

Association (CIAA), on his tremendous leadership as head of the nation's oldest African-American college athletic conference.

Mr. Kerry, a resident of Chesapeake, Virginia, is now in his fourteenth year as Commissioner of the CIAA. In that time he has brought the conference from a largely regional entity to a hugely popular and highly respected athletic organization with national appeal.

After graduating from Norfolk State University with a degree in Business Administration, Mr. Kerry served proudly in the United States Army and Army Reserve, rising to the rank of Captain.

Upon completion of his military service, Mr. Kerry rose through the ranks of corporate banking serving as vice president of Sovran Bank.

Mr. Kerry implemented his extensive banking experience as a part-time volunteer with the CIAA, where he restructured the conference's financial organization. Within six months Kerry had left banking behind and became the CIAA business manager.

With a penchant for numbers and a natural business sense, Mr. Kerry became an obvious choice for the position of interim commissioner of the CIAA, a position he took in May of 1989. He later became full-time commissioner in February 1990.

Under Kerry's guidance the CIAA has blossomed and become a leader in athletic competition. Through unwavering support of the conference and its athletes, Mr. Kerry has led unprecedented fundraising efforts to develop the CIAA and increase its accessibility for both student athletes and sport enthusiasts alike.

Quickly becoming one of the nation's premier collegiate competitions, the CIAA basketball tournament is among the region's most highly anticipated annual sporting events. As Commissioner, Mr. Kerry has overseen the growth of the tournament rise from a spectator base of about 10,000 to its current attendance of over 80,000. The tournament now enjoys nationwide television coverage and vast corporate sponsorship.

Because of Mr. Kerry's resounding success, he is now the longest-tenured commissioner of a historically black college or university athletic conference. Mr. Kerry continues to advocate education as well as athletics and the students of the CIAA have benefited immensely from his leadership.

Mr. Speaker, please join me in honoring Commissioner Leon Kerry for his leadership in collegiate athletics, his commitment to student athletes and the many contributions he has made to his community.

#### PERSONAL EXPLANATION

**HON. JENNIFER DUNN**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Ms. DUNN. Mr. Speaker, I missed rollcall vote No. 20 because I was unavoidably detained. Had I been here, I would have voted "aye."

#### SECURE EXISTING AVIATION LOOPHOLES (SEAL) ACT

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. MARKEY. Mr. Speaker, more than two and one-half years after the terrorist attacks on September 11, 2001, dangerous gaps still persist in the Nation's aviation security system. Today, I am introducing the Secure Existing Aviation Loopholes (SEAL) Act to address the pressing security problems that continue to threaten the safety of airline passengers and crew members.

#### INSPECTION OF CARGO CARRIED ABOARD PASSENGER AIRCRAFT

Twenty-two percent of all the cargo that is shipped by air in the United States is transported aboard passenger aircraft, amounting to about 2.8 million tons of cargo loaded aboard passenger airplanes each year. The Department of Homeland Security does not routinely inspect cargo transported on passenger planes. Instead, the Department relies on paperwork checks of manifests as part of the Department's flawed Known Shipper Program and random physical inspections that are randomly verified by the Department. This cargo loophole in aviation security has been repeatedly exploited. For example, in September 2003, a shipping clerk packed himself inside a wooden crate and shipped himself undetected from New York to Texas aboard a cargo plane, and Pan Am Flight 103 was brought down in 1988 over Lockerbie, Scotland by a bomb contained in unscreened baggage.

The SEAL Act requires 100 percent physical inspection of cargo that is transported on passenger planes. The costs of physical screening, estimated to be comparable to the \$1.8 billion funding level for screening checked baggage, would be offset by a cargo security fee, similar to the fee that passenger pay for security measures when they purchase airline tickets.

#### FEDERAL AIR MARSHALS

Ten transatlantic flights were canceled over the weekend of January 31–February 1, 2004 due to heightened fears of a possible Al Qaeda attack, and 16 international flights were canceled or delayed over the Christmas and New Year's holidays as a result of specific intelligence that the flights might be terrorist targets. The cancellations resulted when some European carriers such as Air France and British Airways refused to place armed marshals onboard and instead opted to cancel the flights. There are no international standards to define what constitutes proper training for air marshals. Consequently, air marshals on flights that originate overseas and are bound for the U.S. may have different training that could be inconsistent with best practices.

