

abortion by subjecting them to inaccurate medical information, anti-choice propaganda, and intimidation. This bill would help stop the fraud that these crisis pregnancy centers are perpetrating on the women of America.

The SDAWS Act directs the Federal Trade Commission (FTC) to promulgate rules declaring it an unfair or deceptive act for an entity, such as a crisis pregnancy center, to advertise as a provider of abortion services if the entity does not provide abortion services. Organizations that are not deceptive in their advertising or marketing will not be impacted by this bill.

The Stop Deceptive Advertising in Women's Services Act (SDAWS) serves to protect women seeking information about reproductive options from being subject to disturbing anti-choice propaganda and misinformation about the nature of abortion and its medical effects. Women have a right to unbiased pregnancy counseling, and should not be subject to deceptive advertising from anti-choice centers about the nature of their services.

Too many studies have documented that some CPCs are intentionally deceiving women, providing false or misleading information about the health effects of abortion, the effect of abortion on future fertility, and the mental health effects of abortion. Women deserve accurate medical information when making tough medical decisions. We must not allow this type of behavior to be perpetrated against women seeking reproductive health services.

SIR PAUL MCCARTNEY,  
GLADWELL'S "OUTLIERS" AND BP

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. STEARNS. Madam Speaker, I would like to submit a letter from my good friend Gene Jewett, who shares his thoughts on the phenomena of talent and the recent visit from Paul McCartney who received the Gershwin Award from the Library of Congress.

Dear Friends,

Recently, Sir Paul McCartney visited Washington where he exhibited his musical prowess for the politically powerful, initially at the Library of Congress and then at the White House. In the course of his performance on the first night, he revealed the process by which he had written one of his most famous tunes, one where the melody had come to him in a dream, a refrain that he was fortunate enough to recall. For days, he hummed the tune (randomly entitled "scrambled eggs") to his band mates and everyone else in his greater circle of musicians, all in an attempt to determine whether it was a product of his own musical software or a reflection of a tune he had previously heard for which he was serving as a mere psychic conduit. When he finally accepted the song as his own, he re-dubbed it "Yesterday" and the rest is history. Over 3,000 singers have recorded the song, a number which marks it as a continuing star in the firmament of pop music.

His story caused me to reflect on the phenomena of talent, particularly as alluded to by Malcolm Gladwell in his book, "Outliers." In this book, there's a central premise that suggests that great achievement is derived from spending at least 10,000 hours honing one's craft. Specifically, it uses as an exam-

ple Paul McCartney and the Beatles playing in the clubs of Hamburg where they purportedly refined their songs. Notwithstanding the fact that the "Hamburg" Beatles played cover songs which could have encourage them to write their original tunes, the more simple truth points to what McCartney observes in himself as some mystical talent with which he has been gifted, something for which he has no explanation. The difference between the Beatles and thousands of other bands can be found in these "gifts" of unusual talent.

Not to be too grand, but the book "The 100: A Ranking of the 100 Most Influential People in History" by M.H. Hart is a primer for the study of people with extraordinary talent and abilities. For example, Genghis Khan was a late bloomer and certainly had no training as a military leader, but no one else in military history, save perhaps Alexander, shows anything close to his record of achievements. And how many in the realm of physics approach the works of Newton, Maxwell and Einstein? I realize this is a leap from Sir Paul, but pure talent, while it surely needs to be developed, is really a gift that defies description. It seems that some things just "are" and that's the name of that tune. And upon such random distributions of talent and ability the upward curve of the course of history will continue to remain resilient.

Sir Paul, author of over 300 popular songs, also played "Blackbird," a very pleasing and interesting composition. But I was hoping he'd do, "Fixing a Hole" as a nod to BP who could certainly use a little mystical talent about now, no?

RECOGNIZING THE JONES FAMILY  
AS THE SEBASTIAN COUNTY  
FARM FAMILY OF THE YEAR

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. BOOZMAN. Madam Speaker, I rise today to congratulate the Jones family for its excellence in operating a thriving family farm and the honor of being named the Sebastian County Farm Family of the Year.

Cody and Angela Jones, along with their daughter Hallie, operate a successful farm consisting of three poultry houses, and twenty-four head of cattle located on one-hundred and sixty acres. Through inventive ideas such as automating many of their farm processes and utilizing LED lighting in their poultry houses, the Jones family is expanding the business at a time when many companies are scaling back.

The Jones' also share their knowledge of the industry with other farmers in the community. Cody serves as a board member of both the Sebastian County Farm Bureau and the University of Arkansas Extension Service and Angela serves as Chairperson for the Sebastian County Farm Bureau Women's Committee.

There is no doubt that the Jones' hard work and sharing of expertise benefits not just their farm but also farms and families within their community, the state and throughout America. I ask my colleagues today to join with me in congratulating the Jones family successes in the farming industry and the honor of being named Sebastian County Farm Family of the Year.

