

CONGRATULATING BORDER PATROL AGENT THOMAS H. NUETZEL ON RECEIVING THE 2005 TOP HUMANITARIAN AWARD FROM THE U.S. BUREAU OF CUSTOMS AND BORDER PROTECTION

**HON. ED CASE**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. CASE. Mr. Speaker, as we continue our commitment to securing our nation's borders, I would like to extend a heartfelt congratulations to one of our outstanding border patrol agents, a former resident of Kailua, Hawaii and a real "local boy": Thomas H. Nuetzel.

Today, at the 2005 Commissioner's Annual Awards Ceremony, Tom will receive the U.S. Bureau of Customs and Border Protection's Top Humanitarian Award in recognition of his bravery and service. Tom is currently assigned to the Office of Field Operations at the Douglas Port of Entry in Arizona.

In July, while on the way home from dinner, Tom, his wife Dawn, and their two children observed a rollover vehicle accident. The couple stopped to assist the two adults and two young children trapped in the vehicle. The driver told Tom that there were several full gas cans in the trunk of the overturned vehicle. The heavy rainfall, flooding, and severe lightning magnified a critical situation.

Tom and Dawn immediately called Emergency Medical Services. Then, standing in knee-deep water, Dawn kept the passengers calm as Tom extracted each family member through a broken window. The passengers awaited the arrival of EMS in Tom and Dawn's car. All victims of the rollover accident are doing well, thanks to the selflessness of Tom and Dawn Nuetzel.

Again, I extend a sincere mahalo (thank you) to Tom and Dawn for their act of courage and compassion. I would also like to thank all our border patrol agents that work daily to keep our nation safe and secure.

Mahalo, and aloha!

**REQUIRING RATE INTEGRATION FOR WIRELESS COMMUNICATIONS**

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Ms. BORDALLO. Mr. Speaker, I rise today to introduce legislation that will require rate integration for wireless interstate toll charges. Specifically, this legislation would amend Section 254(g) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, to provide for rate integration of wireless long distance service within the United States, including the territories. With this legislation I intend to require uniformity in rates charged by cellular phone and other wireless service providers for calls and communications to and from Guam within the United States.

Section 254(g) directs the Federal Communications Commission (FCC) "to adopt rules to require that the rates charged by providers of interexchange telecommunication services to subscribers in rural and high cost areas shall

be no higher than the rates charged by each such provider to its subscribers in urban areas."

Pursuant to Section 254(g), the FCC promulgated a regulation (FCC Order 98-347) to cover Commercial Mobile Radio Services (CMRS) as an interexchange service. CMRS includes Personal Communications Service (PCS) and cellular services. In defense of their Order, the FCC noted that "if Congress had intended to exempt CMRS providers, it presumably would have done so expressly as it had done in other sections of the [1996 Telecommunications] Act."

Subsequent to its issuance, the United States Court of Appeals for the District of Columbia Circuit vacated FCC Order 98-347, by ruling that interexchange telecommunication services do not encompass CMRS. In its ruling, the Court cited the phrase "interexchange telecommunications service" contained in Section 254(g). Since wireless telecommunications do not use exchanges, the Court held that "it is by no means obvious that the Congress, when it used a phrase in which the word 'interexchange' is an essential term, was referring to CMRS."

It is unclear from the language of the statute whether section 254 applies to wireless services. Section 254 does not include specific language regarding its applicability to wireless services, nor does it specifically exclude such services. Moreover, the legislative history of Section 254(g) is not instructive as to Congress' intent regarding the applicability of the rate integration requirement to wireless services.

Clearly, ambiguity in the law exists. As a result, cellular customers are subject to varying rates for calls made within the United States. This is particularly evident with respect to rates assessed to calls made to Guam and the other U.S. territories under service plans offered to cellular customers within the 48 contiguous states of the United States. Again, the Telecommunications Act of 1996 requires rate integration for noncellular, landline communication services. The legislation introduced today would simply extend this same requirement to wireless communications.

Rate integration for wireless interstate toll charges is important to businesses and individuals located on the U.S. mainland who engage in regular and reoccurring voice communication with other businesses and contacts located in the offshore territories. Family members and friends are among the customers who are assessed higher and different rates for cellular calls made to Guam or the other territories. These differences in wireless rates exist despite the fact that the U.S. territories are included in the North American Numbering Plan, the numbering plan for the Public Switched Telephone Network of the United States.

