

our Nation's foremost heroes in the civil rights crusade, including the Reverend Martin Luther King, Jr. Reverend Leach also served as the Manpower Director with Total Action Against Poverty (TAP). Even in his later years, Reverend Leach's dedication as a grassroots activist was as energized and focused as ever, and is reflected in his contribution and leadership within grassroots political campaigns, including my own.

Mr. Speaker and colleagues, please join me in honor, remembrance and gratitude to Reverend Ralph Emerson Leach, whose life was defined by his steadfast commitment to his family and by his limitless passion to make his community, our Nation and our world, a better place. I extend my deepest condolences to his daughters and their spouses: Laura and Don, Rebecca and William, Naomi and Paul; to his son and his fiancée, Stephen and Sally; to his grandchildren, extended family members and many friends. His kindness, integrity, gentle guidance and service to others has made a difference in my life and in the lives of countless families and individuals, and he will be remembered always.

#### INTRODUCTION OF ROYALTY-IN-KIND FOR ENERGY ASSISTANCE IMPROVEMENT ACT OF 2006

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 2006*

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Royalty-in-Kind for Energy Assistance Improvement Act. This bill is intended to make it possible for the Department of the Interior to implement a provision in the Energy Policy Act of 2005 that was intended to provide a new way to assist low-income people to heat or cool their homes.

For several years before 2005, the Department of the Interior had authority to develop "royalty-in-kind" arrangements under which companies developing federal oil could meet their required royalty payments by providing oil instead of cash. The Energy Policy Act expanded this provision to apply to natural-gas developers as well, and also added new authority for Interior to grant a preference to low-income consumers when disposing of natural gas it obtained under such an arrangement.

While this Energy Policy Act provision does not specifically reference the federal Low-Income Home Energy Assistance Program (LIHEAP), its implementation could benefit that program.

LIHEAP is intended to help low-income Americans pay for their heating and cooling costs. However, at current funding levels this critically important program serves less than 15 percent of those who qualify for it. Implementing the Energy Policy Act provision to grant a preference to low-income consumers would supplement LIHEAP funding and expand the amount of energy assistance available to the poor.

Last September, I joined my colleagues from Colorado in writing a letter to Interior Secretary Gail Norton asking her to consider beginning implementation of the new provision through a pilot program in Colorado. In the letter, we emphasized the importance of helping this country's most vulnerable citizens, who

are increasingly hard hit by rising energy costs.

In a reply to my office, the Interior Department responded that the Interior Department's lawyers had reviewed the Energy Policy Act provision and had concluded that as it now stands it could not be implemented because the current law "does not provide the Department with the authority or discretion to receive less than fair market value for the royalty gas or oil."

My bill is intended to correct the legal deficiencies in the provision as enacted to make it possible for the Interior Department to implement the program. In developing the legislation, my staff has reviewed the Interior Department's legal opinion and has consulted with the Interior Department's lawyers and with other legal experts. Based on that review, I think enactment of my bill will resolve the legal problems cited by the Interior Department and will enable the program to go forward.

Spring may be upon us, but hot summer temperatures and another winter are just months away. I believe the Energy Policy Act provision to help low-income consumers is an innovative tool that must be allowed to work. The Royalty-in-Kind for Energy Assistance Improvement Act would make this possible. I urge my colleagues to support this legislation and to support energy assistance for this nation's most vulnerable residents.

Here is a brief outline of the bill:

Section One—provides a short title ("Royalty-in-Kind for Energy Assistance Improvement Act of 2006").

Section Two—sets forth findings regarding the importance of LIHEAP and the intent of the relevant provisions of law regarding payment of royalties-in-kind and the conclusion of the Interior Department that the provision of the 2005 Energy Policy Act intended to allow use of royalties-in-kind to benefit low-income consumers cannot be implemented. This section also states the bill's purpose, which is to amend that part of the Energy Policy Act in order to make it possible for it to be implemented in order to assist low-income people to meet their energy needs.

Section Three—amends the relevant provision (Section 342(j)) of the Energy Policy Act by—

- (1) adding explicit authority for the Interior Department to sell royalty-in-kind oil or gas for as little as half its fair market value in implementing that part of the Energy Policy Act under an agreement that the purchaser will be required to provide an appropriate amount of resources to a Federal low-income energy assistance program;
- (2) clarifying that such a sale at a discounted price will be deemed to comply with the Anti-deficiency Act; and
- (3) authorizing the Interior Department to issue rules and enter into agreements that are considered appropriate in order to implement that part of the Energy Policy Act.

These changes are specifically designed to correct the legal deficiencies that the Interior Department has determined currently make it impossible for it to implement this part of the Energy Policy Act.

