

two homeowners don't want to budge. Susette Kelo has extensively remodeled her waterfront-view home. Wilhelmina Dery was born in her house in 1918 and has lived there her entire life.

You ask, why worry, how often? According to Institute for Justice, the public interest law firm litigating for the homeowners, nationwide, more than 10,000 properties were threatened or condemned in recent years.

Of the majority (Justices Stevens, Souter, Ginsburg, Breyer, and Kennedy), Justice Kennedy provided the dimmest hope, that states are free to pass additional protections. Fortunately for citizens of Connecticut,

Governor M. Jodi Rell is urging careful review, and possibly legislative solution in Hartford.

Florida is one of eight states that forbids the use of eminent domain when the purpose is not to eliminate blight. This does not reassure. A dismayed constituent cried that this decision has turned us into serfs who no longer own the land, we just inhabit it at the whim of the government. The Supreme Court's justices are appointed by our elected President and confirmed by our U.S. Senators, and affirm to uphold the U.S. Constitution, under which we think we are living. The Gainesville Sun polled "How do you feel about the Supreme Court ruling giving local governments power to seize private property to generate tax revenue?" Huge mistake, said 363 to 31. Similarly, the Marion Pulse of the Ocala Star Banner polled that 98.2 percent of its readers disavowed the ruling.

Justice O'Connor (joined by Rehnquist, Scalia, and Thomas) impassioned: "The specter of condemnation hangs over all property. Nothing is to prevent the state from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory. . . . Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. . . . As for the victims, the government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result."

What did the Founders say? Thomas Jefferson wrote that "Charged with the care of the general interest of the Nation, and among these with the preservation of their lands from intrusion, I exercised, on their behalf, a right given by nature to all men, individual or associated, that of rescuing their own property wrongfully taken" (to W. C. C. Claiborne, 1810).

Yes, the less-connected and the feeble have more to fear. Justice Thomas reminded that urban renewal has historically resulted in displacement of minorities, the elderly and the poor. This is why civil rights-promoting groups such as the NAACP and AARP filed friendly briefs. Non-profits and religious organizations also worry—they don't generate taxes. So, the Becket Fund for Religious Liberty were Amicus supporting petitioners.

When I took this job I vowed to uphold the Constitution. I will work with my colleagues, the Institute for Justice, the NAACP, the American Farm Bureau, AARP, Cato Institute, the National Association of Homebuilders, Reason

Foundation and other property rights advocates, to take back the Fifth amendment.

#### PERSONAL EXPLANATION

### HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. RAHALL. Mr. Speaker, I was unavoidably detained on official business on the afternoon of Monday, June 27, 2005. Had I been present I would have voted in the following manner: rollcall vote No. 322: yea; rollcall vote No. 323: yea.

#### TRIBUTE TO HOWARD ELINSON

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. WAXMAN. Mr. Speaker, Mr. BERMAN and I ask our colleagues to join us today in honoring Dr. Howard Elinson, who was born on the 11th of January, 1940 in New York City and who passed away on Friday June 17th, 2005 in Los Angeles at Midway Hospital.

Howard earned his B.A. and his Ph.D. in Sociology at UCLA. He taught for 1 year at Yale and for 7 years at UCLA. He worked as Administrative Assistant and Consultant for 27 years for Congressman HENRY WAXMAN. Six of those years were when Mr. WAXMAN was a State Assemblyman.

Howard is survived by his beloved and devoted brother Mark who is an admired and respected high school teacher of Social Studies in the Los Angeles City School system. He also serves as an Adviser to the L.A. Unified School District, instructing Social Studies teachers on the best techniques for teaching Social Studies.

Howard Elinson was and is unforgettable to any or all who knew or met him (no matter how casually or for how short a time). He changed the life of everyone in his personal orbit by his magnetic personality his unique insight into the human condition, his sharp wit his gigantic intellect his mastery of any human behavior subject, and his generosity and kindness.

But, unknown to most Californians and "Angelenos" (and unmentioned in media accounts) Howard Elinson changed the face of California and Los Angeles politics.

It was Howard Elinson who conceived and invented individually targeted computerized mail—the campaign technique that was instrumental in the 1968 primary election victory of HENRY WAXMAN for State Assembly (by, still to this date, the largest margin against an incumbent—this one a 26 year incumbent—of his own party), and the 1972 primary and general election victory of HOWARD BERMAN for State Assembly (the general against, ironically, a 26 year Republican incumbent).

