

the last 10 years. Additionally, she is active in the San Gabriel Kiwanis Club, serves on the San Gabriel Valley Medical Center Foundation Board, is President of the San Gabriel Valley Music Theatre, and assists at the La Casa Community Center's annual fundraiser, the San Gabriel Mission's Annual Fiesta and the Mission's St. Joseph's Day Festival.

Mary has received several awards over the years including the Woman of the Year from the 49th Assembly District, Woman of the Year from the City of San Gabriel, San Gabriel Business and Professional Women's Woman of Achievement, and a National Lifetime Membership in the Parent Teacher Association, as well as many others.

Mary and her husband Mike have been married for 47 years, have 5 children, and 11 grandchildren.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Mary Cammarano. The entire community joins me in thanking Mary for her success and continued efforts toward making the 29th Congressional District a more enjoyable place in which to live and work.

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IN HONOR OF JFK HIGH SCHOOL

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**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. ENGEL. Mr. Speaker, I rise to today to honor the boy's basketball team, at John F. Kennedy High School in Kingsbridge, NY. These fine young men, whom critics called the underdogs, won the PSAL tournament in New York, defeating Lincoln High School at Madison Square Garden 62–57.

It has not been an easy season for the Knights, which makes their victory all the sweeter. Midway through the season, Coach Johnny Mathis nearly had to quit the team. In the past year, Coach Mathis, who has led the team for 18 years, lost three toes to diabetes and underwent three circulatory bypass surgeries on his legs. Yet, this dedicated coach only missed two games all season. He always believed in his team. Mathis called the team's win "very special" and said he always believed we were good enough and that the team worked pretty hard and in the team's minds they came in to win the game.

It takes an extraordinary team to beat a three-time champion like Lincoln, but the Kennedy Knights are such a team and did just that. The final game was close—and with the score tied and 5 minutes left, MVP Emilijano Kinaj sank a three-pointer and the Knights were on their way. They worked hard as a team and the results are obvious.

I congratulate the players and Coach John Mathis for their 28–4 season record and for winning the championship.

**BOOST THE ECONOMY—COMPENSATE REAL VICTIMS; SUPPORT ASBESTOS LITIGATION REFORM**

**HON. MARK STEVEN KIRK**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. KIRK. Mr. Speaker, for almost two decades, Congress has unsuccessfully grappled with the challenge of assuring fair and timely compensation to workers who have become sick after being exposed to asbestos fibers. The pioneering work done by litigation reform advocates like Rep. HENRY HYDE laid the foundation for ongoing negotiations in the other body that may finally result in legislation that assures compensation to sick plaintiffs and allows defendant companies to move beyond the uncertainty of decades-long mass tort litigation.

In his State of the Union address, President Bush told us, "Justice is distorted, and our economy is held back, by irresponsible class actions and frivolous asbestos claims and I urge Congress to pass legal reforms this year." It is time for the House to enter the debate.

Many of you have heard how asbestos litigation reform has hurt workers and our economy. Over 8,000 defendants must spend time and money responding to asbestos lawsuits. Since the mid-1980's, 730,000 asbestos claims have been filed—and over 100,000 asbestos suits were filed in 2003 alone. Defendants point to examples of clever attorneys "working the system" to benefit certain plaintiffs, escalating the cost of litigation beyond reliable measure. For example, in 1998, a Fayette, Mississippi, jury awarded \$2 million each to five plaintiffs who had been exposed to asbestos fibers but had little or no symptoms of illness. In 2003, the Supreme Court has upheld a \$5.8 million award to plaintiffs with lung x-rays showing evidence of asbestos exposure, who successfully argued that they deserved compensation for living with fear of contracting an asbestos-related disease—or "asbestophobia," as some call it. The uncertain cost of asbestos litigation has driven at least 74 companies into bankruptcy. Employees of these bankrupt firms have watched the value of their 401(k) accounts drop by 25 percent. As many as 60,000 workers have lost their jobs.

This focus on numbers can make us forget that asbestos litigation reform is about people:

Mary Lou Keener watched her father die painfully from mesothelioma, a cancer he contracted from asbestos exposure while he served in the Navy during World War II. He filed legal claims years before he died, yet his widow has received almost nothing.

Workers who are sick from years of exposure to asbestos while working for Johns Manville Corporation might be told that approved compensation for their mesothelioma is \$700,000; however, since the bankruptcy trustee pays only five cents on the dollar, their claim is worth \$35,000.

David Coleman, exposed to asbestos as an infant when he inhaled fibers embedded in his father's work clothes, died of mesothelioma in 2002, at the age of 19. His family's lawsuit sits on the court docket in Cuyahoga County, along with another 34,000 claims.

Children who grew up in the asbestos mining town of Libby, Montana, breathing in asbestos fibers stirred up by the street traffic as they rode buses to school, now, as adults, are experiencing asbestos symptoms. Under the current system, they have no hope of compensation.

