

though this is money my constituents never physically possessed, as currently written in law no AMT relief can be granted.

Although there is no practical way to retroactively address the tax treatment of the 1986 Yuba County flood victims, I believe their situation stands on its own as an example of the damaging impacts of the AMT on the American taxpayer. And the scope of the problem is only getting worse. The AMT is not indexed for inflation, meaning that what was conceived in 1969 as a way to compel the wealthy to pay at least a "minimum" level of taxes has increasingly become a burden to middle-class citizens. If the current AMT exemptions are allowed to expire, the number of taxpayers subject to the AMT will increase from 3 million in 2004 to 21 million in 2006. Also staggering is the cost of proposed solutions. In fact, the Treasury Department has estimated that by 2013, it would be less expensive to repeal the regular income tax than it would to repeal the AMT.

Though I have long supported the outright repeal of the AMT, I believe it is equally important to highlight the nature in which attorney fees can result in AMT liability, as they may for many of my constituents. For this reason, today I am introducing two bills that would exempt attorney fees from the calculation of AMT tax liability. The first would apply to AMT liability resulting from attorney fees in certain floods that constitute natural disasters. The second would apply to AMT liability resulting from attorney fees in general.

There is no easy fix to the problems encountered by a growing number of Americans due to the alternative minimum tax. It is my hope that in the near future Congress will constructively respond to this problem, whether through overall repeal of this onerous tax, or through consideration of intermediate measures such as these.

INTRODUCTION OF COMMUNITY DISASTER LOAN EQUITY ACT OF 2005

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Mrs. MALONEY. Mr. Speaker, Representatives JEFFERSON, MELANCON, GRIJALVA, CROWLEY, SERRANO, MEEKS and I are introducing the Community Disaster Loan Equity Act.

We have all seen the headlines this week that the Mayor of New Orleans has been forced to lay off 3,000 municipal employees because the city of New Orleans can not pay them as a direct result of reduced tax revenues following Hurricane Katrina. There are a number of other towns, counties and parishes up and down the Gulf Coast in similar situations.

Realizing that communities hard-hit by a major disaster frequently suffer a dramatic decrease in tax revenues accompanied by a dramatic increase in expenses, the Robert T. Stafford Disaster and Emergency Assistance Act allows FEMA to make loans to states and local communities to assist with lost tax revenues. This act prevents a community from having to drastically cut essential services and/or increase taxes as they recover from a disaster. These loans stabilize local govern-

ments during their greatest time of need. Frequently, these loans have been forgiven and were treated as grants. Since this program was created in 1976, 60 loans have been distributed.

In 2000, arguing that they were too expensive, Congress placed a \$5 million cap on these loans with the Disaster Mitigation Act of 2000. Needless to say, a cap of \$5 million unfairly penalizes larger communities or communities absolutely devastated by a disaster. That is why we are introducing the Community Disaster Loan Equity Act. This bill would remove the \$5 million cap imposed by the Disaster Mitigation Act of 2000. Additionally, it would automatically cancel repayment of these loans and remove the limit of only providing up to 25 percent of total operating expenses if a disaster is declared an Incident of National Significance under the National Response Plan. This legislation is similar to legislation I introduced since the 107th Congress following the major loss of tax revenues suffered by New York City and State following 9/11.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. ETHERIDGE. Mr. Chairman, today I rise in opposition to H.R. 3824, the Threatened and Endangered Species Recovery Act. Under the constitution, we are charged with securing this country's blessings not only for ourselves, but for our posterity. This bill turns its back on our posterity.

The Endangered Species Act has been a model for the protection and preservation of endangered species since 1973. When this legislation was first passed, many species in this country were on the brink of extinction, and many more were in severe decline. ESA is essential to safeguard our natural resources and ensure the biodiversity that is critical to a healthy environment for all species, including human beings. ESA is a great American success story that should only be altered with the greatest of care.

In the 30 years since the passage of the Endangered Species Act, we have seen an amazing turnaround in both the population numbers of species that were in decline, as well as in the significant environmental improvements that have fostered their recovery.

I acknowledge the concerns of landowners and farmers about the current law, and I agree that the current law needs to be reformed. This is why I support the Miller-Boehlert substitute bill. The substitute helps small landowners by dedicating funding for technical assistance for private property owners, and it provides conservation grants for landowners who help conserve endangered species on their property. Finally, it provides assurances that private citizens will get timely answers

from the Fish & Wildlife Service regarding the status of endangered species requirements on their land. The Miller-Boehlert Substitute provides positive changes to the current ESA without reversing the progress that has been made over the past 30 years. The bipartisan substitute is not perfect legislation, but it is far superior to H.R. 3824.

