

**SAFE, ACCOUNTABLE, FLEXIBLE, AND EFFICIENT TRANSPORTATION EQUITY ACT OF 2003**

Mr. DORGAN. Mr. President, I rise today to discuss S. 1072, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003.

The transportation bill is a needed investment for America's infrastructure. Our Nation's roads, bridges and transit systems need help now. Thirty-eight percent of our Nation's major roads are in poor or fair condition, and 28 percent of our bridges are structurally deficient and unsafe for travel.

This bill is important for the economy as well. Transportation surpasses education and recreation and nearly equals health care and food as a contributor to economic growth, and the transportation sector is critical to jobs, employing millions of workers. A 6-year, \$311 billion transportation bill will create more than 830,000 jobs across the United States.

I want to specifically mention how important transportation funding is to North Dakota. North Dakota has only 17 people per lane mile of Federal-aid highway; the national average is 124. As a result, there is a huge per capita investment by North Dakota citizens to support a national transportation system.

That means that Federal aid is critical for ensuring the development, safety and reliability of transportation infrastructure, as it simply does not have the population to support its needs. The \$1.463 billion that North Dakota is projected to receive over the next 6 years will benefit the infrastructure, economy, and citizens of North Dakota, and the many others who use North Dakota's roadways for interstate commerce and tourism.

Chairman INHOFE and Ranking Member JEFFORDS worked hard to ensure that rural States would receive adequate funding in this bill, and I thank them for their efforts. I emphasize that we must continue to work to preserve this funding as this bill proceeds. I also thank them for their work to include two of my amendments in S. 1072.

My first amendment will ease the burdens of cumbersome hazardous materials regulations on small farmers. Farmers driving their pickup trucks with a 120-gallon tank of fuel in the back should not have to file security plans. These farmers are not a threat to our Nation's security, and my amendment exempts them from these unnecessary rules.

My second amendment will ensure that States prohibit open containers of alcoholic beverages in vehicles. In this day and age, it is unbelievable that someone can still drive with one hand on the wheel and one hand holding an open bottle of Jack Daniels, and my amendment takes action so that States crack down on this violation.

Lastly, I want to say that it is unfortunate that we were not able take up amendments that Senator BURNS, Senator ROCKEFELLER and I submitted to

address current problems with rail policy in this Nation.

While more than 40 major railroads existed in 1980, these have now consolidated to seven, with four major railroads generating over 90 percent of the total annual rail revenue. The previous Interstate Commerce Commission, and the current Surface Transportation Board, STB, have failed to implement captive customer protections, and in fact have interpreted the deregulation act to allow railroads to deny rail customer access to rail competition. As a result, today we have a national rail industry that is both deregulated and retains almost unchecked monopoly power over at least 30 percent of its customers.

This issue hits home for my constituents and me. Grain production is a major industry in my State. Unfortunately, our grain producers are captive to a single railroad. That railroad consistently charges rates that are so outrageously high that our grain loses access to both U.S. and foreign markets. When we do move our grain at these high rail rates, every dollar for rail transportation comes out of the pockets of our grain farmers in the form of reduced net-backs from their grain sales.

It is unfortunate that our rail amendments could not be offered for a full debate and vote. They would have begun to introduce the competition in the national rail system that should have resulted from deregulation 23 years ago. These amendments would have provided some much needed relief to our farmers, manufacturers and electric ratepayers and would help save American jobs for Americans. I will continue to work for a chance to take action on these amendments and move our rail system toward the efficient, procompetitive system this Nation needs and deserves.

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**LOCAL LAW ENFORCEMENT ACT OF 2003**

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On July 3, 1999, in Philadelphia, PA, a 59-year-old gay man was found beaten to death in his apartment. The bodies of two other gay men from the Philadelphia area were found in the Schuylkill River the previous month.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

**LTC COLONEL FRANK LOUIS BOSCH: IN MEMORIAM**

Mrs. BOXER. Mr. President, I rise to share with my colleagues the memory of retired Air Force LTC Frank Louis Bosch. COL Bosch was a dedicated member of the armed services and a dedicated community volunteer. His life is truly an example of selflessness and service to others.