This legislation would bring the uniformity and fairness in rates desired by those in Guam wishing to keep in closer contact with relatives, friends, and associates who reside in other parts of the United States through the latest technology. Additionally, as technology in telecommunication advances, laws should be updated and developed to keep pace. This legislation would update existing law to take into account advances in and the popularity of wireless telecommunications since enactment of the 1996 Act. The legislation would do so in a manner consistent with both a previous,

but vacated, FCC Order and with rate integration requirements applied to other more traditional telecommunication technology.

I look forward to addressing the issue of rate integration for wireless services as part of the legislative effort to reauthorize the Telecommunications Act of 1996.

**EXTENDING CONGRATULATIONS TO MR. WILLIAM B. BLACK**

**HON. C.A. DUTCH RUPPERSBERGER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, December 16, 2005*

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to extend congratulations to a government employee who has shown outstanding dedication through his services to the Department of Defense.

Deputy Director, Mr. William B. Black has serviced the Department of Defense for over forty-five years. He is the recipient of the Department of Defense Distinguished Civilian Service Award, which is the highest honor a civilian can receive by the Secretary of Defense. The award is given to an individual whose career reflects exceptional devotion to duty, as well as, significant contributions to the efficiency, economy, or other improvements in the Department of Defense operations.

Mr. Black aided in the success of intelligence production and cyber operations for assignments in Balkans, Afghanistan, Iraq, and the War on Terror. His determination and ambition has also abetted the National Security Agency's mounting field of information operations as a result of his role as the Special Assistant to the Director for Information Warfare.

The National Security Agency was able to participate resolutely in the War on Terror because Mr. Black led signals intelligence and information assurance missions into the digital network era.

Mr. Speaker, I ask that you join with me today to recognize Mr. William B. Black for his service to this country. The exceptional work he has done for the Department of Defense warrants great recognition. Dedication to this country and to the betterment of our intelligence operations is a vital part of our success as a powerful nation and should be observed and commended more frequently.

**TO PROVIDE CERTAIN AUTHORITIES FOR THE DEPARTMENT OF STATE**

**SPEECH OF**

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 14, 2005*

Mr. SMITH of New Jersey. Mr. Speaker, I am attaching an exchange of letters between Chairman HYDE and Chairman DAVIS concerning the bill H.R. 4436, "To provide certain authorities for the Department of State, and for other purposes" for printing in the RECORD.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERNATIONAL  
RELATIONS,  
Washington, DC, December 14, 2005.

Hon. TOM DAVIS,  
Chairman, House Committee on Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the bill, H.R. 4436, to provide certain authorities for the Department of State. There are certain provisions in the bill which fall within the shared Rule X jurisdiction of your Committee. Specifically, I refer to the language in section 4 of the bill relating to increased limits applicable to post differentials; section 6 of the bill which extends the authorization of personal services contracting authority that waives civil service laws and danger pay allowances; and section 7 relating to official residence expenses. Based on discussions between the two committees, I will change the language in this bill as called up to include a modification in section 4 (e) relating to reporting requirements to include your Committee and to sunset the authorization in section 6. Section 7 will remain as in the introduced bill.

In the interest of permitting this Committee to proceed expeditiously to the floor consideration of this bill, I request your Committee to waive further consideration of this matter. I understand that such a waiver only applies to this language in this bill, and not to the underlying subject matter. I will urge the Speaker to name Members of your Committee to any conference committee which is named to consider this bill.

I appreciate your willingness to allow us to proceed. I will insert this exchange of letters into the CONGRESSIONAL RECORD

Sincerely,

HENRY J. HYDE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, December 14, 2005.  
Hon. HENRY J. HYDE,  
Chairman, House Committee on International Relations, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning the bill H.R. 4436 to provide certain authorities for the Department of State. I concur in your judgment that certain provisions which you mentioned fall within the jurisdiction of your Committee.

Based on conversations between the two committees and your agreement to make certain changes in the language which will be considered under suspension of the rules, I am willing to waive this committee's right to consider the bill. In so doing, I do not waive its jurisdiction over the subject matter of the bill. I appreciate your commitment to urge the Speaker to name Members of this Committee to any conference committee which is named to consider this bill and to insert this exchange of letters into the CONGRESSIONAL RECORD.

I appreciate your cooperation in this matter.

Sincerely,

TOM DAVIS,  
Chairman.

HONORING MR. BILL PAULI ON THE OCCASION OF HIS RETIREMENT FROM THE CALIFORNIA FARM BUREAU FEDERATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 16, 2005

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. Bill Pauli for his efforts and contribu-

tions to the agricultural industry for his years of service as President of the California Farm Bureau Federation.

Although Mr. Pauli is retiring, his dedication and commitment to enhancing the quality of agriculture in the State of California will always remain sincerely appreciated.

