

HONORING THE MOUNTAIN COMMUNITIES FIRE SAFE COUNCIL (MCFSC) OF IDYLLWILD, CALIFORNIA

### HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. RUIZ. Mr. Speaker, I rise to recognize the Mountain Communities Fire Safe Council (MCFSC) of Idyllwild, California for their tireless dedication to keeping the San Jacinto and Santa Rosa Mountain communities safe from devastating wild fires.

Mountain Communities Fire Safe Council of Idyllwild is the local chapter of more than 125 Fire Safe Councils of California. Since 2002, volunteers and staff from the Mountain Communities Fire Safe Council have helped raise awareness among residents about the dangers of wild fires and helped residents take action to protect their land and property.

MCFSC has organized members of the community to reduce hazards that can spread the devastation of wildfires in our mountains. MCFSC volunteers known as the "Woodies" are the heart of the organization. These selfless volunteers donate their time, tools and equipment to decrease wildfire hazards and reduce fuel storage on properties owned by elderly, disabled and low-income residents. Since the organization's inception, MCFSC volunteers have contributed more than 915 cords of firewood to the Idyllwild Help Center, and volunteered more than 24,107 hours.

In 2009, MCFSC received a U.S. Forest Service grant and worked to remove fuels from the areas surrounding structures in the Silent Valley Campground. Their extraordinary work in promoting fire preparedness and adaptation before the devastating 2013 Mountain Fire was credited by the U.S. Forest Service for reducing the severity of the fire and aiding firefighters.

I congratulate the extraordinary volunteers of the Mountain Communities Fire Safe Council on their efforts and dedication to protecting our mountain communities.

PAYING TRIBUTE TO THE MEMORY OF EARL C. HARGROVE JR.

### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. HOYER. Mr. Speaker, I rise to pay tribute to a friend and a great Marylander, Earl Christian Hargrove Jr., who passed away on April 6 at the age of eighty-six. I've known Earl for many years, and I am certain that he will be missed by a great many people throughout the Greater Washington area.

Earl was a larger than life presence in Harwood, Maryland. His estate—Holly Springs Farm—attracts thousands of neighbors and residents from throughout the region each Christmas with a captivating display of holiday lights and decorations. A graduate of Bladensburg High School in 1946, Earl served in the U.S. Marine Corps that same year and was honorably discharged in 1948. When the Korean War broke out, however, Earl re-enlisted and served his country in uniform until

1954. Following his military service, he returned to Maryland and to the business he had launched with his father, Earl Hargrove Sr., in the late 1940s creating parade floats and specialty decorations.

Known affectionately as "the President's prop-man," Earl provided event staging for every presidential inauguration since Harry Truman's in 1949. In January 2013, his company, Hargrove Inc., did so once again for the second inauguration of President Barack Obama. Earl Jr. became president of the company after his father's sudden death in 1971, and today the business is run by Earl's daughter, Carla Hargrove McGill, and son-in-law, Timothy McGill. Hargrove Inc. continues to employ talented artists and craftspeople who design and plan some of Washington's largest events and conferences, including the National Walk for Epilepsy, the annual AIPAC Policy Conference, and the White House Correspondents Dinner.

My thoughts and prayers are with his beloved wife of sixty years, Gloria Love Hargrove, his children Earl "Chris" Hargrove III, Kathleen Hargrove Kelly and her husband Clyde, Carla Hargrove McGill and her husband Timothy, Cynthia Diane Hargrove and her husband Michael Busada, and Carey Martin Hargrove and his wife Wendy Miller, and his seven grandchildren. May his memory continue to bring strength and comfort to them and to all of us who were fortunate to know and cherish Earl Hargrove Jr.

RECOGNIZING DAVE MCCONNELL ON HIS 50TH ANNIVERSARY REPORTING FOR WTOP RADIO

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. CONNOLLY. Mr. Speaker, I rise to recognize Dave McConnell, WTOP's Capitol Hill correspondent who is celebrating his 50th year of reporting for the Washington all-news radio station.

"A True Journalism Icon" was how the Merrell College of Journalism at the University of Maryland described Dave in a recent tribute. Members of Congress and media colleagues have heaped deserving praise on Dave in recognition of his 50-year milestone. Most recently, Dave was the recipient of the first ever Career Achievement Award from the Radio and Television Correspondents Association, and he has won other honors including the Society of Professional Journalists Hall of Fame Award.

Dave has a voice that was made for radio. He has a delivery that is authoritative and commanding but at the same time reassuring and resonant. His voice is readily recognizable by several generations of radio listeners in the Washington region. He has earned the respect of listeners and news sources because of his encyclopedic knowledge of Congress, his thorough and objective reporting on the complex issues that come before this body, and his professional manner and demeanor.

