

his community, and his state. I ask my colleagues to join with me in congratulating Antwan Odom for both the great success he has enjoyed in his life and his outstanding representation of the First District of Alabama. I know his family—his wife Brooke, and his sons, Antwan, Jr., and Baylor—and many friends are also proud of him, and I wish his entire family much health and success in the time ahead.

IN RECOGNITION OF COLONEL  
MARC E. FREITAS, UNITED  
STATES MARINE CORPS (RET.)

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 3, 2005*

Mr. JONES of North Carolina. Mr. Speaker, today I recognize Colonel Marc E. Freitas on the occasion of his retirement from the United States Marine Corps. Colonel Freitas has honorably served our great Nation for more than 33 years.

A native of Oakland, California, Colonel Freitas first enlisted in the Marine Corps in 1971, earning the title of Marine at the Marine Corps Recruit Depot, in San Diego California. Within a year, Colonel Freitas was selected to become a Marine Officer, and was subsequently commissioned a 2nd Lieutenant of Marines in June 1974. Following completion of The Basic School at Quantico, Virginia, Colonel Freitas attended and completed Naval Flight Training at Pensacola, Florida, and was designated a Naval Flight Officer.

Colonel Freitas has served with distinction throughout his career. His unselfish sacrifice has taken him throughout the globe in the service of our Nation. He has flown RF-4B reconnaissance aircraft off the deck of the U.S.S. *Midway* during the Iranian Hostage crisis, flown missions from Guantanamo Naval Base, Cuba, and served with the United States Air Force, flying reconnaissance aircraft at Shaw Air Force Base, in Sumter, South Carolina. He has also held several commands, to include a squadron detachment of Phantom aircraft deployed to the Republic of Korea, Marine Wing Headquarters Squadron 2 at Marine Corps Air Station, Cherry Pt., North Carolina, and the Marine Aviation Detachment located at Naval Air Station, China Lake, California.

In 1992, Colonel Freitas deployed to Mogadishu, Somalia, as the Plans Officer for the Joint Force Air Component Commander. His efforts there helped provide relief to millions of Somalis during Operation Restore Hope.

Perhaps Colonel Freitas' proudest accomplishments occurred while assigned as the Deputy Commander of Joint Task Force-Full Accounting. As the Task Force's Deputy Commander, his efforts were instrumental in resolving the fates of hundreds of American servicemen missing as a result of the war in Southeast Asia. Deploying to Vietnam, Laos, and Cambodia, from the Task Force Headquarters in Hawaii, Colonel Freitas helped to provide answers to the families of these missing Americans, and in turn contributed to our national healing from this tumultuous period of history.

Colonel Freitas has completed Marine Corps Command and Staff College, Amphib-

ious Warfare School, and the Armed Forces Staff College, and in 1993 he was selected to become the first Marine Corps Fellow at the RAND Corporation, where he worked to find solutions to the issues facing both the Marine Corps and the Nation in the decades ahead. Marc was promoted to the rank of Colonel in October 1996, and his personal awards include the Defense Superior Service Medal, two Legions of Merit, two Meritorious Service Medals, the Joint Service Commendation Medal, the Navy and Marine Corps Commendation Medal, and the Navy and Marine Corps Achievement Medal.

In October 2001, Colonel Freitas began his assignment as the Deputy Legislative Assistant to the Commandant of the Marine Corps. In the 3 years he served in this important position, his support to Members of Congress has played a vital role in allowing this body to readily address issues of national importance. Further, his complete grasp of all facets of naval warfare and his ability to provide this Congress with accurate and timely response to congressional inquiries has helped to ensure a bright future for our Marine Corps.

Throughout his career, Colonel Marc Freitas has demonstrated those values that we as a Nation expect from our Marines. His impeccable integrity, exceptional moral character, skilled leadership, and absolute professionalism have helped to make the Marine Corps the honorable institution it is today. On behalf of the Congress and the nation, I wish Marc, his wife Linda, and their children Jenny and Matthew, fair winds and following seas, as they enter this new chapter of their lives.

INTRODUCTION OF H.R. 2046, THE  
SERVICEMEMBERS' HEALTH IN-  
SURANCE PROTECTION ACT OF  
2005

**HON. STEVE BUYER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 3, 2005*

Mr. BUYER. Mr. Speaker, today I am introducing H.R. 2046, the Servicemembers' Health Insurance Protection Act of 2005, to strengthen the rights of men and women serving in the Reserve components of our armed forces when they seek to have their health insurance reinstated upon release from active military duty. As Chairman of the Committee on Veterans' Affairs, I am pleased that Mr. EVANS, Ranking Minority Member of our Committee; Mr. BOOZMAN, Chairman of the Committee's Economic Opportunity Subcommittee; and Ms. HERSETH, the Subcommittee's Ranking Minority Member, have joined me as original cosponsors in introducing this legislation.

