

this important occasion, I would like to extend my best wishes to the citizens of Malakoff and offer my heartfelt prayers for continued prosperity and success over the next 150 years.

PERSONAL EXPLANATION

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Ms. LEE. Mr. Speaker, on April 27, 2005, in order to attend to a family matter, I was unable to vote on rollcall no. 145. Had I been present, I would have voted "aye" on H. Res. 241, a resolution to reverse the harmful and inappropriate changes that were made to House ethics rules by H. Res. 5. I voted against H. Res. 5 which changed House ethics rules when it came to the Floor on January 4, 2005 and the overwhelming approval of H. Res. 241 only underscores that the changes in H. Res. 5 were overreaching by the majority party.

PROTECTING AMERICA'S WORKERS  
ACT OF 2005

**HON. MAJOR R. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. OWENS. Mr. Speaker, April 28th is Worker Memorial Day, designated as a time to honor the thousands of American workers killed on the job every year by willful or negligent safety violations on the part of errant employers. The surviving family members of workers killed by corporate wrongdoing deserve much more than just our sympathy, however. They deserve immediate Congressional attention and action. Today, I am very pleased to join with Senator EDWARD M. KENNEDY in introducing legislation that promises such essential action by strengthening provisions of the Occupational Safety and Health (OSH) Act. The bill—"Protecting America's Workers Act"—would hold those who commit corporate manslaughter accountable at the same time that it reinforces critical health and safety protections for workers nationwide.

Even by conservative estimates, an American worker is killed on the job every 96 minutes. We read about these deaths in newspapers from the District of Columbia to Washington state. Only last month, for example, 15 workers were killed by a fiery explosion in a British Petroleum (BP) oil refinery in Texas City, Texas. Every year in New York City, construction workers are killed by free-falls from buildings and collapses of faulty scaffolds and concrete walls. Near Toledo, Ohio last year, 4 ironworkers died in the collapse of a massive bridge crane and 4 others were injured. And almost 6 months ago in Walnut Creek, California, a gas pipeline explosion killed 5 workers and badly injured 4 others.

In the words of a New York State Supreme Court Justice, these worker deaths were not simply "random accidents" but rather "tragic certainties." The workers died as the direct result of some employer's willful safety violations or serious negligence. All too often—and in the worker death cases listed above—employ-

ers responsible for these fatalities are repeat safety violators. In some cases, multiple workers in the same firm may die in identical circumstances over a period of years, without the responsible employer ever facing stiff criminal penalties or any prison sentence.

Under the current OSH Act, the maximum penalty any employer can receive for causing the death of a worker is 6 months in prison and a \$10,000 fine. Unlike surviving relatives of other crime victims, family members of workers killed on the job are left without any victims' services or assistance under current law. They even lack a voice in any Occupational Safety and Health Agency (OSHA) investigations of their loved ones' deaths as well as subsequent negotiations with culpable employers over any downgrading of initial citations and fines tied to the worker fatalities.

By stiffening criminal penalties for those found guilty of blatant safety violations that result in worker deaths, this bill will make other employers think twice about ignoring basic health and safety rules that risk workers' lives. It incorporates in its entirety the provisions of my bill, the "Workplace Wrongful Death Accountability Act," which makes it a felony offense to kill a worker and provides for a term of up to 10 years in prison. For a second offense, the maximum term for a culpable employer would be 20 years in prison. Likewise, maximum penalties for illicitly warning of an OSHA inspection or lying to OSHA would be set appropriately to serve a deterrent purpose. Under this bill, civil penalties are also set in accordance with the time-honored principle of deterrence.

The "Protecting America's Workers Act" would also extend OSHA coverage to millions of workers who currently lack the protection of workplace safety and health laws. Among others, these include public employees in a number of states and localities, certain transportation workers such as flight attendants, and a number of federal workers as well as those in public/private entities such as the Nuclear Regulatory Commission. Moreover, it provides stronger protections for any worker who reports the safety and health violations of an errant employer.

This bill requires OSHA to investigate any workplace incident that results in the death of a worker or the hospitalization of 2 or more employees. At the same time, it gives surviving family members of workers who are killed greater participation rights in OSHA's workplace investigation and "penalty negotiation" process with the respective employers responsible for these fatalities. Moreover, it prohibits OSHA from downgrading willful citations in worker fatalities to "unclassified" ones. Last but not least, the bill strengthens workplace prevention efforts by requiring employers to cover the costs of personal protective equipment for their employees.