While many reporters have moved from station to station and city to city as they moved up the media ladder, Dave began his career in his hometown and has reported in Washington throughout his career, most of it from his third

floor perch in the Capitol that he refers to as the "booth." As WTOP Senior News Director Mike McMearty joked in a recent tribute to Dave, "It's part of WTOP lore that Dave McConnell, while other kids were skipping school to go catch a baseball game and see the Senators, he was sneaking into the Capitol to hear the actual senators debate."

There are few reporters in Washington who can boast they have covered 12 presidential elections, five inaugurations, and many other milestones spanning a half-century of the nation's history. Dave McConnell is one of them, although he would never boast about it; it's not his style. He is all business and all about the news.

At a time when men of Dave's age are spending their Golden Years doting over their grandchildren (and Dave has seven), WTOP's Capitol Hill correspondent continues to use his vast institutional knowledge to give perspective on a daily basis to the comings and goings of Congress.

Dave McConnell's colleagues say Dave has no intention of retiring any time soon and that is good news for many Washington-area residents who have grown accustomed to getting their news about Congress over the radio from "a true journalism icon."

I ask my colleagues to join me in congratulating Dave on this wonderful milestone and in wishing him continued success.

HONORING MEMORIAL HIGH SCHOOL

### HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. CASTRO of Texas. Mr. Speaker, I rise today to honor Memorial High School in San Antonio for its exceptional music education program. This year, Memorial is one of just 120 schools in the nation to be awarded the prestigious SupportMusic Merit Award from The National Association of Music Merchants (NAMM) Foundation. The school's outstanding commitment to music education is particularly evident in the spirited, talented, Memorial High band.

Music education is so important for our young people. Not only does it help students develop leadership skills, but new research shows that participation in music education programs can improve brain function, spark language development, and lead to increased academic success in subjects like reading and math.

Despite the proven benefits of music education, arts departments are often the first to suffer budget cuts, or to be eliminated altogether, when school funding is tight. Receiving the NAMM SupportMusic Merit Award helps schools like Memorial High demonstrate the importance of music education to their students' overall success in school and draw attention to the need for further resources to sustain these vital programs in the future.

Again, I want to congratulate Memorial High School for this achievement and for giving San Antonio students the opportunity to experience the joy of music and all the other academic advantages music education affords.

# INTRODUCING THE FDA DEEMING AUTHORITY CLARIFICATION ACT OF 2015

**HON. TOM COLE**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. COLE. Mr. Speaker, today I rise to introduce legislation, the FDA Deeming Authority Clarification Act of 2015, to make a technical change to the Family Smoking Prevention and Tobacco Control Act (FSPTCA). The Family Smoking Prevention and Tobacco Control Act provides the framework for the Food and Drug Administration (FDA) to regulate tobacco products and products with nicotine derived from tobacco.

Under the FSPTCA, the FDA was provided immediate regulatory authority over cigarettes, smokeless tobacco, and roll-your-own tobacco. Further, the FSPTCA allows FDA to regulate other tobacco products through a regulatory process.

The issue that my legislation seeks to remedy relates to a specific date—the predicate/grandfather date of February 15, 2007. The FSPTCA specifies that any cigarette, smokeless tobacco or roll-your-own tobacco product that was in the market before February 15, 2007 is grandfathered and can stay on the market without manufacturers submitting applications to FDA approval, but FDA is still able to regulate these products.

Manufacturers making changes to grandfathered tobacco products or introducing new tobacco products after this date are required to file an application with the FDA.

Further, a manufacturer is able to file a more abbreviated substantial equivalence application if the manufacturer can demonstrate that the modified or new tobacco product is substantially equivalent to a tobacco product that was on the market before this grandfather date. For this reason, this date is doubly important because it serves as both the grandfather date and the predicate date.

The FSPTCA further lays out that any products that came to market between February 15, 2007 and the date of enactment (June 22, 2009), or during the following 21 months (before March 22, 2011) were permitted to stay on the market, but the manufacturer was required to file a substantial equivalence (SE) for those products before the end of this transition period.

Finally, no product may be brought to market after this transition period without authorization from FDA.

Questions may be raised as to why the so-called predicate/grandfather date of February 15, 2007 was picked in the Act. If you look at the legislative history, February 15, 2007 was the date the Act was introduced in the 110th Congress. There was no other specific reason for the date chosen in the Act. Moreover, the 2007 date reflects the predicate/grandfather date for those immediately regulated products—not for products that FDA could choose to regulate at a later time.