It was Howard Elinson's ideas that were instrumental in electing Congressman HENRY WAXMAN, Congressman HOWARD BERMAN, Congressman Mel Levine, Congressman Julian Dixon, State Senator Herschel Rosenthal, State Assemblyman Burt Margolin, State Assemblyman Terry Friedman, and countless others.

And it was Howard Elinson who inspired the strategy and direct mail efforts that led to the election of Mayor Tom Bradley in 1973.

But Howard Elinson's life was much more than about politics. As a devout and Orthodox Jew his faith came first. And imagine this dark suited, yarmulke wearing, fast-talking man writing the "early 60's seminal study" of voting behavior for his Ph.D. thesis. He conducted lengthy and open-ended interviews, drawing out in their homes 50 white working class voters in Bell, California—the then-place-of-entry of the vast immigration from Oklahoma, the mid-west and the South to Southern California.

These Christian and working class people had perhaps never before met a Jew—and certainly not a readily recognizable Orthodox Jew. Yet they opened their hearts to this amazing man. They trusted him—no matter how "New York" he spoke, no matter how foreign he might have looked. That was the uniqueness, the special nature of Howard Elinson.

Perhaps inspired by his faith, or by his innate decency, Howard Elinson affected the lives of everyone who knew him. Many dozens of interns, staff, and budding politicians that came through HENRY WAXMAN's office sought Howard Elinson's advice and counsel—both personal and career. Hundreds of young people confused by the conflicts between a traditional religious life and modernity sought Howard Elinson's advice on how to cope—"who better to ask?" Children flocked to him—no child was unworthy of his attention, his sense of playfulness, his devotion to the child's value as a human being. No one in need (whether for a religious cause or in personal need) was turned down for a contribution. Howard Elinson's generosity was open ended and well known.

The untimely death of Howard Elinson was not just a loss to his family and friends, but to the people who have had in him a champion of a tolerant, liberal, and more humane America.

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 24, 2005*

The House in Committee of the Whole House on the State of the Union had under consideration this bill, (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. LANGEVIN. Mr. Chairman, I rise today in opposition to the Labor, Health & Human Services and Education Appropriations bill before us. This bill fails to address the priorities of the American people.

The bill shortchanges critical health care programs, offers the smallest increase to the National Institutes of Health (NIH) in 36 years, and falls to fulfill promises this Congress made

to disadvantaged children. With 45 million uninsured Americans, we cannot afford to eliminate programs targeted at meeting the needs of the uninsured or remove the support systems that exist for those doctors and nurses who are serving in areas where there is a shortage of professional health services.

Furthermore, in a time when scientists are just beginning to make meaningful progress on the projects they began between 1998 and 2003, it is irresponsible to fund NIH at a level 2.6 percent short of what they need to keep up with inflation in research costs. Under this legislation, NIH will be able to support about 505 fewer research grants than just two years earlier.

Finally, with a record 55 million children in public schools and state budgets stretched thin, this bill proposes to cut No Child Left Behind funding by \$806 million, leaving 3.1 million low-income children behind. This brings the total NCLB funding shortfall to \$40 billion, since its enactment in 2002.

The Appropriations Committee did take care to address some critical issues, such as restoring funding for the Elementary and Secondary School Counseling Program and the Assistive Technology Act, and I appreciate the support for these important programs. Unfortunately, the budget resolution for FY2006 prevented appropriators from being able to put forth a bill that truly reflected the needs of the American people. When Congress passed H. Con. Res. 95, the Budget Conference Report, the Republican leadership set the stage for these devastating cuts. This legislation makes it clear that tax cuts for the wealthy will continue to be paid for by slashing programs that Rhode Islanders depend on.

I urge my colleagues to reject H.R. 3010.

DEPARTMENTS OF LABOR,  
HEALTH AND HUMAN SERVICES,  
AND EDUCATION, AND RELATED  
AGENCIES APPROPRIATIONS ACT  
2006

SPEECH OF

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, June 24, 2005*

The House in committee of the Whole House on the State of the Union had under consideration the bill, (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. KENNEDY of Rhode Island. Mr. Chairman, I come to the floor today to highlight my disappointment with the lack of an adequate response from the National Institutes of Health concerning the conduct of basic behavioral research and training by the National Institute of General Medical Sciences. NIGMS is the institute dedicated to basic science that serves as the building blocks for applied research at multiple disease-specific institutes. For many years, Congress has directed NIGMS to fulfill its statutory mandate to include basic behavioral research and training as a component of its mission.

