

hearings served as the impetus for causing the Department of Defense to seriously re-examine and re-vamp its system of diagnosis, treatment and compensation for Persian Gulf War veterans. I know that the work we did on that issue made a difference in the lives of those service members who agreed to risk their lives for us.

However, our concerns about the health of veterans and active duty military members did not end with those hearings. We have worked together to craft a bi-partisan solution to provide members of the military with the ability to make informed decisions about immunization for anthrax and smallpox. The right to informed consent is enjoyed by every citizen, except those in the military. If enacted, this bill would prohibit the Department of Defense from mandating immunization against anthrax and/or smallpox if a soldier believes that the risk to his or her health status outweighs the benefit of immunization.

Service members have experienced adverse health effects from these vaccines including heart, respiratory, and skin problems. In one well-known case, a soldier died from the adverse effects of a vaccine. Despite the known risks, many soldiers have been required to take these vaccines. As a result, many have decided to leave the service rather than run the risk of vaccination. Unfortunately, many honorable soldiers have been punished solely for refusing to accept these vaccines. Our legislation would assure that soldiers who want to serve are not faced with this agonizing choice.

Mr. Speaker, I urge my colleagues to cosponsor this bill and join us in assuring that members of our military have the ability to determine whether or not to take these vaccines.

#### RECOGNIZING TOM KISTLER

#### HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Ms. HOOLEY of Oregon. Mr. Speaker, today I want to recognize and remember the life of a local hero: Tom Kistler.

Although it has been over a year, it is still hard for those affected by this humble, quiet man to believe he's gone. The residents of Polk County, Oregon, know their neighbors—and they look up to the firefighters who serve them.

Killed on his way to drill on March 29, 2003, Tom Kistler died in the same way he lived—in the service of others.

Captain Kistler was a volunteer firefighter for twenty-five years. He was proud of his time with the Independence (Oregon) Fire Department and Polk County Fire District #1.

It was Tom that led the effort in fielding a water rescue/recovery team; it was Tom that brought his peers together to raise funds for the annual Firefighter's Christmas program for the local children; and it was Tom that was always "there" keeping his community safe.

As if his service in the fire department wasn't enough—and it would have been—Tom was also a thirty-year veteran of the Oregon National Guard.

For Tom Kistler, being a citizen meant action. It meant doing things. Citizenship was a verb.

This week, brothers and sisters in service will remember his life and his sacrifice during

a special ceremony at the National Fire Academy.

Today, let us take a moment and reflect upon Tom Kistler and many like him that serve our communities and our Nation, the folks that make the personal sacrifices every day, not because they have to but because they choose to. They are the volunteers that make our Nation strong, the people that make our communities special.

America is still the land of the free and the home of the brave—Tom Kistler helped make it so.

#### EDITORIAL FROM THE BECKLEY REGISTER-HERALD

#### HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. RAHALL. Mr. Speaker, Congress was supposed to reauthorize the major surface transportation and jobs bill, the successor to TEA 21, a year ago.

Now, because of the indifference of the Bush Administration and the Republican Leadership in Congress, we are about to embark on the sixth extension of TEA 21, rather than completing work on a bill that would address our current and future infrastructure needs as well as providing sorely needed jobs and economic stimulus.

The House and Senate versions of transportation and jobs bill passed both houses by margins larger than is required in Congress for amendments to the Constitution. But the bill is on a road to nowhere because the Cheney-Bush reelection bunch wants to make up for their Medicare debacle by trying to appear tough on spending. Meanwhile, we have the votes in both the House and the Senate to override a threatened presidential veto and pass a meaningful bill, but the Republican House and Senate leadership are just caving into the Bush Administration's reelection efforts. In so doing, they're failing to uphold the Constitutional obligation of Congress.

Although Americans are crying out loud and clear for the need to reinvest in our country, the Bush Administration and the Republican leadership don't bother to listen. As an example of what I'm talking about, I have an editorial from a widely-read newspaper in my district, the Beckley Register-Herald, which I would like to submit for the record to accompany my remarks. Yesterday, in response to Congressional inaction on the transportation and jobs bill, the Register-Herald ran the editorial appearing below:

[From the Beckley Register-Herald]

#### HIGHWAY BILL

While politicians play election-year politics, W.Va. suffers.

Heard the latest? A multiyear highway spending bill, crucial to progress here in southern West Virginia, appears to be off until after the election.

The existing six-year highway and mass transit spending bill, funded at \$218 billion, ran out a year ago and has had to be prolonged by several short-term extensions because of differences over spending levels between Congress and the White House.

The White House, citing the need for fiscal restraint, recommended \$256 billion and threatened to veto any bill that would add to the deficit.