Ron Huber, who worked 35 years in a steel mill, joined an asbestos suit in 1995 although he had no symptoms of asbestos related illness. His attorney accepted a small settlement which, according to Huber, was wholly applied to legal costs. By 2002, he was truly experiencing symptoms of asbestos-related disease. He is suing the only person not released by settlement of the 1995 case—the attorney who recruited him for that suit.

Drew Anders, who spent 15 years working for a company that was forced to declare bankruptcy in reaction to growing asbestos litigation, watched his \$50,000 retirement account fall to \$1,500.

A small business owner in Louisiana who never manufactured anything containing asbestos once used a asbestos-threaded nut in a piece of machinery. Although there is no evidence that this nut causes asbestos related disease, this man's company pays \$75,000 to \$100,000 a year in asbestos-related claims.

A research company that released one of the first studies establishing the health risks of asbestos—a report that saved lives and improved working conditions—is named in over 60,000 cases every year. The principals of this firm, which never used or manufactured asbestos products, spend hundreds of thousands of dollars annually in settlements.

Today, I am introducing the FAIR Act of 2005. This bill is based on bipartisan asbestos trust fund negotiations carried out during the last months of the 108th Congress. It puts patients ahead of plaintiffs and would dramatically reduce the cost of asbestos litigation. I call on us to work together and pass a bill that helps victims and companies affected by asbestos litigation, while benefiting the economy and boosting the stock market.

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INTRODUCTION OF THE "CLEAN SMOKESTACKS ACT OF 2005"

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**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. WAXMAN. Mr. Speaker, today I am again joining with Representative BOEHLERT in introducing the "Clean Smokestacks Act of 2005." This important legislation will finally clean up the Nation's dirty, antiquated power plants.

When I originally introduced the "Clean Smokestacks Act" with Representative BOEHLERT in the 106th Congress, we had a modest beginning. We had a total of 15 cosponsors and little attention.

But in the 107th and 108th Congresses, the bill's supporters grew to over 100 House members. During that time, Senator JEFFORDS successfully reported the companion legislation, the "Clean Power Act" from Committee. And even the Bush Administration, at least in rhetoric, recognizes that we urgently need to clean up these power plants.

Electricity generation is our Nation's single largest source of air pollution, including greenhouse gas emissions. Nationally, power plants

are responsible for about 39 percent of carbon dioxide emissions, 67 percent of sulfur dioxide emissions, 22 percent of nitrogen oxides emissions and 41 percent of mercury emissions.

These four pollutants are the major cause of some of the most serious environmental problems the Nation faces, including acid rain, smog, respiratory illness, mercury contamination, and global warming. If we are going to improve air quality and reduce global warming, we must curb the emissions from these power plants.

Earlier this week, EPA took a first half-step towards reducing emissions of sulfur dioxide and nitrogen oxides emissions from some of these old plants, but EPA's regulation would still allow huge quantities of pollution from these plants and leave many plants operating without any modern pollution controls. On mercury, EPA's regulation would allow most old power plants to avoid ever installing pollution controls to reduce mercury emissions. And EPA has done nothing to address increasing carbon dioxide emissions from these plants.

When the original Clean Air Act was enacted in 1970, the electric utility industry argued that stringent controls should not be imposed on the oldest, dirtiest plants since they would soon be replaced by new state-of-the-art facilities. Although Congress acceded to these arguments and shielded old power plants from the law's requirements, many of these facilities—which were already old in 1970—are still in use. There are many power plants from the 1950's that are still in operation and have never had to meet the environmental requirements that a new facility would.

As a result, a single plant in the Midwest can emit as much NO<sub>x</sub> pollution as the entire state of Massachusetts.

The Clean Smokestacks Act says it is time to clean up these aging plants. The Act sets strong emissions reduction requirements for all four of the key pollutants from power plants, and it finally sets a deadline for old plants to install modern pollution controls. The Act allows for emissions trading to increase flexibility and reduce costs, where trading won't cause environmental harm. And the Clean Smokestacks Act promotes cost-effective energy efficiency and renewable energy measures, which help reduce pollution and save consumers money.

This approach just makes sense. Because these power plants are so old and so dirty, cleaning them up provides tremendous benefits at reasonable costs. This is one of the cheapest ways to get significant air quality improvements. And it finally provides a level playing field for new and old plants.

At the same time, this approach gives industry the benefit of increasing regulatory certainty by targeting all four pollutants at once. Industry can make better investments if it knows what all of the emissions requirements will be over the next decade or so.

Finally, the Clean Smokestacks Act recognizes that we need clean air, not regulatory loopholes for irresponsible energy companies, so it leaves the Clean Air Act in place.