The SEAL Act prohibits foreign air carriers from taking off or landing in the United States unless a Federal air marshal or an equivalent officer of the government of the foreign country is onboard, in cases when the Secretary of Homeland Security requests that an air marshal or officer of a foreign country travel on the flight.

Given intelligence indicating that terrorist may try to commandeer all-cargo planes and crash them into nuclear power plants and

other critical infrastructure in the U.S., the SEAL Act provides authority for Federal Air Marshals to travel aboard cargo aircraft, as needed. The Federal Air Marshal Service does not currently have this authority.

#### IMPROVED AVIATION SECURITY

##### Flight Attendants

Flight attendants do not have a discreet, secure and wireless method of communicating with pilots in the cockpit, with air marshals who may be onboard the aircraft or with authorities on the ground. Flight attendants must rely on telephones affixed to the interior of the passenger cabin if they need to communicate with pilots via phone or with authorities on the ground. These phones can be easily disabled. Flight attendants do not have a method of communicating via phone with air marshals onboard. On American Airlines Flight 11, which was crashed into the Pentagon on September 11th, flight attendants were unable to communicate by phone with the cockpit. The Homeland Security Act of 2002 included the directive that carriers' provide flight attendants with a secure, wireless method of communicating with pilots, but this provision was inserted in a voluntary section of the Aviation Transportation Security Act.

The SEAL Act makes mandatory the provision of wireless communication systems for flight crew and air marshals.

##### Crew Training

Prior to the September 11th terrorist attacks, air carrier responsibilities for security and anti-hijacking training for flight crews were set forth in the Air Carrier Standard Security Program, also known as the Common Strategy. The Common Strategy was originally developed in the 1980s, and it emphasized accommodation of hijackers' demands, delaying tactics, and safely landing the airplane. It advised air crews to refrain from trying to overpower or negotiate with the hijackers. On September 11th, the Common Strategy offered no defense against the tactics employed by the hijackers of Flights 11, 77, 93, and 175.

Enacted on December 12, 2003, Vision 100—Century of Aviation Reauthorization Act (PL 108–176) made voluntary many of the important elements of self-defense training for crew members that had been mandatory in Section 1403 of the Homeland Security Act of 2002 (PL 107–296). Training in the following tactics is voluntary under Section 603 of the 2003 aviation reauthorization, but had been mandatory in Section 1403 of the Homeland Security Act:

The SEAL Act will reinstate the requirement established in the Homeland Security Act to make counter-terror training for aircraft crew mandatory.

##### International Cooperation on Aviation Security

The cancellation of more than two dozen international flights since December 2003 suggests significant disagreement between the U.S. and some foreign nations over the best way to respond to terrorist threats to aviation security. In January 2003, Asa Hutchinson, Undersecretary of Border and Transportation Security in the Department of Homeland Security, met with European officials to discuss aviation security measures, including the use of air marshals on international flights to the U.S. No agreement was reached with European governments on the placement of air marshals on U.S.-bound flights in cases when intelligence about terrorist threats against flights is received.

The SEAL Act directs the Secretary of the Department of Homeland Security to develop a well-constructed plan to improve coordination between the Department and its foreign counterparts in the area of aviation security. This plan includes development of air marshal programs for foreign governments and the provision of technical assistance in the formulation of strategies to tighten security measures at foreign airports.

#### Comprehensive Pre-Flight Screening

Pre-flight security inspections of the passenger cabins and lavatories of commercial aircraft often are performed by low-wage, poorly trained contract employees. In September 2003, a college student named Nathaniel Heatwole placed box cutters, matches, bleach and simulated explosives on Southwest Airlines flights. These items were not discovered by airline officials until approximately one month later. Heatwole also placed dangerous items on two other Southwest flights in February 2003, and they remained undetected until April 2003. In October 2003, potentially dangerous items were also found on US Airways flights.

The Transportation Security Administration has issued a requirement effective in January 2004 for detailed documentation of security inspections performed by air carriers prior to each aircraft's first departure of the day. The directive affects the documentation of the inspections, but does not change the manner in which the security inspections are performed by the airline's contract cleaning crew or the level of verification that TSA provides to ensure the inspections are thoroughly conducted.