On April 25, 2014, FDA released its proposed deeming regulation, which would grant authority for the agency to regulate cigars, vapor products and other products with nicotine derived from tobacco.

However, in the proposed rule, the agency stated it would maintain the February 15, 2007

as the predicate/grandfather date for newly deemed products even though the FDA has the regulatory discretion to choose a different date. Notably, the FDA provided for a two-year transition period, similar to the 21-month transition period contained in the Act.

The FDA claims that it lacks the legal authority to change the February 15, 2007 date even though it has used regulatory authority to make a number of decisions that were not spelled out in the initial Act. The agency should apply that same authority to altering the predicate/grandfather date for newly deemed tobacco products, while maintaining this important transition period.

Should the agency choose not to alter the date, the February 15, 2007 predicate/grandfather date will make it costly and create significant barriers for the industry and the FDA to bring innovative new products that may significantly reduce the harms associated with tobacco to market, and could force the withdrawal of many products that have come to market since February 2007.

The end result will be that newly deemed tobacco products would be treated much more harshly than immediately regulated products. Specifically, the “look back” period for cigarettes, smokeless tobacco and roll-your-own tobacco products was two years (June 2009 to February 2007) while the period for newly deemed products would be eight years (June 2015 to February 2007) if FDA meets its June 2015 target to publish a final deeming rule, and perhaps longer if FDA does not publish its final rule in time.

It makes no sense that immediately regulated products—which Congress decided were most in need of FDA regulation—get such an advantage over later regulated products.

In addition, applying the February 2007 predicate/grandfather date to newly deemed products or failure to provide for a transition period will immediately and dramatically add to FDA’s enormous backlog of SE applications, which stands at thousands to date.

Even though the FDA already has this authority, the legislation I introduce today will underscore that FDA should choose a new grandfather/predicate date each time the agency deems new tobacco products. Specifically, the bill would make the grandfather/predicate date for newly deemed tobacco products the effective date of the final rule and mimic the 21-month transition period provided for cigarettes, smokeless tobacco and roll-your-own tobacco.

Accordingly, on the crucial issue of path to market, later regulated products would be treated no better and no worse than immediately regulated products.

## CELEBRATING THE 36TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

**HON. J. RANDY FORBES**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Mr. FORBES. Mr. Speaker, I rise to commemorate and celebrate the 36th anniversary of the passing of the Taiwan Relations Act, the landmark piece of legislation that provides the legal basis for our bilateral relations with Taiwan, our close economic and security part-

ner and friend with which we share so many principles and values.

Our relationship with the Republic of China dates back decades, but it is as important today as ever. Taiwan stands today as a symbol of what countries can accomplish when they commit themselves to democracy, free enterprise, the rule of law, and respect for human rights. The Taiwan Relations Act, accordingly, stands as a symbol of the United States’ unwavering support for those values and its commitment to protect and uphold them wherever they take root.

The Taiwan Relations Act is also more than a symbol, however. It is a binding resolution that we in Washington will “consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States.”

Today, the peace and security of that critical region is being undermined by a military build-up on the mainland and increasingly aggressive behavior in its littoral waters. In this strategic environment it is critically important that we reaffirm our support to countries that share our values and behave with respect to their neighbors and the norms of international behavior.

## INTRODUCTION OF THE UNITED STATES COMMISSION ON AN OPEN SOCIETY WITH SECURITY ACT OF 2015

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 28, 2015*

Ms. NORTON. Mr. Speaker, as the nation’s capital brings thousands of Americans to Washington, D.C. this tourist season despite recent security incidents, I rise to reintroduce the United States Commission on an Open Society with Security Act of 2015. The bill is as timely now as when I first began working on it. I saw the first signs of the closing of parts of our open society after the Oklahoma City bombing, whose 20th anniversary we commemorated this year. I saw it again after 9/11. This bill grows even more urgent as the country is ensnared in wars that threaten our security, causing an increasing variety of security measures to proliferate throughout the country without due diligence and deep thinking about the effects on common freedoms and ordinary public access, and often without guidance from the government or bona fide security experts. Take the example of some ordinary government buildings. Security in some federal buildings bars tourists here for Cherry Blossom season from even getting in to use the restroom or enjoy the cafeterias. The security for some federal buildings has for too long been unduly influenced by non-security experts, who happen to work for an agency but do not have the expertise to take into account actual threats.

Another example is the District of Columbia’s only public heliport, which the Transportation Security Administration (TSA) and Federal Aviation Administration (FAA) shut down following the September 11, 2001, terrorist attacks, without explanation or means to appeal the decision. Just days after the 9/11 attacks,