HONORING SERGEANT BARRY  
MICKLEBURGH

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. STARK. Madam Speaker, I rise today to recognize Sergeant Barry Mickleburgh's retirement from the Pleasanton, California Police Department, and to honor his 30 years of exemplary service in law enforcement and community service.

Sergeant Mickleburgh began his law enforcement career in 1981 as a security officer with the Alameda County Sheriff's Department. In 1982, he became a reserve Deputy Sheriff and in 1984, he was hired as a full-time deputy where he served at the Santa Rita Jail.

Sergeant Mickleburgh worked on a variety of assignments over the course of his career, including SWAT, Bicycle Officer, Field Training Officer, Detective, and Narcotic Investigator.

After being promoted to the rank of Sergeant on May 14, 2002, Sergeant Mickleburgh served as a patrol supervisor and the supervisor of the Special Operations Unit which addressed drug and vice related crimes. Sergeant Mickleburgh was also the Field Training Program coordinator and department liaison to the Department of Homeland Security.

Sergeant Mickleburgh received his AA Degree from Chabot Community College in 1981. While working full time, he earned his BA degree from San Jose State University in 1994.

Sergeant Mickleburgh has been instrumental in teaching Problem Oriented Policing. He became an expert in identifying problems that needed specific attention and he shared his knowledge with the rest of the police force.

Sergeant Mickleburgh has enjoyed a highly productive career. His employment file is filled with letters of commendation and appreciation for his attention to detail and his commitment to helping others. I join the City of Pleasanton in expressing appreciation for his commitment and leadership and I wish him all the best in his retirement.

HONORING THE USS McCawley  
(APA 4) SURVIVORS ASSOCIATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 30, 2010*

Mr. PUTNAM. Madam Speaker, I rise today to honor the USS McCawley (APA 4) Survivors Association as they commemorate the 67th anniversary of the sinking of the "Mighty Wacky Mac." Last weekend, these members of America's "greatest generation" gathered together for a reunion in Florida to commemorate a fateful day in their lives.

Named after the eighth Commandant of the U.S. Marine Corps, the USS McCawley was commissioned in September, 1940 and received five battle stars for its service in World War II.

In the summer of 1942, McCawley sailed from the Atlantic Ocean through the Panama Canal and joined the Amphibious Force, South Pacific where she became the flagship of the Force commander, Rear Admiral Richmond K.

Turner. On August 7, 1942, *McCawley* participated in the counterinvasion of Guadalcanal, the first Allied amphibious operation of the Pacific War. *McCawley* continued to unload needed cargo even as nearby U.S. and Allied ships were lost or damaged and managed to destroy three to four enemy aircraft. According to Naval records, "over the following six months, *McCawley* made several transport voyages into the fiercely contested waters near Guadalcanal, taking in personnel and materiel that contributed to securing the island in February, 1943."

Unfortunately, on the afternoon of June 30, 1943, at the start of a campaign to seize the island of New Georgia, *McCawley* was attacked by enemy aircraft. *McCawley's* gunfire brought down four planes; but an aerial torpedo struck *McCawley's* engine room, killing 15 of her crew, and shut off all power.

Shortly after the crew was rescued by the USS *Ralph Talbot* (DD 390), *McCawley* was attacked by dive bombers, but little damage was done after the remaining salvage party manned the guns and successfully struck one of the three attacking planes. Later that afternoon, the salvage party boarded the USS *McCalla* (DD 488), and pulled away from the damaged ship with all remaining hands safely accounted for.

That night, the final blow came when *McCawley* was again torpedoed and sank 340 fathoms in a matter of seconds. According to the Department of the Navy, "the following day it was learned that six U.S. motor torpedo boats had torpedoed an 'enemy' transport in Blanche Channel, after having been informed there were no friendly forces in the area. USS *McCawley's* loss to 'friendly fire' led to the urgent imposition of measures to reduce the risk of further such accidents."

June 30th, 1943, was an unforgettable day in the lives of these sailors, and as the remaining survivors gather in Florida this weekend to remember that fateful day, I ask my colleagues in the House of Representatives to join me in honoring their service.

#### TRIBUTE TO COLONEL THOMAS H. MAGNESS IV

#### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Colonel Thomas Magness IV is one such individual. On July 1, 2010, Colonel Magness will be honored at the Change of Command Ceremony as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers.

Colonel Magness was born in Fort Campbell, KY. He graduated from the United States Military Academy in 1985 with a Bachelor of Science degree and was commissioned a Second Lieutenant and began serving in the Army Corps of Engineers. He later earned a Master's degree in Civil Engineering from the

University of Texas at Austin. His professional military education includes the Engineer Officer Basic and Advanced Courses and the Command and General Staff College.