The SEAL Act sets a firm deadline for the improvement of pre-flight security inspections of the interior of passenger planes to increase the likelihood that any dangerous items hidden in the plane will be promptly discovered. The SEAL Act also includes new requirements that subject individuals who are performing the pre-flight inspections to additional security checks, including passage through a checkpoint to detect any metallic objects prior to accessing the plane; screening of any items to be carried aboard the plane to detect hazardous substances such as chemical, biological, radiological or nuclear materials; a criminal history background check, social security check and check against all terrorist watch lists maintained by the government.

#### CONTROL OVER ACCESS TO SECURED AREAS OF AIRPORTS

Airport workers with access to sensitive areas of airports, including the airplanes, are not required to pass through metal detectors or have their personal items x-rayed before reporting to work at each of the nation's commercial airports. Airport workers have taken advantage of lax security controls to commit crimes. For example, in November 2003, a massive narcotics smuggling operation that exploited airport security weaknesses was broken up at John F. Kennedy Airport in New York.

While criminal background checks are required under current law for employees with unescorted access to an airport's sensitive identification display area (SIDA), there are no uniform requirements applicable to all airport workers that mandate checks of Social Security numbers and checks against terrorist watch lists maintained by the government.

The SEAL Act directs the Department of Homeland Security to issue regulations within

180 days after the bill's enactment that improve control over access to secure areas in airports nationwide. The SEAL Act requires all airport workers with access to secure areas of airports, including aircraft, to pass through devices to detect for metallic objects and have any personal items screened to detect any hazardous chemical, biological, radiological or nuclear materials before entering these areas. In addition to criminal background checks, the SEAL Act requires that airport employees are checked against terrorist watch lists, that workers' Social Security numbers are checked against government databases to ensure the documents' legitimacy and verify that the Social Security number is assigned to the individual presenting it.

#### AIRCRAFT MANEUVERS

In December 2003, a C-17 U.S. transport plane was hit by a missile shortly after take off from Baghdad. An engine exploded, but the plane returned safely with only one of its 16 people aboard slightly injured. In November 2003, an Airbus A300 cargo plane operated by the courier company DHL departing from Baghdad to Bahrain was struck by a SAM-7 ground-to-air missile. The plane's engine caught fire, and it was forced to make an emergency landing at Baghdad International Airport. None of the plane's crew was injured in the incident.

Pilots currently receive training on how to fly the aircraft and land it safely if engines fail. Pilots are required to receive training on how to maneuver and land a two-engine plane with only one functioning engine; a three engine plane with only two engines functioning; and a four engine plane with only two engines functioning. However, pilots do not receive recurrent training in how to maneuver and safely land the aircraft in the event of a complete failure of the hydraulic system in which normal flight controls are not available. If an aircraft is struck by a surface-to-air missile, it may experience such failures, as was the case when the DHL cargo plane was hit by a SAM-7 missile in Iraq last year.

The SEAL Act requires air carriers to provide pilots with training in flight deck procedures, aircraft maneuvers and best practices that enable pilots to respond if the aircraft is struck by a surface-to-air missile. The training is designed to increase the likelihood that pilots will be capable of safely landing the aircraft and will include components that simulate the complete failure of the aircraft's hydraulic system and loss of normal flight controls.

#### AGGRESSIVE FLYING MANEUVERS

According to the FAA, aggressive flying techniques were not part of training provided pilots prior to passage of the 2003 FAA reauthorization. As of February 2004, a TSA working group is finalizing its training recommendations on flight deck procedures or aircraft maneuvers to defend the aircraft. TSA does not expect to recommend any maneuvers that could be considered "aggressive."

The SEAL Act recognizes the need to balance the security benefits of maneuvers and procedures with the potential risks, in terms of passenger safety and the structural limitations of the aircraft. The SEAL Act requires the Secretary to issue regulations that require the carriers to provide, in conjunction with appropriate law enforcement authorities, crew members with training in procedures for communicating and coordinating effectively with Federal Air Marshals and law enforcement officers during

unauthorized attempts to disrupt the normal operation of the aircraft.

#### SECURING COCKPIT DOORS

According to the Coalition of Airline Pilots, approximately 60 percent of cargo planes are not equipped with cockpit doors that separate the flight deck from the aircraft's cargo bay. In September 2003, a shipping clerk packed himself inside a wooden crate and shipped himself undetected from New York to Texas aboard a cargo plane. Fortunately, he was an industrious tourist, rather than an industrious terrorist.