Frequently, members of the National Guard and Reserve drop their health insurance coverage upon their mobilization, because they and their families have become eligible for the Department of Defense TRICARE health care system. Under the Servicemembers Civil Relief Act (SCRA), a servicemember ordered to active duty who terminates health insurance coverage is entitled to reinstatement of coverage after returning to civilian life, but the SCRA does not currently expressly protect the servicemember against a premium increase upon reinstatement. This measure would prohibit a premium increase upon reinstatement if

it affects only the individual servicemember, but it would allow general increases in premiums if they apply to other persons with similar coverage.

Also, under a change to TRICARE eligibility in 2003, members of the National Guard and Reserve are allowed to begin their TRICARE coverage in advance of actually reporting for active duty. However, under existing provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA), if reservists elect TRICARE coverage prior to departing for active duty and do not continue their employer-sponsored health care insurance until they have begun active duty, they may lose their right to reinstatement of coverage. This measure would conform the USERRA health care insurance reinstatement right to the change in TRICARE eligibility and ensure no loss of coverage.

Mr. Speaker, these improvements in our laws would further protect members of the National Guard and Reserve who so willingly make great personal sacrifices in the defense of our Nation. I urge my colleagues to support H.R. 2046, the Servicemembers' Health Insurance Protection Act of 2005, to provide new health insurance protections for these guardians of freedom.

TRIBUTE TO KAHUKU HIGH AND  
INTERMEDIATE SCHOOL

**HON. ED CASE**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 3, 2005*

Mr. CASE. Mr. Speaker, I rise today to extend my deepest congratulations to the incredible students of Kahuku High and Intermediate School for their great achievement in winning 4th place at the national finals of the We the People: The Citizen and the Constitution program, held in Washington, DC from April 30 to May 2, 2005. These outstanding students from my Oahu's North Shore underwent months of intensive study and hard-won victories to earn the right to represent Hawaii in the finals, where they competed against a class from every state in the country and demonstrated a remarkable understanding of the fundamental ideas and values of American constitutional government.

This is the second consecutive year in Hawaii's 9-year history at this rigorous competition that Kahuku has competed in the final 10. This is truly a wonderful accomplishment that our whole state is deeply proud of!

I want to again commend Kahuku's great teacher, Sandra Cashman, for her unending commitment to her students and for producing new generations of responsible citizens. Commendations are also in order for State Coordinator (and State Representative) Lyla Berg and District Coordinator Carolina Kaanehe for fostering development of what will surely be our leaders of tomorrow.

However, ultimately this competition is by and about our outstanding students. So I would like to extend my heartiest congratulations to each and all of them by entering their names for posterity into our CONGRESSIONAL RECORD: Genevieve Allen, Yesenia Arevalo, Amanda Baize, Bonnie Cameron, Meri Ching, Dannah Christensen, Krystle Corpuz, Oliver Howells, Lorna Kekua, Jokke Kokkonen, Jacquelyn Lautaha, William Law, Catalina

Markowitz, Ajri McArthur, Sara Mirels, Brad Rasmussen, Ashley Rillamas, Lizette Sauque, Noelle Spring, Shirly Tagayuna, Joseph Trisolini, and Morgan Wright. You have all done your Hawaii proud, and we wish you only best wishes and aloha in all of your future endeavors.

IN HONOR OF THE NEWLY NAMED,  
WALTER F. EHRRNFELT, JR. U.S.  
POST OFFICE

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 3, 2005*

Mr. KUCINICH. Mr. Speaker, I rise to today in tribute and remembrance of Mayor Walter F. Ehrnfelt, Jr., as the U.S. Post Office in the City of Strongsville is renamed in honor of his outstanding legacy. Mayor Ehrnfelt was a devoted family man, accomplished community leader, and admired friend and mentor. His vision, integrity and love for his community led the City of Strongsville through an amazing journey that extended over a quarter of a century, leading this quiet, rural village through the evolution of inevitable progress, without compromising the City's historical significance or rustic charm.

Members of the United States House of Representatives and the United States Senate came together to pay official tribute to the life and legacy of Mayor Ehrnfelt. The United States House of Representatives unanimously adopted House Resolution 3300, co-sponsored by Congressman STEVEN LATOURETTE, and myself, in November 2003. In June 2004, the United States Senate adopted the Resolution.

Mayor Ehrnfelt did not seek a path of public leadership—it sought him. In 1973, Mayor Ehrnfelt's neighbors and friends urged him to run for a District School Board seat, against a divisive member who was leading an effort to ban books and fire teachers. He won that race, and again at the urging of those around him, reluctantly ran for a Council seat and won. Just five years later, Mayor Ehrnfelt was appointed Mayor. In 1979 he won his first mayoral race by a landslide, and served as Mayor for 25 years. He quickly became the most popular and beloved Mayor in the history of Strongsville.

Mr. Speaker and Colleagues, please join me in honor, gratitude and remembrance of Mayor Walter F. Ehrnfelt—an exceptional man and caring leader whose life profoundly impacted the lives of thousands. His passing marks a deep loss for countless people who called him friend including me. The power of his kindness, grace, tenacity and heart served to uplift every level of the Strongsville community, and his memory and legacy will never be forgotten.

