

Under his guidance, the Supreme Court from 1801 to 1835 expanded the definition of commerce, solidified the Supreme Court's dominance over the State court system, and defended the Federal Government's implied power.

These contributions and many others came after the first, and arguably most important, opinion he penned—judicial review. Shortly after his ascension to the bench, Chief Justice John Marshall affirmed the ability of the Supreme Court as the only body to decide the constitutionality of Federal or State law under the United States Constitution.

It is fitting that Marshall's birthday occurs at the same time as the United States Senate considers John Roberts' nomination to be Chief Justice of the Supreme Court. Like Marshall, Roberts would become chief justice at a relatively young age.

It is reported that Roberts would touch the statue of former Chief Justice Marshall that sits at the Supreme Court for luck before each case he argued. It is clear that John Marshall established an enduring legacy.

EXPRESSING DISAPPOINTMENT  
ABOUT THE VOTE ON CONYERS  
AMENDMENT TO CHILDREN'S  
SAFETY ACT

**HON. VIRGINIA FOXX**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Ms. FOXX. Mr. Speaker, I want to express my disappointment about a vote that was taken in this House last week.

The House took up very important, long overdue legislation to protect America's children and keep despicable predators off our streets.

However, an abominable amendment was offered by a Democrat that had no business being a part of the Children's Safety Act.

The noble and monumental Children's Safety Act was tainted by the Conyers amendment that seeks to punish people for their thoughts, specifically if they believe homosexuality is wrong.

While considering a great Republican bill that will crack down on pedophiles, rapists and murderers, the self-motivated Democrats instead took the opportunity to further their out of touch agenda.

I voted against the Conyers amendment and I am truly saddened that it passed.

The Children's Safety Act is so important and will do so much good in our country that I still voted for final passage despite the inclusion of this awful, unrelated amendment.

The opportunity to vote to protect American children from monstrous criminals could not be declined simply because there was a blemish on otherwise outstanding legislation.

RECOGNIZING RYAN E. JONES FOR  
ACHIEVING THE RANK OF EAGLE  
SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ryan E. Jones, son of Chris and

Colleen Jones, of Saint Joseph, Missouri. Ryan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Ryan will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Ryan has been very active with his troop, participating in many Scout activities. Over the years Ryan has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions including Patrol Leader and Troop Guide. Ryan is a member of the Tribe of Mic-O-Say, and spent almost every summer at Philmont Boy Scout Ranch.

For his Eagle Scout project, Ryan cleaned up brush and mowed at Happy Hallow Cemetery.

Mr. Speaker, I proudly ask you to join me in commending Ryan E. Jones for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN CELEBRATION OF THE 50TH AN-  
NIVERSARY OF MCGUCKIN'S  
HARDWARE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge the 50th Anniversary of McGuckin's Hardware Store in Boulder, Colorado. McGuckin's is a landmark in Boulder and has long had a very special reputation for stocking hard-to-find items.

McGuckin's was opened in 1955 by Bill McGuckin, a rugged outdoorsman and avid fisherman. The store originally consisted of only four employees and four departments with a business ethic based on Bill McGuckin's belief in personalized service, selection, and first-hand experience. In 1960, Dave Hight joined his father-in-law, Bill, as a partner, and together they committed themselves to fostering McGuckin's well-deserved reputation as "the Greatest Hardware Store in the World."

After Mr. McGuckin's passing in 1966, Mr. Hight continued the excellent service and selection offered to customers. His company continued to grow over the next 50 years, and today, this independently-owned business has prospered to employ 315 individuals in all its operations. In addition to its 60,000+ square foot sales floor with over 200,000 items for sale, there is a Design Center and a Distribution Center nearby to meet every customer's need. You name it, they have it. When there's a problem with something they sell, they fix it. In the unlikely event they don't have that particular something for which you were looking, their knowledgeable, experienced staff knows where to order it and does so with a friendly manner and without a fuss.

Not surprisingly, McGuckin's has developed a loyal and devoted clientele. Boulder's Daily Camera readers have voted it "Best Hardware Store," "Best Locally-Owned Store" and "Best Customer Service." "Best Customer Service" is an understatement; McGuckin's employees are beyond comparison. They wear green and

are found in almost every aisle. You can still find Dave Hight in the middle aisle. They give plain, old-fashioned, perfect service with no hovering or hard-sell. No matter which department they work in, they all know where everything in the store is located.

