

as Manhattan borough president. In citywide elections nine months later, she was re-elected to a full four-year term with the endorsement of the Democratic, Republican and Liberal Parties.

As borough president, she drew up a seven-point program for the revitalization of Harlem and East Harlem, securing \$700,000 to plan for those and other underprivileged areas of the city.

After becoming a federal judge in 1966, Judge Motley ruled in many cases, but her decisions often reflected her past. She decided on behalf of welfare recipients, low-income Medicaid patients and a prisoner who claimed to have been unconstitutionally punished by 372 days of solitary confinement, whom she awarded damages.

She continued to try cases after she took senior status. Her hope as a judge was that she would change the world for the better, she said.

"The work I'm doing now will affect people's lives intimately," she said in an interview with *The New York Times* in 1977, "it may even change them."

[From the Washington Post, Sept. 29, 2005]

CIVIL RIGHTS LAWYER BAKER MOTLEY DIES

(By LARRY NEUMEISTER)

NEW YORK.—When she was 15, Constance Baker Motley was turned away from a public beach because she was black. It was only then—even though her mother was active in the NAACP—that the teenager really became interested in civil rights.

She went to law school and found herself fighting racism in landmark segregation cases including *Brown v. Board of Education*, the Central High School case in Arkansas and the case that let James Meredith enroll at the University of Mississippi.

Motley also broke barriers herself: She was the first black woman appointed to the federal bench, as well the first one elected to the New York state Senate.

Motley, who would have celebrated her 40th anniversary on the bench next year, died Wednesday of congestive heart failure at NYU Downtown Hospital, said her son, Joel Motley III. She was 84.

"She is a person of a kind and stature the likes of which they're not making anymore," said Chief Judge Michael Mukasey in U.S. District Court in Manhattan, where Motley served.

From 1961 to 1964, Motley won nine of 10 civil rights cases she argued before the Supreme Court.

"Judge Motley had the strength of a self-made star," federal Judge Kimba Wood said. "As she grew, she was unfailingly optimistic and positive—she never let herself be diverted from her goal of achieving civil rights, even though, as she developed as a lawyer, she faced almost constant condescension from our profession due to her being an African-American woman."

Motley, who spent two decades with the NAACP's Legal Defense and Educational Fund, started out there in 1945 as a law clerk to Thurgood Marshall, then its chief counsel and later a Supreme Court justice. In 1950, she prepared the draft complaint for what would become *Brown v. Board of Education*.

In her autobiography, "Equal Justice Under Law," Motley said defeat never entered her mind. "We all believed that our time had come and that we had to go forward."

The Supreme Court ruled in her and her colleagues' favor in 1954 in a decision credited with toppling public school segregation in America while touching off resistance across the country and leading to some of the racial clashes of the 1960s.

In the early 1960s, she personally argued the Meredith case as well as the suit that re-

sulted in the enrollment of two black students at the University of Georgia.

"Mrs. Motley's style could be deceptive, often allowing a witness to get away with one lie after another without challenging him," one of the students, journalist Charlayne Hunter-Gault, wrote in her 1992 book, "In My Place." But she would "suddenly throw a curve ball with so much skill and power that she would knock them off their chair."

Motley also argued the 1957 case in Little Rock, Ark., that led President Eisenhower to call in federal troops to protect nine black students at Central High.

Also in the early 1960s, she successfully argued for 1,000 school children to be reinstated in Birmingham, Ala., after the local school board expelled them for demonstrating. She represented "Freedom Riders" who rode buses to test the Supreme Court's 1960 ruling prohibiting segregation in interstate transportation. During this time, she represented the Rev. Martin Luther King Jr. as well, defending his right to march in Birmingham and Albany, Ga.

Motley and the Legal Defense and Education Fund, committed to a careful strategy of dismantling segregation through the courts, were amazed by the emergence of more militant tactics such as lunch-counter sit-ins, but she came to believe that litigation was not the only road to equality.

Recalling a 1963 visit to King in jail, she remarked, "It was then I realized that we did indeed have a new civil rights leader—a man willing to die for our freedom."

Motley was born in New Haven, Conn., the ninth of 12 children. Her mother, Rachel Baker, was a founder of the New Haven chapter of the National Association for the Advancement of Colored People. Her father, Willoughby Alva Baker, worked as a chef for student organizations at Yale University.

It was the beach incident that solidified the course her life would take.

Though her parents could not afford to send her to college, a local philanthropist, Clarence W. Blakeslee, offered to pay for her education after hearing her speak at a community meeting.

Motley earned a degree in economics in 1943 from New York University, and three years later, got her law degree from Columbia Law School.

In the late 1950s, Motley took an interest in politics and by 1964 had left the NAACP to become the first black woman to serve in the New York Senate.