REINTRODUCTION OF THE WESTERN WATERS AND FARM LANDS PROTECTION ACT

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 3, 2005*

Mr. UDALL of Colorado. Mr. Speaker, today I am again introducing the Western Waters and Farm Lands Protection Act.

The bill's purpose is to make it more likely that the energy resources in our Western states will be developed in ways that are protective of vital water supplies and respectful of the rights and interests of the agricultural community. It would do three things:

First, it would establish clear requirements for proper management of ground water that is extracted in the course of oil and gas development.

Second, it would provide for greater involvement of surface owners in plans for oil and gas development and requires the Interior Department to give surface owners advance notice of lease sales that would affect their lands and to notify them of subsequent events related to proposed or ongoing energy development.

Finally, it would require developers to draft reclamation plans and post reclamation bonds for the restoration of lands affected by drilling for federal oil and gas.

The bill is based on one I introduced in the 108th Congress that was endorsed by the Colorado Farm Bureau. I have made revisions suggested by the American Farm Bureau Federation, which has indicated its support for the bill as I am introducing it today.

Mr. Speaker, the western United States is blessed with significant energy resources. In appropriate places, and under appropriate conditions, they can and should be developed for the benefit of our country. But it's important to recognize the importance of other resources—particularly water—and other uses of the lands involved—and this bill responds to this need.

#### PURPOSES OF LEGISLATION

The primary purposes of the Western Waters and Farmlands Protection Act are—(1) to assure that the development of those energy resources in the West will not mean destruction of precious water resources; (2) to reduce potential conflicts between development of energy resources and the interests and concerns of those who own the surface estate in affected lands; and (3) to provide for appropriate reclamation of affected lands.

#### WATER QUALITY PROTECTION

One new energy resource is receiving great attention—gas associated with coal deposits, often referred to as coalbed methane. An October 2000 United States Geological Survey report estimated that the U.S. may contain more than 700 trillion cubic feet (tcf) of coalbed methane and that more than 100 tcf of this may be recoverable using existing technology. In part because of the availability of these reserves and because of tax incentives to exploit them, the West has seen a significant increase in its development.

Development of coalbed methane usually involves the extraction of water from underground strata. Some of this extracted water is reinjected into the ground, while some is retained in surface holding ponds or released and allowed to flow into streams or other water bodies, including irrigation ditches.

The quality of the extracted waters varies from one location to another. Some are of good quality, but often they contain dissolved minerals (such as sodium, magnesium, arsenic, or selenium) that can contaminate other waters—something that can happen because of leaks or leaching from holding ponds or because the extracted waters are simply discharged into a stream or other body of water. In addition, extracted waters often have other

characteristics, such as high acidity and temperature, which can adversely affect agricultural uses of land or the quality of the environment.

In Colorado and other States in the arid West, water is scarce and precious. So, as we work to develop our domestic energy resources, it is vital that we safeguard our water—and I believe that clear requirements for proper disposal of these extracted waters are necessary in order to avoid some of these adverse effects. That is the purpose of the first part of the bill.

The bill (in Title I) includes two requirements regarding extracted water.

First, it would make clear that water extracted from oil and gas development must comply with relevant and applicable discharge permits under the Clean Water Act. Lawsuits have been filed in some western states regarding whether or not these discharge permits are required for coalbed methane development. The bill would require oil and gas development to secure permits if necessary and required, like any other entity that may discharge contaminants into the waters of the United States.

Second, the bill would require those who develop federal oil or gas—including coalbed methane—under the Mineral Leasing Act to take steps to make sure their activities do not harm water resources. Under this legislation, oil or gas operators who damage a water resource—by contaminating it, reducing it, or interrupting it—would be required to provide replacement water. And the bill requires that water produced under a mineral lease must be dealt with in ways that comply with all Federal and State requirements.

Further, because water is so important, the bill requires oil and gas operators to make the protection of water part of their plans from the very beginning, requiring applications for oil or gas leases to include details of ways in which operators will protect water quality and quantity and the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states.

#### SURFACE OWNER PROTECTION

In many parts of the country, the party that owns the surface of some land does not necessarily own the minerals beneath those lands. In the West, mineral estates often belong to the federal government while the surface estates are owned by private interests, who typically use the land for farming and ranching.

This split-estate situation can lead to conflicts. And while I support development of energy resources where appropriate, I also believe that this must be done responsibly and in a way that demonstrates respect for the environment and overlying landowners.

The second part of the bill (Title II) is intended to promote that approach, by establishing a system for development of federal oil and gas in split-estate situations that resembles—but is not identical to—the system for development of federally-owned coal in similar situations.

Under federal law, the leasing of federally owned coal resources on lands where the surface estate is not owned by the United States is subject to the consent of the surface estate owners. But neither this consent requirement