H.R. 3824 was introduced just last week and was marked up without any public hearings, yet this legislation would most certainly rank as the most sweeping and significant change of environmental law in the past 3 decades.

I have grave concerns about provisions in the bill that would give political appointees the power to remove species from the endangered list, and other drastic changes such as those which would take away critical habitat areas that have been set aside for endangered species. Habitat degradation is the leading cause of species decline, and this bill proposes to eliminate critical habitat designations. I do not understand how eliminating protected areas can result in greater protection of endangered species.

The Endangered Species Act may need an update, but we must not reverse course on significant progress and results for endangered species. We have a solemn obligation to maintain responsible stewardship of America's bounty, and this legislation would abandon that responsibility. I urge my colleagues to vote against H.R. 3824, and to vote in favor of the balanced, bipartisan substitute legislation for ESA reform.

HONORING THE LIFE AND ACCOMPLISHMENTS OF SAM VOLPENTEST

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize the life and accomplishments of Sam Volpentest, who recently died after a lifetime of service to the citizens of Washington state.

Although born in Seattle in 1904, Sam was best known for his work on behalf of the Tri-Cities in the Eastern part of our state. From the time he moved there in 1948, Sam was a respected member of the regional community, operating a variety of businesses and co-founding the Tri-Cities Nuclear Industrial Council, now TRIDEC, to foster development in the Richland, Kennewick and Pasco communities. He served as president of the Richland Chamber of Commerce and the Richland Kiwanis, and said his greatest achievement in 40 years as a registered lobbyist was having the Pacific Northwest National Laboratory, an Energy Department science lab, built in the Tri-Cities.

Sam served as a mentor to many Members of our state's Congressional delegation, and I will always remember the energy and commitment he demonstrated when I worked with him as a Member of the Armed Services Committee. When I first worked with Sam, I remember a man in his mid-90s who worked harder on his issues than anyone else. His enthusiasm and knowledge of the issues affecting the Tri-Cities provided this region with a

respected voice advocating its interests in Congress.

Our state's delegation will miss the insight and perspectives of this community leader. The Tri-Cities—and indeed all of Washington state—will always remember the commitment and dedication of Sam Volpentest.

PERSONAL EXPLANATION

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Mr. INGLIS of South Carolina. Mr. Speaker, on rollcall nos. 512, 513, and 514, I was unavoidably detained. Had I been present, I would have voted "aye."

THE THURGOOD MARSHALL COMMEMORATIVE COIN ACT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Mr. RANGEL. Mr. Speaker, I rise today to ask Congress to please join me in cosponsoring H.R. 1433, the Thurgood Marshall Commemorative Coin Act to commemorate the life and legacy of the Honorable Thurgood Marshall, one of America's distinguished Civil Rights leaders and the first black Associate Justice of the Supreme Court.

Like Martin Luther King Jr., Malcolm X and many more, Thurgood Marshall led a civil rights revolution in the twentieth century that forever changed the landscape of American society. Working through the courts to eradicate the legacy of slavery and destroying the racist segregation system of Jim Crow, he had an even more profound impact on race relations than many of his peers in the Movement. As the leader of Legal Defense Fund of the National Association for the Advancement of Colored People (NAACP), Mr. Marshall won Supreme Court victories breaking the color line in housing, transportation and voting, all of which overturned the 'Separate but Equal' apartheid, which was the oppressive reality of American life for Blacks from emancipation to the 1960's. It was Marshall who was the mastermind behind the strategies which won the most important legal case of the century, *Brown v. Board* in 1954, which ended the legal separation of black and white children in public schools and initiated the dismantling of the legal framework which supported segregation. The success of the *Brown* case sparked the 1960's Civil Rights Movement.

Marshall's first major case in 1933 desegregated the University of Maryland and initiated his long and distinguished career as the most notable civil rights attorney in American history. Heavily involved with the NAACP, Mr. Marshall navigated through the court system a series of cases to legally challenge the laws that sought to legitimize the denial of constitutionally guaranteed civil rights to African Americans. He was even invited by the United Nations and the United Kingdom to help draft the constitutions of both newly formed Ghana and Tanzania.