The Senate approved a \$318 billion package. The House originally came in at \$284 billion, and recently the two chambers united around a figure of \$284 billion in guaranteed contracts plus another \$15 billion in contracts that have yet to be carried out.

But politicians are playing election-year politics, and, of course, nothing of substance is getting done.

As we pointed out a few days ago, no one can accuse this Congress of overwork—it's only been in session roughly one day out of every three.

Sadly, lawmakers sent to the president only a fraction of the 13 spending bills necessary to fund the government for the fiscal year that starts Friday. That includes the transportation bill to fund highway and transit projects for the next six years—vitally important to southern West Virginia.

The Mountain State faces unique challenges when it comes to building highways. It can cost up to \$20 million to build one mile of a highway here.

This state relies heavily on the federal program to build highways. A total of \$2.2 billion was secured for West Virginia in the House version of the bill, \$2 billion of which are projects in southern West Virginia.

Interstate links developed here in recent years have brought new jobs and the potential for attracting new businesses. These roads provide modern access and position West Virginia as a crossroads for business developers looking for locations in the East. They provide our families a safer means of getting to and from school and work.

Ordinary West Virginians can't afford to see these opportunities go by the wayside, or even delayed. We suffer while Congress engages in gridlock.

Enough is enough. Congress and the Bush administration need to get in gear and produce a highway spending package that's adequately financed.

#### SERGEANT RIAVAN A. TEJEDA POST OFFICE

SPEECH OF

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2004

Mr. RANGEL. Mr. Speaker, I rise to speak in support of H.R. 4046, calling for the United States Postal Service located at 555 West 180th Street in New York, New York, to be hereby named the "Sergeant Riayan A. Tejeda Post Office."

Staff Sergeant Riayan A. Tejeda of the 3rd Battalion, 5th Marine Regiment was killed during combat operations in northeast Baghdad on April 11, 2003; he was 26 years of age. A New York City resident, he lived in my district of Washington Heights on 180th Street until graduation from Fashion Industries High School in the Garment District, thereafter joining the Marine Corps at the age of 18. I introduced this legislation because Sgt. Tejeda was a hero in every sense of the word, a man born in the Dominican Republic who made the ultimate sacrifice for the United States.

After spending formative teen years meeting the challenge of growing up in the tough streets of Washington Heights, Sergeant Tejeda joined the military with his hopes and dreams of the future on the horizon. He joined the military to better himself and to serve our country, later reenlisting after his initial term of duty had elapsed.

Sergeant Tejeda was the first Dominican killed in Iraq, a fact that history will rightfully record but in itself will not and cannot appreciate the pain of his loss to his two young daughters and mourning family.

At the time of his death, while the fatality count was still in its early stages, minorities constituted as high as 35 percent of the fatalities in the line of duty. Latinos, who comprise 8 percent of the total fighting force in Iraq, have incurred 16 percent of all intensive fighting deaths and 12 percent of the total fatalities during Operation Iraqi Freedom. These numbers are clear evidence of the disproportionate sacrifice being made in Iraq by Latinos and point out the level of their loyalty to their chosen country.

Riayan Tejeda was an outstanding young man with limitless potential, known for his studious nature and gentlemanly demeanor. He was a brave, selfless man of great conviction who fought and died for a nation of immigrants that today does not always appreciate the contributions and sacrifices made by new generations of outsiders pursuing better lives. Sergeant Tejeda, who had served in the Marine Corps for 8 years, was awarded U.S. citizenship only after his death and received the Silver Star for his valor in the line of fire. He proudly served our Nation in Thailand, South Korea, the Philippines, Australia, East Timor and Iraq. Sergeant Tejeda was the finest marksman in his regiment.

The naming of the U.S. Post Office in Washington Heights for Sergeant Tejeda will be received by the community with great pride and satisfaction. It is the least our country can do to honor the memory of Sergeant Tejeda's short and heroic life.

I extend my appreciation and sympathies to his parents Julio Cesar Tejeda and Carmen Rafaela Lora, his daughters Lorian and Miranda and his brothers Angel and Andre. I thank my colleagues for their support on this legislation.

TRANSPORTATION, TREASURY,  
AND INDEPENDENT AGENCIES  
APPROPRIATIONS ACT, 2005

SPEECH OF

**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 2004*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes.

Mr. POMEROY. Mr. Chairman, I rise today to say that I will be voting for H.R. 5025, the Fiscal Year 2005 Transportation, Treasury, and Independent Agencies Appropriations Bill in the hopes that this bill's serious problems can be fixed in conference negotiations with the Senate.

Unfortunately, the House and Senate Transportation Conferees have been unable to reach a deal on a transportation reauthorization bill. As a result, appropriated funds for unauthorized programs were struck from the proposed Fiscal Year 2005 Transportation, Treasury, and Independent Agencies Appropriations bill. Doing so made this bill woefully inad-

equated in terms of funding levels for various transportation agencies and programs including the Federal Highway Administration, the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration, Amtrak, the Federal Transit Administration, and the Surface Transportation Board.