Some cargo carriers have installed cockpit doors, but the majority of cargo planes still lack any door between cockpit and cargo bay.

The SEAL Act requires all cargo planes to have reinforced cockpit doors, including sturdy partitions surrounding the doors. Within 180 days after enactment of the legislation, the Secretary is directed to issue an order that all cargo aircraft must have, no later than 1 year from the date of issuance of the order, a reinforced, lockable door, including the surrounding partition, between the pilot and cargo compartments.

#### SECURITY REQUIREMENTS FOR GENERAL AVIATION

According to a November 5, 2003 GAO report, *Aviation Security: Efforts to Measure Effectiveness and Address Challenges* (GAO-04-232T), "Since September 2001, TSA has taken limited action to improve general aviation, leaving general aviation far more open and potentially vulnerable than commercial aviation. General aviation is vulnerable because general aviation pilots and passengers are not screened before takeoff and the contents of general aviation planes are not screened at any point." There are more than 200,000 general aviation aircraft, which are located in every state at more than 19,000 airports. According to TSA's working group on general aviation, general aviation aircraft are responsible for 77 percent of all air traffic in the U.S.

TSA is taking some steps, such as developing a risk-based self-assessment tool for general aviation airports to use to identify security concerns, but these steps fall short of what is required.

The SEAL Act directs the Secretary to establish a no-fly zone around the following facilities whenever the threat level reaches Orange or at any other level the Secretary deems appropriate: sensitive nuclear facilities such as nuclear power plants and nuclear weapons materials production facilities, and chemical facilities identified by the Environmental Protection Agency at which a release of the facility's hazardous materials could threaten the health of over 1 million people, and any other facilities the Secretary shall so designate.

The SEAL Act requires the operators of general aviation airports and landing facilities to complete vulnerability assessments developed by TSA, which evaluate the facilities' physical security, procedures, infrastructure and resources. The SEAL Act also requires TSA to develop a plan for addressing vulnerabilities identified by these assessments no later than 1 year from the date of enactment.

Mr. Speaker, we can do better, and we must do more to improve our aviation security. I urge my colleagues to support the SEAL Act, which will close dangerous loopholes in our airline security system.

IN HONOR OF HOWARD JONAS

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. ENGEL. Mr. Speaker, today I want to praise Howard Jonas, a man who donates enough to charity to be called a philanthropist, who works to better his community, and who is being honored for his work in the United States on behalf of Israel.

Howard was born in the Bronx, attended one of New York City's premier schools, Bronx High School of Science, and then went to Harvard University, graduating with a B.A. in Economics.

He has been manifestly successful in his businesses, starting at the age of 14 with a hot dog stand near a local hospital. Since then he has gone on to travel brochure distribution, business-to-business directories, mail-order bonsai Christmas trees, and to run one of the country's largest direct mail businesses out of his dorm room at Harvard. When one of his employees moved overseas he got into the international telephone callback business.

From there he went on to found IDT in August of 1990, a model of upstart entrepreneurship, serving as Chairman of the Board since its inception.

He has been generous in his giving and serves as a trustee on many university, religious, and social service organization Boards. He also serves as a National Board member of AIPAC where he fosters close relations with some of our nation's most prominent leaders on behalf of a strong United States-Israeli relationship.

Finally I speak of him as a close friend, a man from the old neighborhood who never forgot where he came from. He is a caring and generous man and I am proud that he is my friend.

RECOGNIZING MATTHEW J. BURNS

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. GERLACH. Mr. Speaker, I rise today to recognize Matthew J. Burns, the "2004 Delaware Valley Engineer of the Year," and commend him on his tremendous achievements in the field of engineering.

Matthew Burns is the President of Burns Engineering Inc. and a resident of Exton, Pennsylvania. He is a registered Professional Engineer in the Commonwealth and has over 20 years of professional experience in the Philadelphia area.

Matt oversees the activities at Burns Engineering, a Philadelphia-based engineering design and construction management firm which was founded by his father, Robert C. Burns. Under Matt's guidance, the company has expanded to five offices in the mid-Atlantic region. Burns Engineering was recognized as the "Service Company of the Year" by the Greater Philadelphia Chamber of Commerce in 2002. In addition, the company has been named as one of Philadelphia's "100 Fastest Growing Companies" for the past three years.

