

A soldier in the 244th Engineer Battalion, Justin's responsibility in Iraq was to seek out and establish temporary operating bases for American forces. This dangerous task often put Justin's detachment, based in Grand Junction, Colorado, in harms way. A few months ago Justin's unit was involved in one harrowing firefight in the City of Samarra where a group of armed insurgents in a car headed straight for our troops. As the insurgent's vehicle passed Justin's position, he shot out the back window before the car careened into an area where the unit was able to effectively contain the situation.

Mr. Speaker, it is an honor to rise and recognize the actions of Specialist Justin Redifer for his service to our nation. Receiving the Bronze Star is a testament to the bravery and courage Justin displayed while in Iraq. His selfless sacrifice to his country serves as a model for all Americans who desire to serve their country in this war against terror. Many young men and women like Justin are now serving their nation, without regard to personal safety, to ensure the people of Iraq can have the same freedoms we enjoy. On behalf of my fellow Coloradans and Americans, I wish to thank Justin for his bravery and noble service.

HONORING WHITNEY YOUNG HIGH SCHOOL

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2004

Mr. EMANUEL. Mr. Speaker, I rise to congratulate Whitney Young High School of Chicago for its triumphant achievement on winning the first place title in the Illinois Academic Decathlon competition on March 13, 2004.

The Academic Decathlon is a team competition wherein students are tested through a diverse group of scholastic categories including: art, economics, essay interview, language and literature, mathematics, music science, social science and speech.

With up to nine members from each team competing in all ten events of the decathlon and representing a diversity of scholastic aptitude, the true spirit of this year's "America. The Growth of a Nation" theme has been advanced.

The decathlon, which was first created by Dr. Robert Peterson, has helped maximize the learning potential of young minds through competitive challenge. Whitney Young has repeatedly demonstrated its ability to shine among the best and brightest of Chicago's academic community.

As winners of the Illinois Academic Decathlon, Whitney Young High School will go on to represent our city and state in the national meet in Boise, Idaho. Nine of its students will compete in one of the most prestigious high school academic competitions in the United States.

I salute each of our Whitney Young High School Academic Decathlon Winners: Rachel Birkhahn-Romelfanger, Nailah Cash-Obannon, Clare Conroy, Christina Doocy, Sarah Duffy, Ikee Gardner, Lally Gartel, Deana Rutherford, Eleanor Sharp and Margaret Sharp.

Reaching this level of competition is a tremendous achievement and one that deserves special recognition. Indeed, Whitney Young

students set the standard for scholastic excellence that the Academic Decathlon seeks to attain.

Mr. Speaker, I join with all residents of the Fifth Congressional District of Illinois in congratulating Whitney Young High School on its achievement. I wish the Academic Decathlon winners the best of luck at the national competition in Idaho as well as continued success as their education continues. I am very proud of these young and future leaders of tomorrow.

A TRIBUTE TO MAY MARSHBANKS OF LILLINGTON, NC

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2004

Mr. ETHERIDGE. Mr. Speaker, I rise today to congratulate a public servant of the elderly in North Carolina, May Marshbanks, and her recent acceptance of the George L. Maddox Award. This award honors individuals in North Carolina who have excelled in developing and implementing creative programs for older adults. The award symbolizes years of tireless effort on the part of Miss Marshbanks to provide much needed services to the elderly populace of Harnett County.

May Marshbanks, who is eighty-six years old, has directed the Harnett County aging program for 32 years since the inception of the Harnett County Council on Aging in 1971. This marked a second career for Ms. Marshbanks, who retired as a principal from the Chapel Hill school system and moved back to Harnett County. She has been a passionate advocate for the aging and elderly ever since.

Through her pioneering spirit, Ms. Marshbanks forged a path for the Council to develop into the Harnett County Department on Aging. Today, the Department delivers a number of important programs to the elderly including minor home repair, In-Home Aid, an Elderly Nutrition Program, and the Community Alternatives Program for Disabled Adults. The Department provides legal assistance to seniors. It also offers a transportation program to provide seniors the ability to live independently and to provide them access to medical and social services.

As one colleague stated, "May Marshbanks is the Harnett County Department on Aging. The community sees her and the agency as synonymous." May Marshbanks has connected her life with others through noble causes, and her actions have effected hundreds of lives. She has provided needed services for older adults in Harnett County, informed local government officials of the needs of the elderly, and developed public and private cooperative partnerships among existing agencies and programs. I thank May for her service to the citizens of Harnett County. She truly is a compassionate person who makes good things happen.

AMUSEMENT PARK RIDE CHILD LABOR ACT OF 2004

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2004

Mr. MARKEY. Mr. Speaker, I rise to introduce "The Amusement Park Ride Child Labor Act of 2004, an act that directs the Secretary of Labor to prohibit the employment of minors as ride operators. For the sake of both the young employees and the park patrons, who are disproportionately children themselves, the Department of Labor should recognize that operating roller coasters and thrill rides requires split-second judgments that, if mishandled, can injure both the operator and dozens of riders. Let minors take the non-hazardous jobs in our parks—let adults run the rides.