Mr. Pauli's passion for agriculture led him to pursue a Bachelor of Science Degree in agricultural economics and business from the University of Nevada, Reno. He emerged through the industry as a product of some of California's most celebrated wine grapes and Bartlett pears in his home town of Potter Valley. Mr. Pauli's endeavors also led to the establishment of the award-winning Braren-Pauli and Redwood Valley Cellars.

Colleagues, friends, and family alike hail Mr. Pauli as someone who has exemplified genuine concern and dedication to the progression of American farmers. Mr. Pauli's advocacy for agricultural issues dates back to the 1970s. He stood before the United States Congress to address farm concerns and served as a member of agricultural organizations such as the State Compensation Insurance Board, North Coast Grape Growers Association and Tri Valley Growers Cooperative.

Serving as the President of the state's most active and esteemed agricultural organization, Mr. Pauli established many enduring programs that have revamped the image of the Bureau. Among them are The Farm Bureau Leadership program which has brought vibrancy to the organization. In addition, Ag in the Classroom is highly esteemed as an educational tool, and The Plan to Protect California's Family Farms has added to the Bureau's dedication to preserve the efforts of California farmers to provide the highest quality products.

In addition to his extensive profile of agricultural issues, Mr. Pauli has been an outstanding member of his community. He donates much of his time to protecting and ensuring the welfare of the residents of Potter Valley and serves as a volunteer chief of the Potter Valley Fire Department.

When asked what he would miss the most upon leaving his post, Mr. Pauli answered, "The people, the opportunity to see the people, to see their farms and ranches." It is through the efforts of people like Bill Pauli that California is the breadbasket of the world. It is with a great pride and gratitude that I rise to thank and honor Mr. Pauli for his thirty-five years of commitment and loyalty to the citizens of California.

EUROPEAN PARLIAMENT RESTORES SUPPORT FOR INTER-COUNTRY ADOPTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 16, 2005

Mr. SMITH of New Jersey. Mr. Speaker, I am pleased that yesterday our colleagues in the European Parliament voted unanimously in favor of an important measure urging the Romanian Government to settle the cases of applications for international adoption which have been in limbo since the Romanians imposed a moratorium in June 2001. The amendment was successfully offered to the European Parliament "Report on the Extent of Romania's

Readiness for Accession to the European Union." Final approval on the report was adopted by the Parliament on December 15.

Amid credible allegations of corruption in the adoption system in Romania, the European Union had put intense pressure on Romania four years ago to impose a moratorium on international adoptions. In June 2004, Romanian Law 273/2004 enacted a permanent ban on international adoptions and, in practice, the law was being applied retroactively to cases that were registered before the ban came into effect on January first of this year. There were approximately 1,500 cases pending in which the children had been matched with parents in Western Europe, and 211 cases had been matched with adoptive parents in the United States.

As a party to the Hague convention on Intercountry Adoption, Romania has agreed to certain international standards and Principles. In fact, intercountry adoption is a recognized as a legitimate option for children who have not found permanent placement in their country of origin. The amendment adopted by the European Parliament is consistent with this principle and urges settlement of the pending cases "with the goal of allowing inter-country adoptions to take place, where justified and appropriate, in those special cases." I applaud the European Parliament in offering this assurance that they will not stand in the way of these adoptions.

I am hopeful, Mr. Speaker, that this action by the European Parliament will embolden authorities in Romania to look again at the cases which have been pending. Given this reassurance that resolving the pipeline cases will not jeopardize their efforts toward accession, I would hope that the authorities would consider the cases only with the best interests of the children in mind. They have heard the European Parliament speak with one voice in favor of adoptions for these pipeline cases.

Mr. Speaker, for these children who had already had a loving adoptive family identified, I encourage the Romanians to examine these cases with alacrity and transparency. Such a priority could mean this Christmas would be filled with renewed hope for hundreds of children and the prospects of a permanent home in the New Year.

HONORING THE 75TH ANNIVERSARY OF BRIGHT TEMPLE CHURCH OF GOD IN CHRIST

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 16, 2005

Mr. GORDON. Mr. Speaker, I rise today to recognize the 75th year of existence of the Bright Temple Church of God in Christ in Shelbyville, Tennessee. This fine church in Bedford County has experienced many changes since it first opened its doors in 1930, but the congregation's spirit of compassion and fellowship remains the same.

In the midst of the Great Depression, Clarence Garfield Bright founded The Church of God in Christ. Eventually, the name was changed in his honor to Bright Temple Church of God in Christ. In the 1950s, the church became home to revivals that attracted evangelists from across the nation. And in 1964, the