McGuckin's quality service doesn't stop with humans either; this store welcomes pets on-leash too. As dog-lovers on my staff will tell you, most of Boulder's best-behaved dogs and puppies began refining their social skills by shopping in McGuckin's pet supply department. Employees dressed in green will greet customers and their pets and will often ask permission to give the dog a treat. While I have never tried one, I am reliably informed by pet owners that if you give permission, the most "delectable tidbits" come out of those green smock pockets. McGuckin's is, therefore, not only a big hit with people working on their week-end home improvement projects, it is also popular with Boulder's canine population.

Mr. Speaker, I ask my colleagues to join me in acknowledging David Hight and his employees for their commitment to uniquely serving their customers. If you're ever visiting Boulder, I hope you'll have the chance to go to McGuckin's. You won't be sorry and you won't find any store like it in this day and age. I congratulate David Hight and all the employees and their families on this 50th Anniversary and wish them good health and happiness in McGuckin's future.

IN RECOGNITION OF BILL AND  
MARGURITE ADDISON

**HON. C.A. DUTCH RUPPERSBERGER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. RUPPERSBERGER. Mr. Speaker, William and Margurite Addison are a wonderful couple who have provided a permanent home for five children who were part of the State foster care system. Although the Addisons had thought their childrearing years were finished when their own biological children had become young adults (Ms. Addison has four biological children, ranging in age from 34 to 41, and Mr. Addison has two birth children, ages 29 and 35), they opened their home to one of Mr. Addison's nephews, Ralph, (now age 17) in 1992. The Addisons became approved foster parents for Ralph in 1994 and subsequently decided to open their home to non-relative foster children when they realized how many children were in desperate need of out-of-home care.

In 1998, the Addisons were approved as an adoptive resource for Ralph and their adoption was subsequently finalized that year. However, that was only the first of what ultimately became five adoptions. In 1999, Malik (now age 9) was adopted, Kevin (now age 3), was adopted in 2000, Warren (now age 6) was adopted in 2003, and Bryleigh (now age 3) was adopted in 2004. Except for Ralph, each of these children had come to the Addison home via the foster care system as drug-exposed infants (none of them are related). In addition, Warren suffers from sickle-cell anemia, as well as emotional/behavioral difficulties. Ralph has received special education services in school and it is likely Warren will also need a special school setting.

Mr. Addison is an educator and administrator at the Regional Institute for Children and Adolescents (RICA), which is a State-run facility for emotionally handicapped youngsters. In addition, he has facilitated anger management groups at the House of Ruth (a shelter for victims of domestic violence) or men who have a history of domestic violence.

Ms. Addison was a former truant officer for the public school system and has been active in supporting other adoptive families by developing an adoption support group for families that have adopted through the Baltimore City Department of Social Services. Although the support group is no longer active, she continues to support approved prospective adoptive families who are currently waiting to be matched with a child who needs a home.

PROTECTING MEDICARE BENEFICIARIES DURING IMPLEMENTATION OF THE MEDICARE PART D DRUG PROGRAM

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. STARK. Mr. Speaker, I rise with my colleague Representative JAN SCHAKOWSKY (D-IL) to introduce the Medicare Informed Choice Act. This bill provides needed extra protections for beneficiaries during the first year of implementation of the new Medicare prescription drug program.

The Centers for Medicare and Medicaid Services (CMS) has announced that participation rates by private drug plans and new Medicare Advantage plans in the new Part D drug program will be much higher than originally predicted. There will be an average of 40–50 plans per region in the country. Babette S. Edgar, finance and operations division director in CMS's Medicare Drug Benefit Group, was recently quoted saying, "There's going to be a lot of choice out there . . . It's going to be very, very confusing for [beneficiaries]."

We agree with Ms. Edgar. That's why we're introducing the Medicare Informed Choice Act. It is a simple bill with three important protections:

(1) Delays late enrollment penalties: Beneficiaries need adequate time to make an informed choice. The bill expands the existing six-month open enrollment period to the entire year of 2006. This will give people added time to do the research and make the best decisions for themselves. Six months is not adequate time to reach and counsel 42 million beneficiaries on this complex new program.

(2) Protections against bad choices: This provision gives every Medicare beneficiary the opportunity to make a one-time change in plan enrollment at any point in 2006. Marketing is sure to be very aggressive and people may make a bad choice. Given the importance of the decision they make, it is appropriate to give beneficiaries a one-time chance to correct an initial mistake made during the first year of implementation.

(3) Protections for employer-provided retiree benefits: Some retirees might not understand that purchasing Part D coverage could cost them their retiree health benefits. This provision would protect retirees from being dropped by their former employer's plan during the first

year of implementation, so that beneficiaries have time to correct enrollment mistakes.