Since we first introduced this bill, the President has unveiled a competing proposal, which has been introduced as S. 131 in the Senate. The Administration claims that S. 131 targets the same goal of cleaning up power plants. It's important to recognize, however, that the Clean Smokestacks Act and S. 131

are not similar proposals with different levels of stringency. Rather, they have fundamentally different purposes and effects.

The Administration's proposal aims to help the energy industry escape tough enforcement of the Clean Air Act. It does this by rewriting significant portions of the Clean Air Act to weaken or delete key environmental protections that are cleaning up the air.

For example, S. 131 would give power plants an extra 10 years to avoid reducing toxic mercury emissions. S. 131 would also allow people to breathe unsafe air for years longer, limit the rights of states to protect themselves against out-of-state pollution, and weaken protections for national parks, among other changes to the Clean Air Act. Not surprisingly, industry is spending millions to urge Congress to adopt S. 131, while advocates for public health and the environment, such as the American Lung Association, almost universally oppose the bill.

Moreover, unlike the Clean Smokestacks Act, S. 131 does not guarantee that all outdated power plants will ever install modern air pollution controls. And because S. 131 does not address carbon dioxide emissions, it cannot promise to give industry certainty regarding future federal or state emissions reductions requirements.

So let there be no mistake—the Clean Smokestacks Act in the House, and the Clean Power Act in the Senate, are the proposals to strengthen the Clean Air Act by finally closing the loophole for old dirty power plants and addressing all four pollutants they emit.

In conclusion, let me commend Rep. BOEHLE and all of the supporters of this legislation. I am pleased to be part of this bipartisan, bicameral approach to strengthening the Clean Air Act and protecting our environment.

#### HONORING THE TONAWANDA NEWS

##### HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. REYNOLDS. Mr. Speaker, it is with great pleasure that I rise to recognize the Tonawanda News, based in North Tonawanda, New York, on the occasion of its 125th Anniversary. Over the past 125 years, the Tonawanda News has become the written record for the Tonawandas, a trusted source of information and a cornerstone of the community that it serves.

The Tonawanda Daily News was founded on April 1, 1880, by Dr. George S. Hobbie, when the newspaper's first edition rolled off the presses with just four pages of newsprint. It was the Tonawandas' first and only daily newspaper dedicated to reporting news in the cities of Tonawanda and North Tonawanda. Even in its humble beginnings, Dr. Hobbie knew the importance of building the newspaper's reputation and credibility among readers, and saw that it promptly appeared at noon each day. The Tonawanda News went on to be run by the first female publisher in New York state, Mrs. Ruby Hewitt, who played an important role in the growth and prosperity of the paper.

Over the last 125 years, the paper's circulation and reputation have grown tremendously; and all the while, the Tonawanda News and

its staff have strived continually to provide the residents of the Twin Cities with accurate and timely news and information. Today, the Tonawanda News is known as one of the most reliable and accurate newspapers in Western New York. The journalistic standards that Dr. Hobbie, Mrs. Hewitt, and others instilled in the paper's staff over the years have not been forgotten; the paper remains committed to the values upon which it was founded, and the rich tradition that it has built.

I would like to offer my congratulations to the publishers, editors, and staff of the Tonawanda News, past and present, for all their hard work. I hope and expect that our "Home-town Newspaper" will be around for another 125 years.

Mr. Speaker, I ask that this Congress join me in celebrating the 125th Anniversary of the Tonawanda News.

#### PERSONAL EXPLANATION

##### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the record and regret that I was unavoidably detained on Thursday, March 17, 2005 during Rollcall Vote Nos. 82 and 83 on H. Con. Res. 95, as well as Rollcall Vote No. 84 on H. Con. Res. 32. Had I been present, I would have voted "aye" on Rollcall Vote No. 82, an amendment offered by Congressman OBEY to H. Con. Res. 95, "no" on Rollcall Vote No. 83; an amendment offered by Congressman HENSARLING to H. Con. Res. 95, and "aye" on Rollcall Vote No. 84 on H. Con. Res. 32, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic.

#### INTRODUCING THE "SMALL BUSINESS EXPENSING PERMANENCY ACT OF 2005"

##### HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. HERGER. Mr. Speaker, 2 years ago Congress, working together with President Bush, enacted into law the Jobs and Growth Tax Relief Reconciliation Act of 2003. Among other provisions, the law strengthened and expanded the expensing provisions afforded to small businesses under Section 179 of the Internal Revenue Code. As such, the law encouraged small businesses to make new capital investments, thus spurring our economy and creating jobs. I believe Congress should make this provision permanent and today I am introducing the "Small Business Expensing Permanency Act of 2005" to do just that.

Specifically, the Jobs and Growth Act increased from \$25,000 to \$100,000 the amount of new investment a business can expense—or deduct from income—in a given year. The law also increased—from \$200,000 to \$400,000—the amount of total investment a business can make in a year and still qualify for expensing under Section 179. Unfortunately, under current law, these provisions are set to expire after 2007.