

Gray went on to develop one of the largest and most successful home economics programs in the State of Alabama. She founded the New Homemakers of America (NHA) organization in Conecuh County and the Mother-Daughter-Father-Son organization as a means of bringing families together.

Her insightful programs brought together families to teach them in their own homes a variety of skills from sewing, cooking, decorating, child care, and preserving homegrown foods.

I am pleased to note that due to Mrs. Edith A. Gray's exemplary service she will be honored on December 12 with the office ribbon cutting of the Edith A. Gray Library and Technology Center at Reid State Technical College in Evergreen, Alabama. She is certainly worth of this honor and I extend my personal congratulations to her and her family.

#### NICS AND MENTALLY ILL

### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mrs. MCCARTHY. Mr. Speaker, for months, I have been discussing how Congress can improve the National Instant Criminal Background Check System (NICS) by passing H.R. 1415, the NICS Improvement Act. People who now are barred by current law from possessing a firearm can purchase guns because NICS data is incomplete. The attached article provides more information on why the 109th Congress must pass H.R. 1415.

I want to comment on patient privacy or the stigma of mental illness. The bill contains language directing the Attorney General to work with Federal, State, and local law enforcement and the mental health community to establish protocols for protecting the privacy of information sharing.

My bill does not change current law. The 1968 gun act already bars guns to people "adjudicated as mentally defective or those committed to mental institutions." That is how the law now reads. H.R. 1415 does not change the law.

It is important to remember how the NICS process works. If a NICS search determines that a prospective buyer is barred from getting a gun, then NICS tells the gun dealer that the sale must be "Denied." NICS does not tell the dealer why the purchase is denied. The stigma, if any exists, is that a prospective gun purchaser is denied the gun. Why he was denied does not come into the NICS process.

[From the Hartford Courant, Nov. 27, 2005]

#### GAPS IN RECORDS ALLOW MENTALLY ILL TO BUY GUNS

(By Mark Sherman)

WASHINGTON.—In Alabama, a man with a history of mental illness killed two police officers with a rifle he bought on Christmas Eve.

In suburban, New York, a schizophrenic walked into a church during Mass and shot to death a priest and a parishioner.

In Texas, a woman taking anti-psychotic medication used a shotgun to kill herself.

Not one of these names was in a database that licensed gun dealers must check before making sales—even though federal law prohibits the mentally ill from purchasing guns.

Most states have privacy laws barring such information from being shared with law en-

forcement. Legislation pending in Congress that has bipartisan support seeks to get more of the disqualifying records in the database.

In addition to mandating the sharing of mental health records, the legislation would require that states improve their computerized record-keeping for felony records and domestic violence restraining orders and convictions, which also are supposed to bar people from purchasing guns.

Similar measures, opposed by some advocates for the mentally ill and gun-rights groups, did not pass Congress in 2002 and 2004.

The FBI, which maintains the National Instant Criminal Background Check System, has not taken a position on the bill, but the bureau is blunt about what adding names to its database would do.

"The availability of this information will save lives," the FBI said in a recent report.

More than 53 million background checks for gun sales have been conducted since 1998, when the NICS replaced a five-day waiting period. More than 850,000 sales have been denied, the FBI reported; in most of those cases, the applicant had a criminal record.

Legislation sponsored by Rep. Carolyn McCarthy, D-N.Y., says millions of records are either missing or incomplete. "The computer is only as good as the information you put in it," McCarthy said.

In the Alabama case, police say Farron Barksdale ambushed the officers as they arrived at the home of his mother in Athens, Ala., on Jan. 2, 2004. Barksdale had been committed involuntarily to mental hospitals on at least two occasions, authorities said.

Facing the death penalty, he has pleaded not guilty and not guilty by reason of mental disease and defect.

The shootings led Alabama lawmakers to share with the FBI the names of people who have been committed involuntarily to mental institutions. But just 20 other states provide NICS at least some names of people with serious mental illness, a disqualifier for gun purchases under federal law since 1968.

Shyla Stewart had been hospitalized five times in Texas, twice by court order. Yet Stewart was able to buy the shotgun that she later used to kill herself at a WalMart in 2003 because Texas considers mental health records confidential.

The same is true in New York, where Peter Troy was twice admitted to mental hospitals but bought a .22-caliber rifle that he used in the shootings inside a Long Island church in March 2002. Troy is serving consecutive life terms for the killings.

As a result of the church shootings, McCarthy and Sen. Charles Schumer, D-N.Y., introduced legislation that year to close the gaps in the background check system. The bill would have required the states to give the FBI their records and provided \$250 million in grants to cover their costs.

The bill passed the House without opposition but stalled in the Senate. In 2004, the measure again had the support of lawmakers who support gun rights, but it did not pass Congress.

McCarthy, whose husband was among six people shot to death on a Long Island Rail Road train in 1993, has introduced it again this year, but it has not yet been taken up by a House Judiciary subcommittee.