If it were ever wise to allow minors to operate amusement park rides, it is not a safe practice today. Based on the National Electronic Information Surveillance System (NEISS), the Consumer Product Safety Commission (CPSC) estimates that, nationwide, 800 employees are injured operating amusement park rides each year. This is in addition to the estimated 6,800–10,700 patrons injured on amusement park rides each year. The potential for dangerous, debilitating and sometimes deadly consequences when persons operating amusement park rides make misjudgments, either in the operation of the ride itself or in the reaction to a situation brought on by rider error or ride malfunction, is very serious.

According to the Bureau of Labor Statistics, 114 employees died while attending to amusement and recreation facilities during the 10-year period 1992–2002, and 7 of those fatalities involved children under the age of 18.

During 2001, nonfatal injuries suffered by amusement ride attendants totaled 2,475, and nearly one out of every five injuries was suffered by a child employee.

The fact is that in the past 15 years, the speed and complexity of amusement park rides has risen dramatically. All of the nation's 15 fastest coasters have been built in the last 10 years. But clearly, the margin for error is much narrower for the operator of a ride traveling at 100 mph than on a ride traveling 50 mph. People make mistakes, and the riders often act like children, because they often are children. This situation is dangerously compounded by allowing young teenagers to be put in charge of running these high-tech, high-speed machines.

The following are just a few examples of tragedies involving ride operators under the age of eighteen.

In August 1999, a 16-year-old boy ride attendant died from injuries he suffered at Lake Compounce amusement park in Bristol, Connecticut. The boy was working as a ride attendant on the "Tornado," a spinning ride more commonly known as the "Scrambler." The accident happened when the boy stepped onto the ride before it had come to a complete stop. His legs got caught underneath the ride and he was dragged until the operator activated the emergency stop. The boy was left pinned underneath the ride from the waist down. Firefighters used inflatable devices to lift the ride off of the victim. After the boy was freed, he was transported by helicopter to a

hospital, where he underwent surgery. His injuries included a head wound and broken bones, in addition to possible broken arms, dislocated shoulders, and multiple internal injuries.

In June 1997, a 17-year-old ride operator at Celebration Station in Tulsa, Oklahoma was killed while operating a swinging boat ride. The teen fell into the frame of the ride in an area underneath the boat while the ride was in motion. He was crushed and died within 15 minutes. Five children were passengers on the ride at the time of the accident. Investigators from the Oklahoma Department of Labor ruled the death accidental, saying that the ride had not experienced any mechanical failure.

In June 1996, a 16-year-old ride operator at Bonkers 19 Amusement Park in Weymouth, Massachusetts started the Mini Himalaya ride without notice. A 5-year-old girl's foot was gashed when it was trapped against the ride's track. Later that same year, in September, during the operation of the same ride by a different 16-year-old, part of the scalp of an 8-year-old girl was torn off when her hair became entangled in the motor powering the Mini Himalaya.

At least nine states have recognized that it is per se hazardous to employ children 17 years of age or younger as ride operators and have included provisions in their laws to restrict such employment. Alaska, Connecticut, Iowa, Massachusetts, Minnesota, New York, Rhode Island, West Virginia, Wisconsin all have 18-year-old age limits. Some include exemption for "kiddie rides," but all have adopted state standards that make it the rule, not the exception, that minors shall not operate the vast majority of park rides in their states.

In addition, the Walt Disney Corporation has already recognized the wisdom of avoiding having youngsters placed in charge of the safe operation of their park rides. As a matter of park policy, Disney will not allow anyone younger than 18 years of age to operate a Disney ride.

The Department of Labor has jurisdiction over the safety of child amusement park employees. This legislation would be unnecessary if the DOL would simply use its existing authority to restrict this kind of employment. The Fair Labor Standards Act (FLSA), 29 U.S.C. Chapter 8, § 212, directs the Secretary of Labor to carry out the objectives of the child labor provisions, namely, to prohibit "oppressive child labor." "Oppressive child labor" is defined by the FLSA, 29 U.S.C. Chapter 8, § 203, as a condition of employment which the Secretary finds and declares as "particularly hazardous for the employment of children between such ages [16 and 18] or detrimental to their health or well-being."

Under this provision, the Secretary has issued 17 Hazardous Occupation Orders restricting children from certain hazardous jobs. For example, Order 7 declares "hazardous" the operation of most power-driven hoisting apparatus, including nonautomatic elevators exceeding one ton, 29 CFR § 570.58. Most people would agree that an amusement park ride has all the characteristics of a "power-driven hoist" that lead to its designation as "hazardous"—with the exception of the people at the DOL. With the support of the industry, the DOL has helpfully issued guidance to the public that specifically carves out amusement parks rides from this "hazardous" designation. It is difficult to understand how the DOL could

conclude that operating an elevator is hazardous to a minor, while operating amusement park rides is not.