However, I am going to vote for the bill based on the assurances of the Chairman and Ranking Member of the Transportation, Treasury and Independent Agencies Appropriations Subcommittee that funding for these critical accounts will be reinstated in conference. I hope that by furthering this bill, we can ensure that funding for North Dakota's significant transportation needs is secured.

I rise as well to express my opposition to the authorization of an automatic cost-of-living (COLA) pay increase for Members of Congress contained within H.R. 5025. A fiscally responsible Congress should have the opportunity to consider a pay raise independently of funding for important transportation projects in their districts. That is why I voted against the previous question on the rule to allow consideration of H.R. 5025 separate from this provision. It is my hope that Congress will take steps to ensure separate consideration for any increases in the future.

PERSONAL EXPLANATION

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 2004*

Mr. HONDA. Mr. Speaker, on Tuesday, September 28, I was unavoidably detained for rollcall votes that day.

Had I been present I would have voted the following:

Rollcall 473, on the Motion to Instruct Conferees on H.R. 4200—Defense Authorization Act for fiscal year 2005, instructing conferees to adopt the bipartisan Senate-passed provisions on hate crimes, I would have voted "yea";

Rollcall 474, on the Motion to close portions of the Defense Authorization Act Conference from the public for national security reasons, I would have voted "yea"; and on

Rollcall 475, on S. 2363, to revise and extend the Boys and Girls Clubs of America, I would have voted "yea."

PERSONAL EXPLANATION

**HON. J. GRESHAM BARRETT**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 2004*

Mr. BARRETT of South Carolina. Mr. Speaker, I was delayed in my district yesterday in order to attend services for Staff Sergeant Tony B. Oleas, a soldier from Westminster, South Carolina who was killed while fighting for our country in Afghanistan on September 20th, and I unfortunately missed 3 recorded votes on the House floor.

I ask that the RECORD reflect that had I not been detained in my district, I would have voted "no" on rollcall vote No. 473 (Pelosi motion to instruct conferees to H.R. 4200, the Defense Authorization bill); "yes" on rollcall

vote No. 474 (motion to close portions of the conference on H.R. 4200, the Defense Authorization bill); and "no" on rollcall vote No. 475 (S. 2363 to revise and extend the Boys and Girls Club of America).

HONORING OLYMPIC GOLD  
MEDALIST OTIS HARRIS, JR.

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 29, 2004*

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize Edwards, Mississippi native, Olympic gold and silver medalist, Otis Harris, Jr. At this year's 2004 Olympic Games held in Athens, Greece, the track and field standout showcased his world class speed on the world's biggest stage.

Edwards, Mississippi's hometown hero, the son of Otis, Sr. and Cheryl Harris, began his track career at high school track powerhouse, Hinds Agricultural High School in Raymond, Mississippi. As Harris helped lead his high school team to three consecutive Class 2A State Championships, and in 1999 winning the 100m, 200m, and 400m State Championships respectively, he accumulated dozens of individual accolades leading to his acceptance of a track scholarship from the University of South Carolina.

Running his way through both the Gamecock and Southeastern Conference (SEC) record books in 2003, Otis took claim of SEC track titles in the 400m dash, as well as the 4 X 400m relay team, making these his signature events. Harris was deemed academically ineligible to participate in athletics during the 2004 collegiate season, causing him to briefly disappear from the Olympic track radar screen.

As Harris stunned many by qualifying for the Olympics in July 2004 in the 400m dash, he remained unfaltering as his dreams became realistic. On Monday, August 23, 2004, Otis settled into his familiar stance, only this time Olympic medals were up for grabs. Running the fastest time of his life (44.16), Otis garnered the Olympic silver medal in the 400m dash.

While still overwhelmed with the excitement of his first Olympic feat, Harris took the stage again five days later. This time Harris was starring in his other signature event, the 4 X 400m relay team which was favored to win the gold. Harris teamed with Derrick Brew (400m bronze), Jeremy Wariner (400m gold) and Darold Williamson. Harris ran the fastest leg of the four Americans, turning in a time of 43.28; the team ran 2:55.91, the best time in the world this year, bringing home the gold medals.

I commend Mr. Otis Harris, Jr. for his valiant triumphs at this year's Olympic Games. His efforts are buttressed by his resiliency through the seemingly unsteady foreign relations climate leading into the Games. Harris, as well as all of our Olympic athletes, showed true professionalism in serving as ambassadors and representing our nation on the global stage. May Otis continue to represent our nation with professionalism and may he continue to excel in his career.