources and enforcement toward identity theft, but it is not a high priority in its law enforcement scheme to pursue enough cases to have an impact. Identity thieves know they can pursue their crimes with a high degree of impunity. This bill would enable the DOJ to establish a large, national enforcement program to go after identity theft and abuse.

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INTRODUCTION OF THE CLEAN  
AIRWAVES ACT

**HON. DOUG OSE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 8, 2003*

Mr. OSE. Mr. Speaker, I rise to introduce the Clean Airwaves Act, legislation designed

to prohibit seven profane words from being broadcast over America's airwaves. Existing guidelines and standards that govern our airwaves and communications mediums allow profane language to infiltrate the hearts and minds of our nation's youth. I rise today to protect our children from existing rules and regulations that leave them vulnerable to obscene, indecent, and profane speech through broadcast communication.

The purpose of the Clean Airwaves Act is to amend section 1464 of Title 18 of the United States Code from which the Federal Communications Commission derives its authority to regulate the use of profane language used in broadcast communications. This legislation will help close the loophole on profanity on our public airwaves, leaving our children free from exposure to offensive and crude speech broadcast over America's airwaves.

In *FCC v. Pacifica Foundation*, the U.S. Supreme Court stated, "Among the reasons for specially treating indecent broadcasting is the uniquely pervasive presence that medium of expression occupies in the lives of our people. Broadcasts extend into the privacy of the home and it is impossible to completely avoid those that are patently offensive". Subsequently, public broadcasting is more accessible to children.

The current FCC guidelines regarding indecency determinations aren't strong enough to stop harmful, indecent, and profane language broadcast over America's airwaves. It is wholly necessary to give the FCC the tools it needs in order to protect our broadcast airwaves. Currently under FCC policy, indecency determinations hinge on two factors. First, material must describe or depict sexual or excretory organs or activities. Second, the material must be patently offensive as measured by contemporary community standards for the broadcast medium. The vagueness of this stipulation creates a loophole that inevitably allows specific profane language to be broadcast.

One notorious example of a profane broadcast aired at the Golden Globe Awards program in January of 2003. In this broadcast, performer Bono uttered a phrase that may not be repeated at this time and qualified as indeed profane and indecent by a rational and normal standard. The FCC has in its authority, the power to enforce statutory and regulatory provisions restricting indecency and obscenity. However, in the Golden Globe Awards example, the FCC concluded that the use of the word as an adjective or expletive to emphasize an exclamation did not meet their threshold for indecency. The FCC further stated in the October 3, 2003 Memorandum Opinion and Order that "in similar circumstances, we have found that offensive language used as an insult rather than as a description of sexual or excretory activity or organs is not within the scope of the commission's prohibition of indecent program content." As a result, the use of particular profane language was aired to the public and no action was taken to ensure it would not take place in the future.

Therefore, I reiterate the necessity to act upon this loophole in the U.S. Code to ensure that the public is free from inappropriate communications over public broadcasts and that our airwaves be clean of obscenity, indecency, and profanity.

GOOD NEIGHBOR SETTLEMENT  
HOUSE

**HON. SOLOMON P. ORTIZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 8, 2003*

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a very special organization in Brownsville, Texas: Good Neighbor Settlement House, a non-profit related to the Global Ministries of the United Methodist Church.

They have been serving the needy people in the Brownsville-South Texas area for 50 years, and I commend them for their longevity in doing the most important work neighbors can do: taking care of each other. December 11 marks their 50th anniversary, and their work will be celebrated in Cameron County.

Just last year, Good Neighbor Settlement House served meals to 57,000 men, women and children in our community. They provided a variety of services to over 100,000 people—including rental assistance, clothing, food, after-school programs, children's summer programs, and referrals to other social service agencies.

In 1953, with the guiding principle "Helping People Help Themselves," Good Neighbor Settlement House launched themselves into the business of their mission: to provide the basic necessities of life such as food, clothing, meals, housing assistance and educational programs to the needy.

Just a few examples of their unique offering to the low-income families in Brownsville: the Mother's Club, a gathering of women who quilt to help supplement their income; family budgeting classes (with American Express) to help families maximize their resources and be self-sufficient; and Las Culturales (with Cameron Works/United Way) offers music and dance classes for young children.