As a result of the success of many of his Supreme Court challenges to state sponsored

discrimination, President John F. Kennedy appointed Mr. Marshall to the U.S. Court of Appeals for the Second Circuit. As a Federal Court judge Thurgood Marshall wrote over 150 decisions including support for immigrants' rights, limiting government intrusion in cases involving illegal search and seizure, double jeopardy, and right to privacy issues. As U.S. Solicitor General, Mr. Marshall won 14 of the 19 cases he argued in front of the Supreme Court on behalf of the government. Through this position he represented and won more cases before the Supreme Court than any other American. Therefore it was befitting that in 1967 Lyndon B. Johnson appointed him to the Supreme Court, making Thurgood Marshall the first African American to be a Supreme Court Justice.

Throughout his tenure as a Supreme Court Justice, Marshall was a strong advocate for equal rights under the law. He strongly believed that integration was the only route to achieving equal protection for all. Once individual rights were accepted, blacks and whites could rise or fall based on their own ability. However, Justice Marshall believed that the Constitution was inherently defective in its acceptance of slavery, and he made it clear that while legal discrimination had ended, there was more to be done to advance educational opportunity for people who had been locked out and to bridge the wide canyon of economic inequity between blacks and whites. Therefore he was a very strong advocate for programs such as Affirmative Action, preferences, set-asides and other race conscious policies.

Although Thurgood Marshall worked most of his life on behalf of the rights of African Americans, he built a structure of individual rights that became the cornerstone of protections for all Americans. He succeeded in creating new protections under law for women, children, prisoners, and the homeless. Justice Marshall "refused to acquiesce in outdated notions of 'liberty', 'justice' and 'equality,'" and worked to better them. Therefore, as we now experience the process of appointing a new Supreme Court Justice, let us remember the life and legacy of Supreme Court Justice Thurgood Marshall. For his strength and struggle has contributed greatly to American history and his impact on the Supreme Court fully represents the true essence and purpose of our Constitution.

I believe it is most appropriate at this time in our national history to recognize and honor Thurgood Marshall in a special manner. That is why I have introduced a bill to authorize the minting of a special coin in honor of Thurgood Marshall. I submit the text of my proposal legislation for the CONGRESSIONAL RECORD and ask for the support of its early consideration and passage.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Ms. LEE. Mr. Speaker, on September 29, 2005, I was unable to vote during rollcall votes Nos. 502 to 508 as I had to attend a funeral in my district.

Had I been present, I would have voted "nay" on H. Res. 470, H. Res. 388, and H.J.

Res. 68. I would have voted "aye" on H. Con. Res. 178.

Also, I would have voted "nay" on H.R. 3824, the Threatened and Endangered Species Recovery Act of 2005 because in reality this bill is a threat to the recovery of endangered species in our nation. However, I would have voted "aye" on the Miller substitute to H.R. 3824.

HONORING ST. NICHOLAS ROMAN CATHOLIC CHURCH IN WILKES- BARRE, PENNSYLVANIA, AS IT CELEBRATES ITS 150TH ANNI- VERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay special tribute to St. Nicholas Roman Catholic Church of Wilkes-Barre, Pennsylvania, which is celebrating its 150th anniversary on Oct. 16, 2005.

A century and a half ago, a small group of German immigrants joined together to form a church where they could worship in the traditions instilled in them by their ancestors and provide a religious education for their children and for the generations to follow.

Their effort took root and quickly flourished. Soon, a small wooden church appeared to provide a place to worship and then a school. Both structures filled quickly and the need to build even larger facilities was evident.

In 1883, the congregation started construction on a magnificent Gothic edifice that remains to this day and can accommodate up to 1,200 worshippers at a given service.

In 1913, anew, larger elementary parochial school was constructed to accommodate an ever growing number of students. A high school was incorporated in 1928, and an auditorium and gymnasium were built in 1930.

The Sisters of Christian Charity, organized in Germany, joined St. Nicholas Parish as the school teachers in the early 1870s and they remain in a leadership role to this day. A new convent was built to accommodate their needs in 1963.

The old church rectory was torn down in 1971 and a new residence was built and completed by June, 1972.

The parish steadily acquired adjacent properties over the years and, today, occupies nearly an entire city block bounded by Washington Street, Pennsylvania Avenue and the South Street Bridge.

Now home to more than 1,300 families, the parish maintains more than 40 thriving organizations that minister to all segments of the congregation and the larger community nearby.

Although in existence for 150 years, the parish has had only six pastors, including Monsignors Peter Nagel, Charles Goeckel, Cyriac Staib, Francis Schmitt, Joseph Meier and Joseph Rauscher.

Mr. Speaker, please join me in congratulating St. Nicholas Parish on the occasion of its 150th anniversary. A landmark in central city Wilkes-Barre for a century and a half, St. Nicholas Church is well known for much more than just a striking physical presence in the