

increase the available land by authorizing these veterans to apply for land that is federally owned and vacant. This is necessary because most land in Alaska is not available for Alaska Native Vietnam Veterans veteran allotment application under existing law. For example, there is no land available in southeast Alaska because it either is within the Tongass National Forest or has been selected or conveyed to the State of Alaska or ANCSA Corporations.

Second, Alaska Native Vietnam Veterans could only apply if they served in active military duty from January 1, 1969 to December 31, 1971. My bill will expand the military service dates to August 5, 1964 through May 7, 1975, the dates of the entire Vietnam conflict.

Third, Alaska Native Vietnam Veterans had to prove they used the desired allotment land in a continuous and independent manner for five or more years. My bill will replace existing use and occupancy requirements with legislative approval of allotment applications. Many Alaska Native Vietnam Veterans could not meet use and occupancy requirements as a result of military service. This bill changes that so that a deserving Alaska Native Vietnam veteran would not be rejected if that veteran were unable to complete the five years of use of the claimed land, before or after the war.

This is an issue of fairness which is long overdue for my Alaska Native Vietnam Veterans. Never before has the federal government given partial benefits to only 1/4 or 1/2 of any veteran of any war. Fulfill our promise to all Alaska Native Vietnam Veterans and allow them to obtain their Native Allotment under the Native Allotment Act.

#### RECOGNITION OF JOHN McDONALD

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 26, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John McDonald, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 168, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, completing 31 merit badges and participating in camp Geiger. Over the ten years he has been involved in scouting, he has held numerous leadership positions, serving as Patrol Leader and Senior Patrol Leader. John also has been honored for his numerous scouting achievements with such awards as the Arrow of Light Award, The Fire'n Chit Award, the Mic-O-Say Brave Award, the Mic-O-Say Warrior Award, the Totin' Chip Award and the World Conservation Award.

For his Eagle Scout project, John built a 35-foot bridge from the street to the Lathrop Community Football Field, over a ditch, in Lathrop, Missouri.

Mr. Speaker, I proudly ask you to join me in commending John McDonald for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### IN CELEBRATION OF WALTER JEFFERSON LEWIS

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 26, 2003*

Mr. LEE. Mr. Speaker, Walter Jefferson Lee passed away on February 22, 2003. On that day, his family and friends a loving son, brother, and companion and the world lost a passionate lover of art, food, travel, and life itself.

Walter Lewis was born and raised in Schenectady, New York. He went on to study at Syracuse University and Schenectady County Community College, graduating with distinction in the Culinary Arts and Hotel and Business Management.

Walter served his country, spending eleven years in the United States Air Force. During that period, he was stationed in Alaska, California, New Mexico, and Germany. The time spent in those distant posts just whetted his appetite for travel; his journeys took him across much of the globe, and he made lifelong friends wherever he went.

That same passion and zest for life fueled both his occupation and avocation of baking. Walter worked for a number of years managing the bakery department of the Golub Corporation, and he shared his culinary skills with those around him: for him, food, family, and friends were all joyously intertwined.

Walter Lewis will be deeply missed by those of us who knew and loved him. He made a special imprint through his faith, his gifts, and his joy for life. While we mourn his passing, we also celebrate his memory. May he rest in peace!

#### THE TERRORISTS LIQUIDATION ACT

### HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 26, 2003*

Mr. CAMP. Mr. Speaker, The September 11th Victims' Compensation Fund was created under "The Aviation and Transportation Security Act" (P.L. 107-71). This unprecedented move will ensure that every citizen injured in the terrorist attacks at the World Trade Center and the Pentagon or their surviving family members will receive at least \$1.6 million in compensation.

It is estimated that this Compensation Fund could cost up to \$6 billion of taxpayer money. While I fully support this initiative to help the families of those harmed or killed in the vicious attacks, I believe that we should minimize the cost to the taxpayer. That is why I am introducing the Terrorist Assets Liquidation Act again for the 108th Congress. The bill authorizes the President to use the funds from the liquidated assets of frozen terrorist accounts to refund the Treasury Department for funds used to compensate victims of terrorism.

Our nation has shown great and moving compassion to the victims of September 11th, with generous donations and support to charity groups providing aid and emergency assistance to victims. While it was important to show compassion and recognize our nation's need to help, we should punish those respon-

sible, holding them accountable for their murderous crimes and limit their drain on our nation's taxpayer resources.

#### RECOGNITION OF BRYANT KAGAY

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 26, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Bryant Kagay, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 35, and in earning the most prestigious award of Eagle Scout.