COL Bosch was born in New Orleans and raised in Brooklyn, NY. Throughout his commendable service in the Army Air Forces, he flew night missions in World War II, commanded a fighter group in the Korean War, and received the Distinguished Flying Cross for his participation in the Battle of Khe Sanh in Vietnam.

Upon retiring, COL Bosch refused to believe that his service to others must end. After earning a bachelor's and master's degree in physical education from George Mason University, he created and led exercise programs for seniors at the Fairfax County recreation department. He also organized softball leagues, ice skating groups, and the Northern Virginia Senior Olympics. He worked as a docent and guide at the Vietnam Veterans Memorial and assisted the priests of Fort Meyers with burials of veterans at Arlington National Cemetery. He served as an election officer in Fairfax, Eucharistic minister and usher at St. Michael's church in Annandale, was a former vice president of the WWII Night Fighters Association and a member of the Knights of Columbus.

Although he never looked to be rewarded for his service to both country and community, honors were frequently bestowed upon him. Along with the Distinguished Flying Cross, he was awarded the Virginia Governors Award for volunteering and the National Park Service's volunteer-of-the-year.

COL Bosch's life serves as an inspiration to all who knew him or have heard his story. When his son Paul called my office today, he mentioned that at the colonel's funeral at Arlington, "the sun came out just long enough for us to have a very warm feeling." I know that the example of COL Bosch's life will be a warm feeling for all of us as we remember his bravery, generosity and compassion.

I extend my deepest sympathies to his wife, Mardy, his sons and daughters, his grandchildren, and great-grandchildren. I am confident that COL Bosch's spirit will live on in them for years to come.

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**ADDITIONAL STATEMENTS**

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**IN RECOGNITION OF ERNEST C. LEVISTER**

• Mrs. BOXER. Mr. President, I rise today to recognize the philanthropic works of Ernest C. Levister, Jr., M.D. For his longstanding commitment to the health of residents of the Inland

Empire, he has been honored by the California Medical Association Foundation with the Robert D. Sparks, M.D. Leadership Award.

The Robert D. Sparks, M.D. Leadership Award recognizes individuals or organizations for outstanding community health achievements. Dr. Levister's accomplishments have not only met this criterion, but led to programs and policy that will continue to facilitate medical advances for years to come.

For the past 30 years, Dr. Levister has used his expertise to educate others, empowering his community with knowledge. He has been honored for addressing the medical concerns and questions of the Inland Empire's African-American community through his "Our Bodies" column in the Black Voice News since 1986. His founding role in the Technology Access Partnership Foundation, a foundation that endeavors to increase accessibility to informational technologies, is also testament to his commitment to ensuring that traditionally underrepresented groups have the tools they need to live happy, healthy lives.

As president of the J.W. Vines Medical Society from 1994 to 2001, Dr. Levister strove to make educational opportunities available to students of all backgrounds, encourage African Americans' entrance into and continued progress in the medical field, and improve overall patient care. He is a cofounder of the Vines Foundation, which works to create educational opportunities for African-American students pursuing health and science-related careers.

Dr. Levister is credited as a major influence in changes that the University of California, Riverside made to its Bio Medical Science Program, which now offers more opportunities to disadvantaged students and pre-med faculty positions to those who are traditionally underrepresented. Other recognitions include the Silver Scalpel Award from the California Society of Industrial Medicine and Surgery for his work to protect the rights of injured workers and their physicians, the 2000 Black Rose and Humanitarian of the Year Award given to Dr. and Mrs. Levister for their service to their community, and the San Bernardino County Medical Society's 2003 Award for Outstanding Contribution to the Community.

Dr. Levister's fine leadership has paved the way for the continued propagation of a diverse medical community to address the complex and varied health care needs of the Inland Empire Community. It is with great pleasure that I congratulate Dr. Levister on his receipt of the prestigious Robert D. Sparks Leadership Award.●

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

#### HONORING SHARON STROSCHEIN, 2003 WINNER OF THE ATHENA AWARD

• Mr. JOHNSON. Mr. President, I rise today to publicly recognize and honor Sharon Stroschein of my Aberdeen, SD staff, who recently was presented with the Athena Award, an honor that is co-sponsored by the Aberdeen Chamber of Commerce and Johnsons Motors of Aberdeen.