Due to the seasonal nature of the amusement park business, many teenagers under the age of 18 seek summer employment at the parks, something that I applaud and encourage. Most jobs at the parks have nothing to do with hazardous machinery. Teenagers can safely fill jobs such as selling tickets, waiting on tables, or guiding patrons. But when it comes to filling a job as safety-critical as the loading and operation of ride machinery, it is simply irresponsible to risk the health of the employee or the park patrons by giving such a job to a minor.

As the amusement park season commences, I urge my colleagues to cosponsor this important legislation and to help improve the safety of our nation's parks.

H. RES. 557—COMMEMORATING START OF IRAQ WAR

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2004

Ms. BALDWIN. Mr. Speaker, I rise today to honor the men and women in our Armed Forces who have served and continue to serve in Iraq. Their bravery and dedication is something all Americans should admire and honor.

It is not just their martial skill and training that proved outstanding during the combat phase of the Iraq campaign, their exceptional abilities to begin the rebuilding of Iraq have been essential. Our military forces have demonstrated again and again their professionalism when faced with incredibly difficult challenges. They truly are the best in the world.

I want to also give special recognition to our citizen soldiers—the men and women in our National Guard and Reserves—and their families. For them to leave their jobs and loved ones, in many cases for more than a year, requires tremendous sacrifice and commitment. In the last year, I have been there when many of our local Wisconsin units have left for deployment and been there when many have finally returned home. When they leave, I have seen their determination to get the job done combined with great sadness about their separation from their families. When they return, I have seen their pride at a job well done and their joy at being reunited with their families. No country could be better served than we have by the members of our Guard and Reserve.

I also want to pay my respects to the ultimate sacrifice paid by the 709 military men and women who have died in Iraq and express my heartfelt condolences to their families. Each one of them is a hero. All Americans owe them a debt of gratitude that can never be repaid but must always be remembered.

We also owe a great debt to the more than 3,200 who have been wounded in Iraq. Medical advances and improved safety equipment have meant fewer deaths, but many are surviving with serious injuries. We must fulfill our commitment to caring for them, ensuring that our veterans health care system can meet their needs.

Mr. Speaker, there is no Member of this Congress who is not grateful to our soldiers, sailors, marines and airmen. No matter our positions on what the proper U.S. policies should be, let there be no doubt that we honor and appreciate their sacrifices.

It is with regret that I voted against the resolution presented to this House. I am very disappointed in the Republican leadership of this House for bringing forth a resolution under a closed rule without providing the opportunity for Democrats to participate in the drafting.

Honoring our troops should always be a non-partisan effort and should never be used as a partisan maneuver.

The resolution that came before us could have, and should have, won the backing of every Member of the House. A non-partisan resolution, drafted with input from both sides of the aisle, would have attained unanimous support, allowing the House of Representatives to speak with one resounding voice in honor of our men and women in uniform.

It is not simply the partisan nature of this resolution that caused me to vote against it. If that were my only concern, my desire to recognize our troops would have been stronger than my indignation about the means employed to do so. However, I voted against the resolution because it is being used to distract us from the very real and very important debate that we should be having about our Iraq policy and our counter-terrorism policies.

Mr. Speaker, there is a debate going on among the American people about Iraq and the war. The American people are concerned about our intelligence failures, the use of intelligence, the Administration's apparent obsession with Iraq, the failure of post-war Iraq planning, the cost of the war, the costs of reconstruction, the long-term demands on our military and how Iraq affects the war on terrorism. This Congress and this Administration has a responsibility to answer, or find the answers, to these questions. The American people deserve no less.

The American people are wondering if we are safer as a result of the war to remove Saddam Hussein as ruler of Iraq. This is a difficult question to answer, and to be quite frank, I don't know. But it is a question that is important to ask. And it should not be dismissed with an "of course" or the suggestion that anyone who thinks we may not be safer is unpatriotic or would be happy if Hussein were still in power. We must draw an important distinction between the following questions: Is Iraq better off? Is Iraq less of a security threat to the United States? And, is the United States safer as a result of the President's choice to go to war in Iraq. I believe the answer to the first two questions is yes. However, it is the final question that is by far the most important.

On September 11, 2001, the United States was attacked by Al Qaeda, an international terrorist group that was then based in Afghanistan with the support of the Taliban regime. Military action against Al Qaeda and the Taliban was widely supported by Americans, including me, to hunt down the perpetrators of 9-11 and eliminate their ability to operate in Afghanistan. We were joined by numerous countries who understood that the fight against Al Qaeda was their fight too. The initial phases of that campaign were successful in shutting down their training camps, capturing or killing many of their members and