Bryant has been very active with his troop, completing 21 merit badges. Over the years he has been involved in Scouting, he has held numerous leadership positions. For his Eagle Scout project, Bryant landscaped around the sign at his church.

Mr. Speaker, I proudly ask you to join me in commending Bryant Kagay for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### CHENEY TASK FORCE RECORDS AND GAO AUTHORITY

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 26, 2003*

Mr. WAXMAN. Mr. Speaker, on February 12, I gave a statement on the floor discussing the serious implications of GAO's decision to drop its lawsuit seeking access to the Vice President's energy task force records. Since then, I have received a letter from the Comptroller General responding to my remarks and asking that I make the press release that GAO issued when he decided to drop the lawsuit a part of the RECORD. In accordance with his request, I would like to make both his response and the press release a part of the RECORD.

GENERAL ACCOUNTING OFFICE,  
*Washington, DC, February 19, 2003.*

Hon. HENRY A. WAXMAN,  
*House of Representatives.*

DEAR MR. WAXMAN: I am writing in connection with your floor statement of February 12 concerning my recent decision not to appeal the district court decision in the *Walker v. Cheney* case. I appreciate your inserting my recent letter to you in the record and believe that it addresses several important issues. At the same time, I would respectfully request that you consider inserting my related press statement of February 7, 2003, into the record if you have the opportunity to do so. I have enclosed another copy of that statement with this letter.

There are three aspects of your floor statement that are of concern to me. First, as you know, we do not believe that failure to appeal the district court decision precludes us from filing suit against another executive branch party in connection with a different matter in the future. Second, while I did solicit input from a wide range of Congressional leaders from both parties before I made my decision the decision was mine. I was not directed, threatened or unduly pressured to take the action that I did. Just as

in the case of my decision to file suit a year ago, my latest decision was based on what I felt was the right thing to do based on all the facts that were available to me. In addition, the input that I did receive was not divided along party lines and there was significant bi-partisan support for my decision not to appeal.

Finally, my decision to seek a vote by at least a full committee of jurisdiction prior to any possible future legal action to obtain records is one that I believe is both prudent and appropriate, given my experience as Comptroller General and in light of the recent district court decision. Specifically, if we are ever "stonewalled" again in connection with a matter that in my professional and independent judgment we should pursue, I would formally request that an appropriate committee of jurisdiction vote regarding whether they would support a related court action. I can assure you that my related recommendation would be based on the merits of the case and not partisan considerations.

I look forward to continuing to work with you in the future on issues of mutual interest and concern.

Sincerely yours,

DAVID M. WALKER,  
Comptroller General  
of the United States.

Enclosure.

GAO PRESS STATEMENT ON WALKER V.  
CHENEY

After thorough review and analysis of the district court's decision in *Walker v. Cheney*, as well as extensive outreach with congressional leadership and others concerning various policy matters and the potential ramifications of the court's decision, for the reasons outlined below, GAO has decided not to appeal the decision.

As Comptroller General Walker has made clear on a number of occasions, GAO would not have filed this suit absent a formal written request from at least one full Senate committee with jurisdiction over this matter. Contrary to the district court's decision, and as re-confirmed in a letter to the Comptroller General dated January 24, 2003, two full committee chairs and two subcommittee chairs of the Senate, acting on behalf of their respective committees and subcommittees, all of which had jurisdiction over this matter, asked GAO to pursue its NEPDG investigation prior to GAO filing suit last year. Importantly, under GAO's governing statute, the agency is required to perform work when requested by a committee. In this case, GAO had made exhaustive efforts to reach an accommodation with the Administration, and only after all such attempts had failed did GAO file suit as its only remaining option. This is precisely the process that Congress directed GAO to follow when it enacted GAO's access statute in 1980.

For a number of reasons, GAO strongly believes the district court's decision is incorrect. In GAO's view, the district court misapplied the Supreme Court's decision in *Raines v. Byrd* to GAO. Unlike the legislator-plaintiffs in *Raines*, who sought to invalidate a statute which had been enacted by the Congress, GAO sought to carry out—not invalidate—the information-gathering responsibilities which Congress assigned to it in GAO's access statute. The district court's decision thus has prevented GAO from discharging its statutory responsibilities in this case. Furthermore, the opinion was based, in part, on a material factual error relating to the role various Senate chairs played as noted above. The opinion also leads to the highly questionable result that private citizens have more authority to enforce their rights to obtain information from the Execu-

tive Branch than the Comptroller General of the United States, acting in his official capacity as head of GAO.