#### McKEESPORT TIGERS WIN STATE CHAMPIONSHIP

**HON. MICHAEL F. DOYLE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 2006*

Mr. DOYLE. Mr. Speaker, I rise today to congratulate the McKeesport Tigers on their 2005 PIAA Class AAAA state football championship.

The Tigers' 49–10 victory over the Bethlehem Liberty Hurricanes was one of the most outstanding performances ever in a state title game. I want my colleagues to know just how proud I am of their talent, hard work, and determination. They are an outstanding example of the many admirable qualities possessed by the people of Pennsylvania's 14th Congressional District.

McKeesport's second-ever state title capped off one of the greatest and most memorable postseason runs in Western Pennsylvania sports history. Their victory was indeed a team effort under the superb direction of coach George Smith, but there were several individuals who rose to the challenge and pulled through in the crunch. Quarterback Dan Kopolovich ran for three touchdowns and passed for a fourth. His teammate, running back Warren Waite, was able to gain over 100 yards and added yet another score. On the Tigers' defensive team, Travis McBride earned great distinction by returning an interception for a score. These athletes' outstanding performances, ably supported by those of their teammates, resulted in one of the largest margins of victory in the state title game's history.

I applaud the Tigers for their impressive display of teamwork and perseverance. They have truly demonstrated the quintessential characteristics of Western Pennsylvanians in their run to the championship.

I want to extend my warmest congratulations to the Tigers, Coach Smith, and the entire McKeesport School District and wish them all the best of luck in the future and hope for much continued success.

#### COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

SPEECH OF

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 29, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965:

Mr. MOORE of Kansas. Mr. Chairman, I rise today in opposition to H.R. 609, the College Access and Opportunity Act. H.R. 609 reauthorizes the Higher Education Act (HEA), including all discretionary programs under the HEA, such as Federal student financial aid programs, teacher training programs, and programs that provide aid to institutions of higher education serving minority populations. Reauthorizing the HEA provided the House with an excellent opportunity to invest in our Nation's future by making college more accessible and affordable. Unfortunately, H.R. 609 does not provide the investment in higher education

necessary to make college more affordable and to ensure our Nation's future economic competitiveness and prosperity.

HEA reauthorization bills typically include all mandatory and discretionary programs in the HEA, and H.R. 609, as reported by the House Education and Workforce Committee, included both mandatory and discretionary programs. The recently enacted Deficit Reduction Act (P.L. 109-171) reauthorized the mandatory Federal student loan programs, but cut Federal student aid programs by \$12.7 billion—the largest cut ever in the Federal student loan program.

Specifically, P.L. 109-171 doubles the origination fee for students getting Direct Loans from an effective 1.5 percent to 3 percent in 2006. Additionally, P.L. 109-171 requires lenders to collect a 1 percent fee on Federal Family Education Loans (FFEL) that may come directly from students' pockets or the lenders' own operating expenses. P.L. 109-171 also increases the fixed rate on parent loans to 8.5 percent (Under current law, beginning in July 2006 parent loans would have a fixed rate of 7.9 percent). Finally, P.L. 109-171 eliminates all mandatory spending for administration of all higher education programs, which shows a savings of \$2.2 billion; however, the only way these savings can occur is if Congress chooses not to appropriate this money—which could jeopardize not only student loan programs, but also programs like Pell Grants, TRIO, and Work Study programs.

H.R. 609 presented the House with an opportunity to correct these misguided increases in fees and rates on students and their families. Unfortunately, the House approved a rule for consideration of H.R. 609, which prohibited amendments from being offered addressing the fee and rate increases for students and their families.

Additionally, while H.R. 609 authorizes a maximum Pell Grant scholarship award of \$6,000, the bill does not include any mandatory spending increases for Pell Grant funding, which will ensure that the amount actually appropriated remains frozen. For instance, the Bush Administration's FY 2007 budget proposes to freeze maximum Pell Grant scholarship award at \$4,050, where it has been held since 2003. This is troubling because, during this same period, the average tuition and fees at a four-year public college have risen by \$1,393. Further, when adjusted for inflation, the maximum Pell Grant award is actually worth \$900 less than the maximum scholarship 30 years ago.

I instead supported the Miller-Kildee-Scott-Davis-Grijalva substitute amendment that boosts college opportunities and makes college more affordable. Specifically, this legislation would offer the 3.4 percent fixed interest rate to students who take out subsidized loans between July 1, 2006, and June 30, 2007, which would lower the cost of college by \$2.4 billion for students and their families. This amendment would have also repealed the single holder rule, which requires student borrowers to consolidate their loans with their existing lender. Under the substitute amendment, the borrower could choose which lender he or she wished to use to consolidate loans. Additionally, this substitute amendment would have provided loan forgiveness for nurses, highly qualified teachers in bilingual and low-income communities, librarians, first responders, and other public servants.