Mr. Speaker, I want to commend the New York Committee on Safety and Health (NYCOSH), joined by like committees in the other 49 states, for launching a national campaign against corporate killing. This grassroots campaign will alert workers and the wider public about the importance of ensuring employers do not place profits above basic safety measures at the expense of workers' very health and lives.

As senior Democrat on the Subcommittee on Workforce Protections, I want to recognize a number of my colleagues, including Rep-

resentatives MILLER, ANDREWS, LYNCH, DELAURO, and MICHAUD who have joined me as original cosponsors of the "Protecting America's Workers Act." Representative MILLER's 30-year track record of support for workers, as well as his role as senior Democrat on the Education and Workforce Committee is well known. Representative ANDREWS, senior Democrat on the Employer-Employee Relations Subcommittee is also author of a separate bill to extend OSHA protections to those state and local government workers who lack coverage by workplace safety laws. His bill is included in its entirety as a provision in the comprehensive bill we are sponsoring today. As a co-chair of the Labor Caucus in the House, Representative LYNCH is dedicated to protecting workers across the country. Through her actions on the House Appropriations Committee, Representative DELAURO has demonstrated her commitment to ensuring worker health and safety. And, by serving as a co-chair of the House Labor Caucus, Representative MICHAUD has also shown his dedication to workers' well-being. I thank them all for their cosponsorship and urge other members of the House to join with us in endorsing this legislation, critical to the well-being of America's working families.

In closing, Mr. Speaker, the time for the "Protecting America's Workers Act" is now. Although we have made substantial progress in protecting health and safety in American workplaces since the OSH Act was first passed in 1970, that progress has stalled precipitously under the current Bush Administration and the Republican Congress. We must reverse this setback to workplace safety and enact this bill without delay.

HONORING THE CONTRIBUTIONS  
OF THE NAVARRO INDEPENDENT  
SCHOOL DISTRICT TEACHERS OF  
THE YEAR

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize the accomplishments of Regina Neely, Kate Russey, and Charles Sanford, the Navarro Independent School District Teachers of the Year.

Charles Sanford is the librarian at Navarro Elementary School. He holds both a Bachelors of Arts from Texas State University and a Master of Science from the University of North Texas. He has previously taught third grade reading at Navarro Elementary, and is committed to childhood literacy and to introducing all of his students to the joy of reading.

Kate Russey is the choir teacher and band director at Navarro Middle School. She graduated from Texas Lutheran University, and has been teaching at Navarro for three years. She is a critical part of Navarro's music program, and goes above and beyond her work at the middle school to serve as assistant band director for Navarro High School.

Regina Neely is an English teacher at Navarro High School. She holds a Bachelors of Art from Texas Lutheran University, and previously taught in the Seguin, Hayes, and San Marcos School Districts. She has been at Navarro for four years, and has been a tremendous resource for her 2 students, giving

them the language skills they will need to succeed in later life.

All three of these educators are a credit to the Navarro Independent School District. Teachers like them make our communities stronger and ensure a brighter future for our children. I am proud to have the chance to honor them here today.

HONORING COLLEEN CONWAY AS  
A ST. PAUL AREA ATHENA  
AWARD WINNER FOR 2005

**HON. MARK R. KENNEDY**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to honor Colleen Conway, of Woodbury, Minnesota, as a St. Paul Area Athena Award winner for 2005. She is one of 33 female athletes to receive this award, which stands for character, longevity and durability. It is given for outstanding athletic achievement.

Colleen is a three-sport standout at Hill-Murray, a Catholic school she has attended since 7th grade. She plays soccer, hockey and softball, earning 14 varsity letters in total. She was an all-state shortstop as a junior softball player, has been named all-conference twice in softball and led the hockey team in scoring this past year. In soccer, she has played every position and once even played them all in the same game. She has earned a softball scholarship to the University of Minnesota for the fall.

A typical summer day would find her playing all three sports, morning until night. Even with all this activity, she maintains a 3.8 grade point average in school. In her spare time, she also helps out at her family-owned bakery in Woodbury.

Mr. Speaker, it is my honor to represent such a motivated and talented young woman. I join with her family, teachers, coaches and teammates in celebrating Colleen's outstanding accomplishments.

IN HONOR OF LA RED HEALTH  
CENTER

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the La Red Health Center, located in Georgetown, Delaware. La Red is an important and effective health care provider for the residents of Sussex County. The center provides bilingual high-quality and cost-effective primary and preventive medical care to over 5,000 Sussex County residents who are uninsured, underinsured or face other barriers to medical care. La Red's importance is highlighted by the fact that the United States Census Bureau finds Sussex County to possess the fastest growing Latino and African American populations in Delaware. With such growth, there are limited medical resources to meet the unique needs of these populations. For this reason, La Red's recent attainment of federally qualified

health center status by the U.S. Department of Health and Human Services is so important and exciting.