Despite GAO's conviction that the district court's decision was incorrect, further pursuit of the NEPDG information would require investment of significant time and resources over several years. At the same time, several private litigants are attempting to obtain much of the same information GAO has been seeking, and this information will be made available to GAO if they are successful in their cases.

Importantly, because the district court's decision did not address the merits, it has no effect on GAO's statutory audit rights or on the obligation of agencies to provide GAO with information. In addition, the court's decision is confined to the unique circumstances posed by this particular case and does not preclude GAO from filing suit on a different matter involving different facts and circumstances in the future.

GAO will continue to fulfill its statutory mission: to support the Congress in the discharge of Congress' constitutional responsibilities and to help assure reasonable transparency and appropriate accountability in government. GAO also will continue to perform its audit, evaluation, and investigative work in a professional, objective, fact-based, non-partisan, non-ideological, fair, and balanced manner.

According to Comptroller General Walker, "In the final analysis, transparency and accountability in government are essential elements for a healthy democracy. In America, all public servants, including constitutional officers, work for the people. While reasonable people can disagree on the proper amount of transparency and the appropriate degree of accountability, in the world's greatest democracy, we should lead by example and base public disclosure on what is the right thing to do rather than on what one believes one is compelled to do. Based on my extensive congressional outreach efforts, there is a broad-based and bi-partisan consensus that GAO should have received the limited and non-deliberative NEPDG-related information that we were seeking without having to resort to litigation. While we have decided not to pursue this matter further in the courts, we hope that the Administration will do the right thing and fulfill its obligations when it comes to disclosures to GAO, the Congress, and the public, not only in connection with this matter but all matters in the future. We hope that GAO is never again put in the position of having to resort to the courts to obtain information that Congress needs to perform its constitutional duties, but we will be prepared to do so in the future if necessary."

JULIE DASH—DIRECTOR'S GUILD  
AWARD NOMINATION, THE ROSA  
PARKS STORY

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 2003

Ms. WATSON. Mr. Speaker, I rise today to share my pride over the nomination of Ms. Julie Dash for a prestigious Director's Guild Award for her work on *The Rosa Parks Story*. She was nominated in the category of Outstanding Directorial Achievement in Movies for Television for 2002. The winners will be announced at the 55th Annual DGA Awards Dinner on Saturday, March 1, 2003 at The Century Plaza Hotel in Los Angeles. Ms. Dash is

the only female nominated in this category this year.

The *Rosa Parks Story* stars Angela Bassett, Cicely Tyson and Dexter Scott King, the son of Dr. Martin Luther King, Jr. The film brings to life the peaceful dissent an exhausted Rosa Parks showed on a crowded Montgomery, Alabama bus in 1955, and the Civil Rights Movement that ensued. The movie originally aired on television on February 24, 2002.

It seems appropriate that Ms. Dash would be nominated for this award during Black History Month. African American actors, directors and others in the industry are hard-pressed to find meaningful, quality projects. Given these challenges, I am even more proud of Ms. Dash's achievement today.

Ms. Dash's own story of success is also very inspiring. She was born and raised in New York City, and in 1992 became the first African American woman to have her film, *Daughters of the Dust*, receive a full-length theatrical release. In 1994 Ms. Dash was chosen as one of the 100 Fearless Women by *Mirabella* magazine.

She has received numerous awards, including The Sojourner Truth Award from the New York Chapter of the Links, the Maya Deren Award from the American Film Institute, a Candace Award from the National Coalition of 100 Black Women, and the prestigious John Simon Guggenheim Memorial Foundation Fellowship.

I was honored to host a congressional screening of the film, *The Rosa Parks Story*, last year prior to the film's television debut. I had the good fortune then of meeting Ms. Dash, along with Ms. Cicely Tyson, Ms. Angela Bassett, and many others who were instrumental in the success of this movie. I particularly want to acknowledge the contributions of Mr. Willis Edwards in the production of this film. His work as producer of the film was instrumental in its success.

This film has held meaning and significance for me personally, and it brings me great joy to see Ms. Dash's work recognized by the Director's Guild of America. I wish her the best at the awards ceremony on March 1st!

Thank you. I yield back the balance of my time.

RECOGNITION OF JOE PHILLIP  
PROTENIC

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Joe Phillip Protenic, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, troop 314, and in earning the most prestigious award of Eagle Scout.

Stephen has been very active with his troop, where one of his favorite activities was a five day canoe trip, where the troop had Sunday morning worship on the river.

For his Eagle Scout project, Joe designed and built a 4'x6' shed at a house built by Habitat For Humanity in Liberty, Missouri. Because the house does not have a walk-out basement, the homeowners are thrilled to have this easily accessible storage space.