Sen. Larry Craig, R-Idaho, a National Rifle Association board member, was a sponsor of the bill in the last Congress and continues to support it, spokesman Dan Whiting said. The NRA supports the concept, but it has not taken a position on McCarthy's legislation, spokesman Andrew Arulanandam said.

Michael Faenza, president and Chief executive of the National Mental Health Association, said forcing states to share information

on the mentally ill would violate patient privacy and contribute to the stigma they face.

It's just not fair. On the one hand, we want there to be very limited access to guns," Faenza said. "But here you're singling out people because of a medical condition and denying them rights held by everyone else."

The states that provide some or all mental health records are Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Iowa, Kentucky, Louisiana, Michigan, New Jersey, New Hampshire, New Mexico, North Carolina, Utah, Vermont, Virginia, Washington, and Wyoming.

HONORING TOWN STEFFAN RETIRING SUPERVISOR MARK CONCORD STEFFAN

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. HIGGINS. Mr. Speaker, today I rise to honor a man whose years of service, both as a councilman, and for the last 4 years as Supervisor of the town of Concord, have served his town admirably. Today, I want to honor retiring Concord Town Supervisor Mark Steffan.

Mark Steffan is someone who loved his town with every fiber of his being. A successful businessman, Mark was elected to the Concord Town Board and his recent service as Supervisor has come at a time when more people in Erie County and western New York look to the town of Concord and its incorporated village of Springville as an outstanding place to live, work and raise a family. It is that way because of the dedicated service of public officials like Mark Steffan.

Mark Steffan and his family are moving on with a planned move out of western New York. I want to take this opportunity, Mr. Speaker, to commend Mark Steffan for his service to the residents and the taxpayers of the Town of Concord, and remind him that local residents are better for the service he provided to town government.

CONGRATULATING MR. PETER A. TAMILIN

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to congratulate Mr. Peter A. Tamilin on his achievements in public service by serving the United States Army for over 33 years.

Mr. Tamilin began his civil service career as an engineer-in-training in the U.S. Army Corps of Engineers in 1972. He held positions of progressive responsibility as a civil engineer in the Walter Reed Area Office, the Baltimore District and the Europe District, and began serving at Headquarters, U.S. Army Corps of Engineers in 1990. In 2002, Mr. Tamilin moved to his current position as the assistant for construction in the Office of the Deputy Assistant Secretary of the Army Installations and Housing, Assistant Secretary of the Army, Installations and Environment. As assistant for construction, he has been an invaluable asset in the development and issuance of installation policy with focus on Military Construction

which included facilities for the Active and Reserve Components and Army Family Housing.

His efforts, recognized within the Army Family Housing, Office of the Secretary of Defense, and Congress, have focused specifically on the Secretariat policy and oversight for the Army's Transformation to the Army Modular Force, Integrated Global Presence and Basing Strategy, and supplemental request to support the global war on terrorism and responses to natural disasters. Throughout his career, he has provided outstanding leadership, advice, and sound professional judgment to his colleagues. He is an exemplary civil servant and will be missed by the United States Army.

Mr. Speaker, in closing, I would like to congratulate Peter Tamilin for his service to our country. I call upon my colleagues to join me in applauding his past accomplishments and wishing him the best of luck in all future endeavors.

#### PERSONAL EXPLANATION

### HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. BROWN of Ohio. Mr. Speaker, on Tuesday, December 6, 2005, I was unable to cast votes on two measures on the suspension calendar. I ask that my absence be excused, and that the CONGRESSIONAL RECORD show that had I been present, I would have voted "yea" on H. Res. 535, honoring the legacy of Yitzhak Rabin, and "yea" on H. Res. 479, commemorating the 50th anniversary of the 1956 Hungarian Revolution.

#### LET'S GET SERIOUS ABOUT SUPPORTING OUR TROOPS

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. CONYERS. Mr. Speaker, today's actions are a shameful disservice both to our soldiers in Iraq and to Americans here at home. Republicans are denying the Nation an open debate on the war in Iraq. On tonight's agenda, the Republicans not only have replaced Mr. MURTHA's resolution on Iraq with H.R. 571, a perversion of the Murtha Resolution that Representative HUNTER introduced, and which in no way conveys the sentiment of Representative MURTHA's proposal. They also have had the temerity to characterize it as a "Democratic proposal."

Representative MURTHA's Resolution states that, "The deployment of U.S. forces in Iraq, by direction of Congress, is hereby terminated and the forces are to be redeployed at the earliest practicable date." It also provides for deploying a contingency capability outside of Iraq, and requires America to pursue security and stability in Iraq through diplomacy. The Republican legislation contains none of this language.

I am a member of the "Out of Iraq Caucus" because I believe we should bring our troops home from Iraq as soon as practicably possible, as does Representative MURTHA. The

citizens of this country deserve to have a true floor debate on why this is right and on how best to do it. Then their Representatives owe them an up or down vote on this issue. Mr. MURTHA's speech should open serious hearings on the issue, followed by extensive debate on our policy in Iraq.