The Athena Award is annually presented to an individual who actively assists women in realizing their full leadership potential. The individual must demonstrate excellence, creativity, and initiative in their business or profession. The individual provides a valuable service by contributing time and energy toward improving the quality of life for others in the community.

I know first hand that Sharon has done a great deal to improve northeastern South Dakota. She is a tremendously talented woman with a great deal of energy and ambition.

Sharon is not only a great friend, she is also the northeast area director for my State office in Aberdeen. She has earned the respect and admiration of all those who have had the opportunity to work with her. Her passion and love for her work have improved the lives of countless South Dakotans.

Sharon's friendly demeanor and wealth of knowledge have helped her develop close relationships with her colleagues and with community leaders throughout our State. This friendly attitude has led to numerous elected posts and honors. Among those, she was elected South Dakota's National Committeewoman to the Democratic National Committee. She was also the McGovern Grassroots Award recipient, and Woman of the Year by the South Dakota Federation of Democratic Women.

I congratulate Sharon Stroschein for being selected to receive this prestigious award. It is with great honor that I share her impressive accomplishments with my colleagues.●

#### CONGRATULATING MRS. CORNELIA MCREYNOLDS

• Mr. BUNNING. Mr. President, I would like to take a moment today to congratulate Mrs. Cornelia McReynolds of Pembroke, KY, for receiving the Modernette Civic Club's Woman of the Year Award.

Mrs. McReynolds is best known in the Hopkinsville community as a devoted mother of seven children. But her influence stretches far beyond the boundaries of her home and her family.

She is an active member of the Eastern Star and helped to organize the Community Choir of Hopkinsville. She is also director of the junior choir and president of the usher board at the St. Bethlehem Baptist Church. The children of the church are so fond of Mrs. McReynolds, they call her "Granny."

Six of her seven children were with her when she received the award at the

Modernette Club's 10th annual African-American Heritage Breakfast. They traveled from as far away as Chicago and Florida to be with their mother—and of course her seventh child called by cell phone from Florida after she received the award. Even her seven-month-old great granddaughter attended the Saturday morning breakfast in her honor at the Pioneer Memorial Complex. It was family dedication like this and her amazing work in the community that likely prompted this special award.

Congratulations again, Mrs. McReynolds, on receiving the 2004 Modernette Civil Club's Woman of the Year award. You are truly an inspiration for all of us throughout the Commonwealth of Kentucky.●

#### SALUTE TO THE AIR FORCE ACADEMY FALCONS BASKETBALL TEAM

• Mr. ALLARD. Mr. President, I rise to salute the U.S. Air Force Academy Falcons basketball team. It gives me a great deal of pleasure as a member of the U.S. Air Force Academy Board of Visitors to congratulate the high flying Air Force Academy men's basketball team on winning the 2003-2004 regular season Mountain West Conference Basketball Championship.

On March 1, the Falcons clinched the championship with a 61-49 victory over San Diego State University. This is the first conference championship the Air Force Academy has achieved in basketball. Their improbable championship is even more impressive when you realize that this is the first winning basketball season at the Air Force Academy since the 1977-1978 season.

Coach Joe Scott, my candidate for coach of the year, has done an incredible job guiding his team to upset victories over the University of California, Brigham Young University and two victories against the University of Utah on the way to an overall 21-5 record.

I wish them well in the coming weeks as they represent my home State and the Air Force in the upcoming NCAA tournament. If my colleagues are looking for a real-life Cinderella story in this year's basketball tournament, I have found one in Colorado Springs, CO: the U.S. Air Force Academy.●

#### CELEBRATING THE CENTENNIAL OF CONGREGATION SHERITH ISRAEL'S HISTORIC SANCTUARY BUILDING

• Mrs. BOXER. Mr. President, I take this opportunity to recognize the 100th Anniversary of Congregation Sherith Israel's historic sanctuary building in the City of San Francisco in my home State of California.

Congregation Sherith Israel, established in 1849, is one of the oldest Reform congregations in the West. Reform Judaism spread throughout North America more than 130 years ago and is