In today's economy, our need for the Good Neighbor Settlement House is every bit as urgent as it was 50 years ago. Because of our government's reductions in social programs to help the needy—in favor of tax cuts to the wealthiest Americans—the less fortunate are facing ever more serious economic hardships.

Today we celebrate both Good Neighbor Settlement House's dedication to the less fortunate on this anniversary . . . and their commitment to the principle of giving people what they need to fend for themselves: if you give a man a fish, you feed him for a day—if you teach a man to fish, you feed him for a lifetime.

I ask my colleagues to join me in celebrating this 50th anniversary of Good Neighbor Settlement House's work in South Texas.

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SEC. 115 OF THE ENERGY & WATER  
APPROPRIATIONS BILL—KING  
COVE ACCESS PROJECT

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 8, 2003*

Mr. GEORGE MILLER of California. Mr. Speaker, the Republicans have done it again: a nefarious rider was slipped onto the fiscal year 2004 Energy & Water Appropriations Bill. The Republicans have, once again, shut

Democrats out of the legislative process and provided neither an opportunity to debate the amendment, nor the chance to show this amendment for what it really is: an unacceptable invasion of our Nation's public lands and an assault on our public process. I oppose this clandestine.

The King Cove Access Project rider is an affront to our nation's environmental laws. Section 115 of the Energy & Water Appropriations Bill directs the construction of a road from the village of King Cove, Alaska through the sensitive Izembek National Wildlife Refuge and right to the boundary of the fragile and internationally significant Izembek Wilderness Area. The provision waives all environmental laws governing construction of such a road in the process. The amendment was not included in either the House or Senate bills.

Other government agencies have raised concerns about this project as part of the mandated inter-governmental coordinate. Congress dealt with this issue five years ago when I was the ranking member of the Resources Committee in the 105th Congress. The King Cove Access Project was defeated then and should have been defeated now.

In 1998, proponents attempted to add the provision to an appropriations bill but were not successful. A compromise was later reached with the King Cove Health and Safety Act which was included as Section 353 of Public Law 105-277, the Department of Transportation and Related Agencies Appropriations Act. The measure appropriated \$40 million to address the access needs of the communities of King Cove and Cold Bay; however, the Act did not approve a road through the Izembek refuge or the Izembek Wilderness. In fact, the legislation specifically required that expenditure of the funds allocated in the bill "must be in accordance with all other applicable laws."

It is outrageous that five years after a satisfactory compromise was agreed upon, we must return to this issue.

The Izembek National Wildlife Refuge, on the Alaska Peninsula, is internationally recognized as one of the most important wetland reserves in the Northern Hemisphere. Home to threatened and endangered species, as well as millions of migratory birds, the Izembek National Wildlife Refuge and Izembek Wilderness are keys in the fight to conserve the natural diversity of wildlife populations and habitats.

The King Cove Access Project rider inappropriately short-circuits the public process. An administrative decision on a project to enhance marine-road access for the community of King Cove is proceeding in a timely manner and does not require intervention by Congress. However, the King Cove Access Project mandates one alternative in the EIS, thereby effectively ignoring the advice of the U.S. Fish & Wildlife Service, other federal agencies and the American public.

The King Cove Access Project ignores environmental laws, threatens important wildlife habitat and sets a dangerous anti-wilderness precedent. It is shameful that it was part of this legislation.

RECOGNIZING ST. HYACINTH  
BASILICA

**HON. RAHM EMANUEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 8, 2003*

Mr. EMANUEL. Mr. Speaker, on behalf of more than 111,000 of my constituents who are of Polish descent, I proudly rise to recognize the official designation of St. Hyacinth's Church on 3636 West Wolfram as a basilica for the Chicago Archdiocese.

My hometown of Chicago was once said to contain more Poles than any city outside Warsaw. Still today, in St. Hyacinth's parish, the area's largest and most prominent Polish Catholic parish, residents are just as likely to speak Polish as English.

St. Hyacinth's was founded in 1894 with less than 50 members and has grown tremendously over the years. Today, St. Hyacinth's serves over 8,000 worshippers each week under the guidance of the Resurrectionist Fathers, who have served the congregation since its founding.