Two years ago, in August 2003, I met with the Deputy Director of NIH, and urged that he

help ensure that this basic function at NIGMS receive funding. This meeting led to the formation of an advisory committee to the NIH Director. That Special Task Force reported to the NIH Director in December and recommended that basic behavior research and training authority be funded at NIGMS. The National Academy of Sciences, in May of this year, also urged implementation and funding of this authority, particularly in research training, as such researchers will support the important advances in understanding the wide ranging of fundamental behavioral topics relevant to a variety of diseases and health conditions.

Basic behavioral science is critical to a comprehensive research agenda at NIH, and as several expert panels have concluded, NIGMS is the logical place to house such research and training. I intend to work with my fellow appropriators in the other body and with the Chairman and Ranking Member to see that our final bill makes sure this priority is realized.

TRIBUTE TO THE VALLEY  
CULTURAL CENTER

**HON. BRAD SHERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. SHERMAN. Mr. Speaker, as we approach July 4, 2005, the 229th celebration of America's independence, I rise to commemorate and commend the Valley Cultural Center. The Center is celebrating 30 successful years of promoting arts awareness across the San Fernando Valley of California. By fostering creativity and culture, the Valley Cultural Center has inspired the type of artistic individuality and cultural understanding that has contributed to the excellence, camaraderie, and ingenuity of our Nation.

Since its was established in 1975, the Valley Cultural Center has stood at the forefront of arts and culture in the San Fernando Valley, assisting the Los Angeles City Department of Recreation and Parks in bringing arts awareness to the community. The Center reaches out and engages the community through its awards and programs, including its annual Concerts in the Park, and performances at the Madrid Theater.

The Valley Cultural Center's awards and programs encompass the unique cultural and artistic dynamics of the San Fernando Valley. It inspires our youth to pursue a future of arts appreciation and cultural awareness by granting annually \$10,000 awards in performing and visual arts scholarships to outstanding students. The Valley Cultural Center also organizes arts, entertainment, and culinary celebrations throughout the year, including the Golden Horn Awards, and the Food, Wine and Micro-brew Festival.

Featuring rock, classical jazz, R&B, Latino pop, country, cowboy, Dixieland, and folk music, The Valley Cultural Center's Concerts in the Park series has established a tradition of family entertainment and a sense of community and culture for over 140,000 residents and visitors each summer. Free to the public, the Concerts in the Park are a central gathering point for residents to experience and share the diverse culture of the San Fernando Valley.

The Valley Cultural Center's annual July 4th Extravaganza is one of the best attended events in the Valley. It includes big-bands such as Don Sweeney and the SRO Band. Each year I take pleasure in joining thousands of Valley residents in the festivities that feature music, food, and fireworks as we celebrate America's independence. It is a wonderful opportunity for everyone in the Valley to honor our Nation and to celebrate with our families and friends.

Mr. Speaker, please join me in celebrating the 30th Anniversary of the Valley Cultural Center in the San Fernando Valley. The Center's contributions have been invaluable in bringing enjoyment, cultural understanding, and individualism to our community. I commend its leadership and service to the San Fernando Valley.

HONORING THE LITHUANIAN  
KAIMAS FUND PROJECT

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. SHIMKUS. Mr. Speaker, I rise today as Co-Chair of the Baltic Caucus to commend the work of the Lithuanian Kaimas Fund project. The project provides children in rural areas in Lithuania with educational opportunities. In just its third year, the project is having a positive impact on the lives of more than 2,000 young people in more than 60 rural villages across Lithuania. The Kaimas ("countryside") Fund is a private-public partnership between the American Lithuanian Economic Development Council, the Lithuanian Ministry of Education, the Lithuanian Embassy in Washington, DC and local non-governmental organizations who provide services to young people in Lithuania.

During a two-week summer program, community centers in the Lithuanian regions of Akmenes, Anykscai, Marijampole, Moletai, Ukmerge, Utena, Skuodas and Vilnius will provide opportunities for youth to participate in educational and athletic activities, including computer training. Because the project is supported by contributions from American donors, the project also demonstrates the generosity of Americans and the shared values between our countries.

I would specifically like to commend the work of Lithuanian Ambassador Vygaudas Usackas, and his wife Loreta, who established the Kaimas Fund in 2000, and the leading American supporters of this important initiative: Dr. Daiva Bajorunas and Stephen Sarnoff, Stanley Balzekas, Beverly Bridges, Dennis and Sally Garrison, Audrey and Martin Gruss, Joseph Krivickas, Cynthia Pasky, John Prunskis, George Ramonas and Eugene Rainis.

Most importantly, I would like to encourage the young people and leaders of the community centers who are participating in this program in Lithuania. This summer, you are helping to strengthen the special friendship between Lithuania and America. You are also a vital part of the future of the special relationship our countries share.