The center will receive \$650,000 in federal funding each year for the next three years. La Red will also receive \$200,000 a year for the next three years through the Rural Health Outreach Program, to support La Red's Prenatal Program. La Red has faced many hurdles on the path to receiving this distinction, facing challenges to secure funding and reach out to underserved populations.

In addition to the Congressional Delegation of Delaware, the staff at La Red deserve our highest praise. Over the past few years, they have managed to improve and expand services, while simultaneously reaching out to the Sussex community. By qualifying for health center status, La Red will continue to improve its services with such federal privileges as: the 340 B Federal Discount Drug program, which allows La Red to get discount rates on prescription drugs; applying for federal tort claims, which provides insurance to the center; and receiving federally funded technical assistance.

This is a very exciting time for La Red, but even more so for the growing number of patients in Sussex County—they have a reliable and quality health center they can turn to in times of need.

HONORING THE ECLC SCHOOL OF  
NEW JERSEY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the ECLC School of New Jersey, in the Borough of Chatham, in Morris County, a vibrant community I am proud to represent! On May 5, 2005, the ECLC School is celebrating its Thirty-Fifth Anniversary.

For 35 years, the ECLC has been an accredited nonprofit school, providing special education for children. The children have severe learning and/or language disabilities, autism, or multiple disabilities. Students go to the ECLC School when their local public school determines that an out of district placement is needed. The school also serves an additional 110 young adults with Community Personnel Services (CPS), their supported employment program.

The ECLC School's mission is to help each child develop socially, emotionally, academically and physically. The program integrates academics with speech, language, physical and occupational therapies, counseling, social skills development, vocational preparation, activities of daily living and real job experiences. The goal is to prepare their students to face the world of work and to prepare them to integrate into the communities in which they live.

At the ECLC School, administrators, teachers and parents believe that maintaining student individuality is paramount to success. Because children's needs are always changing, the program is designed with flexibility in mind. Students work at their own pace, using a variety of creative and motivating materials. Students are measured by their own successes, of which there are many!

Mr. Speaker, I urge you and my colleagues to join me in congratulating the members of

the ECLC School of NJ on the celebration of its thirty-five years serving Morris County and Central New Jersey! And special praise is due to their dedicated administration, wonderful teachers, support staff, volunteers and active parents who work tirelessly on behalf of the disabled community.

CELEBRATING EL DIA DE LOS  
NIÑOS

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. CUELLAR. Mr. Speaker, I rise in recognition of El Dia De Los Niños. This event, held in Laredo every year on April 30, celebrates our children, the architects of our nation's future.

El Dia De Los Niños celebrates family values, and encourages children to develop the skills and habits that will help them in later life. This holiday is celebrated in over 75 cities throughout the United States and Latin America. The Laredo celebration has grown explosively, from a few hundred in 1999 to 14,000 adults and children in 2004.

This year's celebration will be organized by Mary Capello and the Texas Migrant Council, and will include an essay contest which asks: "How is honoring books the key to my future?" In addition, El Dia De Los Niños in Laredo will include workshops in book appreciation, classical music, and art, to help spark the imaginations of the city's children and to inspire them to explore their potential.

I encourage you to join me in celebrating all of our children on this April 30th. Our children genuinely are the architects of our future, and we should all work together to do what we can do to support strong families, better education, and a brighter future for the next generation.

HONORING DR. JOYCE GIFFORD,  
RHODE ISLAND SMALL BUSINESS  
PERSON OF THE YEAR

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. LANGEVIN. Mr. Speaker, today I rise to congratulate Dr. Joyce Gifford, a veterinarian from Cumberland, RI, who was recently named 2005 Rhode Island Small Business Person of the Year by the Small Business Administration (SBA). Dr. Gifford is the owner of Abbot Valley Veterinary Center, a successful practice that employs a number of Rhode Islanders and provides extraordinary care for family pets.

Dr. Gifford possessed remarkable professional qualifications, having graduating at the top of her class from the Tufts University School of Veterinary Medicine and worked in some of the nation's most renowned veterinary hospitals. Dr. Gifford had always dreamed of starting her own veterinary practice, but her aspirations were put on hold when she had trouble securing the initial financing. Seeking advice, Dr. Gifford turned to the SBA and SCORE for assistance. These agencies helped Dr. Gifford improve her business plan and provided the loan assistance