Under the leadership of its rector since 1995, Rev. Michal Osuch, St. Hyacinth's has actively engaged in the sacramental life of the church by developing programs of evangelization that emphasize connecting adults, particularly with the sacraments of confirmation and marriage. The church also provides a welcoming home for new immigrants every month by hosting free English-as-a-Second Language classes, a Polish language school for children and many other community activities for adults, youth and children.

In becoming a basilica, St. Hyacinth's was recognized for its prestige, its beauty, and its ability to accommodate large numbers of parishioners since a basilica is a community's focal point for worship and evangelization. Cardinal Francis George validated these features last Sunday by formally proclaiming it as "a place of frequent and exemplary liturgical celebration."

The petition for basilica status was reviewed by the U.S. Conference of Catholic Bishops and approved by the Congregation of Divine Worship in Rome. As a basilica, it maintains an obligation to uphold a high level of both worship and religious instruction, particularly through conferences and speakers.

Mr. Speaker, I wish to congratulate St. Hyacinth's on this high honor and its upcoming 110th anniversary next year. In earning the distinction of becoming a basilica, it has again proven its importance as a pillar of Chicago's Polish American community. On this day, I am proud to join the people of my district, as well as those of Polish descent around the City, in celebrating this historic achievement.

THE VOTER CONFIDENCE AND INCREASED ACCESSIBILITY ACT OF 2003

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, December 8, 2003*

Mr. HOLT. Mr. Speaker, today I rise to reiterate the importance of my "Voter Confidence and Increased Accessibility Act of 2003" to the

integrity of democracy in the United States. Although I am deeply gratified by the substantial groundswell of support among my colleagues and cosponsors, I regret that this session draws to a close for the year without this critical piece of legislation having been meaningfully addressed by this Chamber.

When I introduced the Voter Confidence Act in May of this year, I did so without cosponsors. I had been told that no one wanted to reopen HAVA. I had been told that adding paper records back into the electoral process would generate fraud. I had been told that access for the disabled and voter verified paper trails were mutually exclusive—you can have one or the other, but you can't have both. I had been told that there is no complaint that existing electronic voting machines are not functioning properly. But it seemed obvious to me, given that all computers are subject to error, failure and tampering, that computers upon which elections are conducted would be as well. I also believed that voter verification mechanisms, just like voting machines themselves, could readily be made accessible to disabled voters. Although I supported HAVA, and continue to support the many groundbreaking improvements it ushered forth, I was troubled to see that HAVA funding fueled an unintended consequence—the wide-scale purchase of unauditible electronic voting machines—and threatened the very integrity of the electoral system in the United States. Earlier this session, I introduced the Voter Confidence and Increased Accessibility Act to enhance HAVA's accessibility requirements, to increase participation among all voters, and to restore faith in the electoral system and in the government itself by giving voters a means by which they themselves could be certain that their votes are being counted.

From the moment my press release announcing the bill was released, my telephone began to ring with calls from voters around the country expressing their profuse thanks. Within a week, one of my local metropolitan papers ran an editorial saying that the bill "proposes urgent and sensible measures to preserve the sanctity of the ballot" and suggested that Congress "shift into high gear and enact this legislation without delay." Within two or three weeks, I was joined on the bill by eight of my Colleagues. In another week or two, I was joined by eight more. More editorials ran—New York Newsday said that although "many election officials . . . resist the paper trail idea . . . the purpose of voting reform isn't to make life easier for election clerks. It is to make elections fairer and restore the frayed confidence of voters—the people who are supposed to count most of all." The Bismark Tribune asserted: "One thing the committee should insist on is a paper 'receipt' that lets the voter check his work and is available for a re-count, if necessary." The Star News of North Carolina opined: "By the time this is over, we might be nostalgic for hanging chads. At least they were cheap. It turns out those expensive high-tech voting systems based on computers can be stuffed like ballot boxes in Chicago. My, what a surprise. . . ." Most recently, the New York Times said, "[T]he public must feel secure that each vote is counted. At this stage, a voter-verified paper trail offers the public that necessary security."

And as we all know, this is not just a matter of opinion. A team of computer scientists from Johns Hopkins and Rice Universities released