Matt's service to his profession and community is extensive. His professional service in-

cludes the following leadership roles: President of the American Council of Engineering Companies of Pennsylvania (ACEC/PA), President of the Pennsylvania Society of Professional Engineers (PSPE) and Delaware Valley Engineers Week Council (DVEWC), and Chairman of the Engineering Achievement Awards. He is also an active member in several other technical and professional societies. In his community, he is involved in the Saint Phillip and James Church, serves as a volunteer leader with the Boy Scouts, and is a chief for the YMCA's Indian Guides/Princess program.

Mr. Speaker, I ask my colleagues to join me today in recognizing Matthew J. Burns for all the work he has done in the field of engineering and as an active member and leader in our community.

IN HONOR OF THE 100TH ANNIVERSARY OF THE UNITED IRISH COUNTIES ASSOCIATION

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. ENGEL. Mr. Speaker, today we celebrate the 100th anniversary of the United Irish Counties Association. The UICA represents people from all the counties of Ireland who came to the United States, helping those who were new to the country and encouraging fellowship among all, no matter where they came from in Ireland.

Until the founding of UICA, most Irish people joined organizations representing their individual counties. What UICA did was give the whole immigrant community, and its children, a unified voice in Irish affairs and a broader ability to help newcomers.

With the assimilation of the Irish into the mainstream of America, it meant that the Irish population was not only rising economically but spreading geographically. With the breakup of the old Irish neighborhoods, the UICA came into its own as a representative of Irish affairs.

The growth and rise of the Irish immigrant community is a story of the success of America. The United States filled its broad spaces with the best from Europe then and the rest of the world now.

Starting in the 1840s, and propelled by the terrible experience of the Great Famine, the Irish came to America, made it their own, and made it better. They overcame prejudice and poverty and within five generations elected one of their own as president. In many ways the Irish were the template of the immigrant waves which followed; arriving individually, coming together to help one another, and then taking advantage of the opportunities that this country offered.

The United Irish Counties Association deserves much of the credit for this success, and for the continuing success of the Irish immigrants who still come to America, many to Woodlawn and Yonkers in my Congressional District. If America is ever to expand geographically again, I suspect that Ireland could be the 51st state.

I congratulate the United Irish Counties Association for a century of growing by helping.

CONGRATULATING FREDERICK WILLIAMS FOR BEING NAMED BROWARD COUNTY PUBLIC SCHOOL TEACHER OF THE YEAR

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to congratulate Mr. Frederick Williams of McFatter Technical High School in Davie, Florida for being selected as the Broward County Public Schools Teacher of the Year.

Mr. Williams has been an educator for the past 22 years, the last 17 years of which have been spent in Broward County. He studied at Florida State University where he earned his Bachelor's and two Master's degrees in music education and arts administration. Since 2001, Mr. Williams has been a teacher of technology for 11th and 12th grade students at McFatter Technical High School.

Among Mr. Williams' many achievements as an educator, is a program he developed for teaching computer technology. His students are educated to such a level that upon completion, they are able to visit other schools and assist as computer technicians. Additionally, Mr. Williams supports his students as a Big Brother and mentor. He has been involved as a New Educator Support System (NESS) Coach for teachers at Plantation High and is currently a NESS Coach for the Computer Programming Instructor at his school.

Mr. Speaker, underscoring Mr. Williams' success is his learned philosophy on teaching. He believes in many underlying principles: learning to use one's mind; a student as worker and teacher as coach philosophy; tone of decency and trust; and demonstration of mastery. He accurately describes the teaching profession as "one of the most important in our country," and understands that the education of our children "is one of the greatest and most important investments of time and money for creating a brighter future."

Mr. Williams embodies what Americans desire from their educators. He is passionate about his profession and takes a keen interest in the academic and personal development of his students. In his acceptance speech, Mr. Williams acknowledged that he teaches not for prestige or job benefits, but for knowing that he has touched a student's life. He is a role model for educators in our country.

Mr. Speaker, I would like to congratulate Mr. Williams on being named the Broward County Public Schools Teacher of the Year, and I thank him for his invaluable contribution to the future of his students and to the Broward County Community.

TRIBUTE TO JOHN TILLEMA

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 11, 2004*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise before you today to pay tribute to a remarkable man from my district. John Tillema of Pueblo, Colorado, has devoted his life to instructing both the young and old to ski