Colonel Magness has served in the 2nd Armored Division at Fort Hood, TX; the 1st Armored Division in Germany; and the 4th Infantry Division at Fort Hood, TX. He has been a platoon leader, battalion supply officer, company commander, and battalion operations officer. He deployed with the 1st Armored Division as part of Operation Desert Shield/Desert Storm. Colonel Magness served as the District Commander for the Detroit District, U.S. Army Corps of Engineers. Prior to coming to Los Angeles, Colonel Magness was a Senior Service College Fellow at the University of Texas at Austin. Colonel Magness has served as an instructor and assistant professor in the Department of Geography and Environmental Engineering at West Point. He has also served two tours as an observer/controller (trainer) at the National Training Center at Fort Irwin, CA where he led the Sidewinder team, preparing engineer and maneuver support units and their leaders for combat operations.

Colonel Thomas H. Magness assumed command of the Los Angeles District, U.S. Army Corps of Engineers on July 10, 2007. Upon assuming command of the Los Angeles District, Colonel Magness understood the importance of managing water resources in a more comprehensive manner. Working closely with local watershed stakeholders, Colonel Magness took an innovative and forward looking approach to developing Corps of Engineers water resource projects. Among his many accomplishments while Commander, Colonel Magness played a significant role in advancing the construction of the Santa Ana River Mainstem Project, which is one of the largest Corps of Engineers projects in the Nation. When completed, the Santa Ana River Mainstem Project will provide Orange County with dramatically enhanced flood protection.

Colonel Magness' military awards and decorations include the Legion of Merit, Bronze Star Medal, Meritorious Service Medal (four awards), and the Army Commendation Medal (four awards). He has been awarded the Parachutist Badge, Air Assault Badge, and the Ranger Tab. He is a licensed Professional Engineer in the Commonwealth of Virginia and is an Accredited Professional for Leadership in Energy and Environmental Design (LEED).

Colonel Magness is married to the former Michelle Carnes of Killeen, Texas. They have two daughters, Jenna and Shelby.

Colonel Magness' tireless commitment to the U.S. Army Corps of Engineers and his role as Commander of the Los Angeles District has contributed immensely to the betterment of southern California. I am proud to call Colonel Magness a fellow community member, American and friend. I know that many people are grateful for his service and salute him as he completes his tour as the 58th Commander, Los Angeles District, for the U.S. Army Corps of Engineers. I also wish him well as he assumes command on July 8, 2010 to help rebuild northern Afghanistan with the U.S. Army Corps of Engineers.

#### SUPPORT OF THE DIGITAL GOODS AND SERVICES TAX FAIRNESS ACT OF 2010

#### HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. BOUCHER. Madam Speaker, I rise today to introduce the Digital Goods and Services Tax Fairness Act. I am pleased to be joined by my colleague from Texas LAMAR SMITH, the Ranking Member of the Judiciary Committee, as the lead Republican cosponsor of the legislation.

Presently, consumers and businesses engaged in digital commerce may be subject to multiple, confusing and burdensome taxation because of inconsistent rules across the thousands of state and local jurisdictions. Disparate treatment of digital goods and services across these jurisdictions creates further confusion for consumers and businesses.

Digital commerce extends far beyond the digital music, movies and games downloaded by consumers to the electronic delivery of professional services, educational services and health care services.

The existing sales and use tax laws are inadequate and ill-equipped to address today's digital economy. The borderless marketplace and complex nature of digital transactions create new problems that must be addressed uniformly and on a national level to avoid double taxation and to ensure the fair and equitable treatment of digital goods and services.

Unfair, multiple and inconsistent taxation of these digital goods and services will increase costs for U.S. businesses and make them less competitive in the global economy. The additional costs will also hinder investment by high-tech businesses in the broadband networks used to provide new and innovative digital goods and services.

Unfair taxes on digital goods and services also discourage lower-income consumers from using innovative digital services and technologies.

The first state tax on digital goods was imposed in 2007. One year later, eleven additional states considered legislation to impose new taxes on digital goods, and in 2009 fourteen states considered legislation addressing the taxation of digital goods and services. Several states have attempted to impose telecommunication-specific taxes on downloaded music sold by communication providers, taxes which would not be imposed on similar products sold by non-communication companies.

A consistent, national framework for the state and local taxation of digital goods and services is therefore needed to ensure the fair, consistent and equitable taxation of these goods and services.

The Digital Goods and Services Tax Fairness Act addresses this clear need by establishing a uniform national framework for the taxation of digital goods and services.

Our measure prohibits state and local jurisdictions from imposing multiple or discriminatory taxes on the sale or use of digital goods and services, ensuring that digital goods and services are not taxed differently from their physical counterparts.

It provides that taxes may only be imposed on the retail sale or use of digital goods or services, preventing repeated taxation of digital goods and services at multiple stages of the transaction.