Mr. Speaker, to paraphrase FDR: Tonight it's clear that the only thing the Bush White House has to fear is public debate itself.

It is the height of hypocrisy for the Republican leadership to schedule a sudden, strait-jacketed mini-debate and vote on their version of Mr. MURTHA's resolution. To understand this hypocrisy its necessary to put their deceit in context.

The House Majority Leadership has consistently refused to allow the House to debate H.J. Res. 55, an earlier bill offered by 63 House members in a bipartisan fashion. It would require the President to set forth a plan for withdrawal from Iraq and to begin to implement it next fall. The Republican Leadership has stonewalled efforts to have this bill considered in committee and brought to the Floor for consideration. They have forced us to employ the parliamentary last resort of filing a discharge petition, in order to force the Leadership to let us debate H.J. Res. 55. The issue before the House at this point is not even the merits of that resolution. Instead, it is preservation of the basic democratic process and the ability of the public to hear debate on the most pressing issue facing this country.

Now, in a 180 degree reversal, the Leadership suddenly wants an abbreviated debate on our policy for ending President Bush's disaster in Iraq. Why this bizarre turn-around, Mr. Speaker? The answer is simple. Mr. MURTHA, the Ranking Member of the Defense Appropriations Subcommittee yesterday struck fear in the Leadership and the White House with his statement of plain truths. Because of his stature in this body, the gentlemen from Pennsylvania, with that single speech, shredded the White House's defense of its flawed policies.

Until now, the President and Vice President have relied on questioning the patriotism of their critics on Iraq. They have hidden behind the claim that—any critics of their war do not support our troops and do not respect our troops' sacrifices. They have repeated that outrageous mantra over and over, most disgracefully in President Bush's remarks on Veterans Day.

Those false claims to discredit critics were demolished in one stroke by Mr. MURTHA's statement. The White House knows full well:

that there is no more patriotic Member of this House,

that there is no Member who loves our troops more,

that there is no Member who has supported our troops more, and

that there is no Member who has served in our military more bravely than Mr. MURTHA.

The White House political spinners also realize that the American people are disgusted when attacks on a patriot like Mr. MURTHA are made by elected officials in the White House who sought to evade military service in time of war. So now they resort to this sleazy tactic. They pretend to have the Nation consider the issues raised by Mr. MURTHA's candid analysis, but in reality they seek to sweep those powerful remarks under the rug.

Then they will pretend that the Congress has seriously considered the tragic issues of

life and death and claim that this steam-rolled vote reflects the fully-informed, considered opinion of our constituents. That's nonsense.

This is a disgrace to the House, and more important, it's a disgrace to all that our men and women in Iraq are fighting and dying for. The American people and our soldiers deserve better than this cheap trick. To those across the aisle who want to prevent the American people from learning the awful truths about Iraq and who seek to stifle real national debate, there is only one thing to say: "Shame on you."

Mr. HUNTER's charade should be defeated.

#### S. 136; TITLE III—REDWOOD NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2005

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. THOMPSON of California. Mr. Speaker, I want to thank Senator FEINSTEIN and Chairman POMBO for their support of my legislation to adjust the boundary of Redwood National Park to include the State of California's recent Mill Creek acquisition. This legislation is included as Title III in S. 136—The Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act.

In 1994, the National Park Service and the California Department of Parks and Recreation established an historic framework for cooperative management of the four redwood parks included in the boundary of Redwood National Park. Now officially known as Redwood National and State Parks (RNSP), this partnership is viewed as a nation-wide model of interagency cooperative management effort. Prior to the cooperative agreement, there were inefficiencies, duplication of effort, management and operational conflicts and confusion for the visitor. Now the park appears to the visitor and the traveling public as a seamless park unit. A Redwood National and State Park general management plan was adopted in 2000 that guides the future management and protection of these parks. The proposed boundary revision will enable the two park systems to extend the unique RNSP partnership to the Mill Creek acquisition.

The Mill Creek acquisition is contiguous to the existing boundary of RNSP. It is bordered to the west by Del Norte Redwoods State Park, to the north by Jedediah Smith State Park and to the east, by Six Rivers National Forest, Smith River Recreation Area. My legislation adjusts the RNSP boundary to include the State acquisition of the Mill Creek and Rock Creek watersheds.

The California Department of Parks and Recreation acquired the approximately 25,000 acres of redwood forest in Del Norte County in 2002. The addition of this land protected two important watersheds that link the Pacific Coast with the inland mountains. The Mill Creek and Rock Creek watersheds are important coho salmon rearing tributaries to the Smith River, California's largest remaining undammed river. Protecting and restoring habitat for coho salmon in these areas will help increase salmon populations along the Northern California and Southern Oregon Coasts. It will