Medicare beneficiaries are going to soon begin getting bombarded by information on the new drug benefit. Some information will come directly from the government in the form of the 2006 Medicare & You Handbook, a government insert in an upcoming edition of Parade Magazine, government-prepared television advertisements, and mailings from Health and Human Services and the Social Security Administration, communications from their Members of Congress and Senators, and more. On top of all of these messages, they'll be recipients of direct marketing from untold numbers of private plans urging them to join their drug plan. They'll also likely hear from advocacy organizations like the Medicare Rx Access Network, State Health Insurance Programs around the country, and senior organizations. If they currently have retiree health benefits, they'll hear from their former employers as well.

Medicare beneficiaries are being told that there will be counselors available to assist them at 1–800–Medicare and at local State Health Insurance Programs around the country. We know from experience that these phone lines and support services will be overburdened. Beneficiaries should not pay the price for a support system that may not operate effectively. To avert that, we must inject some flexibility into the implementation period.

The Administration's own actuaries are concerned that participation rates will be far lower than they'd initially anticipated—they've announced figures as low as 9 million out of Medicare's more than 40 million beneficiaries. Again, CMS is right to be concerned. We appreciate their recognition of the pending chaos for seniors and people with disabilities.

By delaying late enrollment penalties, giving every beneficiary a chance to change plans during the first year, and protecting those with employer-provided retiree health benefits, we can make sure our constituents are not forced into making quick—and wrong—decisions during the first year of this new program. By providing this flexibility, it is our hope that people will feel more confident in their ability to make an informed choice.

We are pleased that Representatives DINGELL, RANGEL, MILLER, WAXMAN, BROWN, and PALLONE—Congressional leaders on health care policy—have all joined us in introducing this legislation today. The bill has also been endorsed by leading senior citizen advocacy groups including: the Alliance for Retired Americans, the American Federation of Teachers, the Center for Medicare Advocacy, Consumers Union, Families USA, the Medicare Rights Center, and the National Committee to Preserve Social Security and Medicare.

We urge CMS Administrator McClellan, HHS Secretary Leavitt, President Bush and Republicans in Congress to join with us to help mitigate the weight of the difficult choices that beneficiaries will have to make by endorsing the Medicare Informed Choice Act and working for its swift passage.

Let's work together to make sure that initial choices don't negatively impact Medicare beneficiaries who may have acted without all the information needed to make the best choice. Protecting Medicare beneficiaries should not be a partisan endeavor. We look forward to working with Members on both sides of the aisle to enact this important legislation.

RECOGNIZING CASEY M. DUPREE FOR ACHIEVING THE RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Casey M. Dupree, son of Keith and Carol Dupree of Saint Joseph, Missouri. Casey is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 31, and by earning the most prestigious award of Eagle Scout. Casey will receive his Eagle Award on October 2, 2005 at Saint Francis Xavier Parish Center.

Casey has been very active with his troop, participating in many Scout activities. Over the six years Casey has been involved with Scouting, he has earned numerous merit badges, honors, and leadership positions. Casey has served his troop as Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader, and Troop Guide. Casey holds the rank of Tom Tom Beater in the Tribe of Mic-O-Say. During his years in the Scouts, Casey spent six years at Camp Geiger, and went on both the Canoe Trip and Katy Trail 50 Mile Bike Ride for three years.

For his Eagle Scout project, Casey stained flower boxes for Our Lady of Guadalupe Church.

Mr. Speaker, I proudly ask you to join me in commending Casey M. Dupree for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE OUTSTANDING ENVIRONMENTAL RECORD OF LEXMARK INTERNATIONAL

**HON. BEN CHANDLER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2005*

Mr. CHANDLER. Mr. Speaker, I rise today to shower praise on my constituents at Lexmark International, whose recent awards for environmental excellence show yet again the extremely impressive commitment of Lexmark to environmental protection.

As I am sure most of my colleagues know, Lexmark is one of the world's leading manufacturers of printers and developers of cutting-edge printing solutions for enterprises large and small. Lexmark is headquartered in Lexington, the heart of the Sixth Congressional District of Kentucky, and truly has become a global leader in the information technology sector.

Having toured Lexmark's headquarters and having viewed the range of highly-sophisticated equipment that Lexmark offers, and having met with one impressive engineer and manager after another during my visit with Lexmark, I congratulate Lexmark on being one of the true industrial gems of the Commonwealth of Kentucky.

I am especially proud of Lexmark because when my grandfather served as Governor of Kentucky, he attracted Lexmark's predecessor, IBM, to the location Lexmark so