With our Nation is facing increasing competition from rising economic powers, such as China and India, it is more important that ever that Congress work to improve the accessibility and affordability of a college education. Funding for higher education is an investment, not a cost, which will produce an educated, talented workforce to ensure our nation's future economic competitiveness and prosperity.

#### TRIBUTE TO STAFF SERGEANT RICHARD A. BOETTCHER

#### HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 2006*

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to the patriotism and self sacrifice of Staff Sergeant Richard A. Boettcher of Greeley, Colorado because of his service to our country during World War II.

Boettcher was drafted into the U.S. Army his senior year of high school in 1945 and sent to Ft. Joseph T. Robinson, Arkansas for basic training. At first, his training focused on fighting the Germans in Europe, but when the European war ended, he was transferred to Camp Maxey, Texas. This camp trained soldiers to fight the Japanese in house-to-house combat in anticipation of a ground invasion of Japan.

After his training was completed, he was shipped to the Pacific with the intent to join up in Okinawa with an infantry division known as "Timber Wolf." This group had fought in Europe and had been sent to Okinawa to invade Japan. Yet shortly before Boettcher arrived, President Harry Truman ordered the dropping of two atomic bombs, and Japan surrendered shortly thereafter.

Instead of fighting his way into Japan, Boettcher became part of the occupation force. He worked in an office position and was responsible for preparing payroll for over 500 military personnel using a small Royal typewriter. In rank he started as a Private 1st Class and rose to Staff Sergeant in less than one year. He returned home to Lincoln, Nebraska in October of 1946.

Boettcher attended the University of Nebraska for two years and then transferred to the University of Northern Colorado to complete his education. He continued to serve his country as a member of the Colorado National Guard and received a commission in 1953.

After owning a business for 46 years, Boettcher retired in Greeley, Colorado with his wife Irene of 58 years. Boettcher has three children, seven grandchildren and one great grandchild.

Mr. Speaker, I am honored to represent Mr. Boettcher and the other men and women who have given so much for our freedom. Like so many other members of his generation, Mr. Boettcher set aside his ambitions in service to our nation. I urge my colleagues to join me in expressing my heartfelt gratitude, sincere appreciation, and utmost respect for the patriotic service of Mr. Richard A. Boettcher.

IN HONOR AND REMEMBRANCE OF  
ERMA ORA JAMES BYRD

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 2006*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Erma Ora Byrd, loving wife, mother, grandmother, great-grandmother, and dear friend and mentor to many. Her passing marks a great loss for her family and friends, and also for the people of West Virginia, whom she served with the highest level of commitment, concern, integrity and honor.

The daughter of a coal miner, Mrs. Byrd remained deeply connected to the foundation of her childhood—one based on family, faith and community. Whether greeting kings at state dinners or meeting with neighbors at the town hall, Mrs. Byrd reflected a certain grace, kindness and warmth. She shied away from the harsh glare of politics, preferring instead to focus on family and close friends, gently inspiring and teaching by example. Mrs. Byrd and Senator ROBERT BYRD were married for 68 years. They met in grade school and married at the tender age of 19.

Together, they raised two daughters, Mona and Marjorie. Mrs. Byrd's limitless love for her daughters, grandchildren and great-children extended to every child in West Virginia, upon whose behalf she advocated. Though awards and accolades held no significance to her, Mrs. Byrd's outreach and advocacy work has been honored numerous times. Both West Virginia University and Marshall University have established academic scholarship programs in her name.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Mrs. Erma Ora James Byrd. I extend my deepest condolences to her husband, United States Senator ROBERT BYRD; to her daughters, Mona Carole Byrd Fatemi and Marjorie Ellen Byrd Moore; to her sons-in-law, Mohammed Fatemi and Jon Moore; and to her grandchildren, great-grandchildren and extended family members and many friends. Mrs. Byrd's boundless love for her family, friends and for the people of West Virginia will be remembered always.

#### TRIBUTE TO JUDGE DENNIS REYNOLDS

#### HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 2006*

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a great American, dedicated family man, proud Oregonian, outdoorsman, and a good friend of mine, Judge Dennis Reynolds. Over the last decade, Judge Reynolds has played a significant role in shaping the future of Grant County. Today, as the Judge approaches retirement from elected public service, we thank him for his years of dedication and recognize the numerous contributions he has made during his 12 years in office.

Mr. Speaker, people in my part of the country have a long and rich heritage of being caring stewards of the land and responsible managers of the environment. This is a way of life