In 1965, she became the first woman president of the borough of Manhattan, where she worked to promote integration in public schools.

The following year, President Johnson nominated her to the federal bench in Manhattan. She was confirmed nine months later, though her appointment was opposed by conservative federal judges and Southern politicians.

Over the next four decades, Motley handled a number of civil rights cases, including her decision in 1978 allowing a female reporter to be admitted to the New York Yankees' locker room.

Motley is survived by her husband and son, three sisters and a brother.

#### HONORING THE 10TH ANNIVERSARY OF THE LOWER MERION CONSERVANCY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor the Lower Merion Conservancy during

its 10th anniversary celebration. The Lower Merion Conservancy was formed in 1995 when the Lower Merion-Narberth Watershed Association merged with the Lower Merion Preservation Trust.

The Conservancy focuses on education, conservation and the preservation of historic resources and open space in Lower Merion Township, Montgomery County, PA. The Conservancy actively engages members of the community to participate in conservation through programs such as Stream Watch, in which individuals adopt a stream to monitor, and Bird Watch and Butterfly Watch, in which people identify and number species near their homes.

Additionally, the Conservancy has an easement program to protect Township properties and has forest restoration and native plant gardening programs. Folks from the Conservancy partner with school groups for educational programs with children, the highlight of which is the Children's Earth Day Forest. These projects emphasize to our young people the responsibility we all share to protect our natural resources.

I want to especially recognize the Conservancy's Executive Director, Mike Weilbacher. His leadership and efforts in educating the public about the environment and conservation have earned him awards from the Pennsylvania Resources Council, the Pennsylvania Wildlife Association and the Pennsylvania Alliance for Environmental Education.

I am proud to represent an organization that has spent so many years in service of our environment and our community. I wish to extend my appreciation, and that of all those who have been helped by members of the Conservancy. I encourage my colleagues to join me in saluting the Lower Merion Conservancy on reaching this milestone.

#### SUPPORTING THE GOALS AND IDEALS OF DOMESTIC VIOLENCE AWARENESS MONTH

SPEECH OF

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 27, 2005

Mr. EMANUEL. Mr. Speaker, I rise today in strong support of H. Con. Res. 209, Supporting the goals and ideals of Domestic Violence Awareness Month. Domestic violence continues to have a devastating effect on American families. It is important for Congress to take a leading role in raising awareness about this issue.

I am proud to have played a leading role in creating the 1994 Violence Against Women Act during my time in the White House. Since the passage of this important act, the rate of domestic violence in the United States has diminished. However, there is still work to be done in breaking the cycle of violence and addressing the root causes of domestic violence.

Domestic violence affects women, men, and children of all racial, social, religious, ethnic and economic backgrounds. Between 1998 and 2002, family violence accounted for 11 percent of all reported violence in the nation. 22 percent of murders in 2002 were committed by family members of the victims, and approximately 15 percent of violent crime convictions were for an attack on a family member.

Congress must support measures to stop domestic violence before it begins through education, transitional housing assistance and counseling programs. We must also make it a priority to reauthorize the Violence Against Women Act and ensure that this important legislation receives sufficient funding.

Mr. Speaker, I thank the gentleman from Texas for introducing this important resolution, and I urge my colleagues to join me in support of establishing October as Domestic Violence Awareness Month.

#### CONGRATULATING THE AGGELER FAMILY

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 29, 2005*

Mr. LEVIN. Mr. Speaker, I rise to congratulate the Aggeler Family, the proud recipients of the 2005 Donna Greco Issa Family of the Year Award from the March of Dimes.

Following in the tradition of those families who are past recipients of this distinguished award, the Aggeler Family has a strong and passionate enthusiasm for family and devotion to community.

Mr. and Mrs. Aggeler moved from Missouri to Michigan in 1944. Soon after, they founded a lumber company, John's Lumber, in Mount Clemens. The business has been in the family for over 58 years.

John Aggeler believed if you treat people well they would continue to come back. This ideology is the foundation for the company's commitment to its community, family, and employees. Currently, the family's third generation is working for the company and continues to reside in Macomb County.

The Aggeler children have continued his legacy of commitment and outstanding service. The thread of service to others runs through their family.

Michael Aggeler is one of many Aggeler children who continues to work for the family business and is extremely active in the community. For 31 years, Michael has been a member of St Mary's S.M.A.S.H. outing. He also served for 6 years as a board member of the Michigan Lumber and Building Materials Association and is a member of the Mount Clemens Lions Club.

Mr. Speaker, I ask my colleagues to join me recognizing the Aggeler Family for their commitment to their family and employees, along with the extraordinary legacy of the service to their community. They are well deserving of the Donna Greco Issa Family of the Year Award.

#### IN HONOR AND REMEMBRANCE OF JESS A. BELL

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 29, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Jess A. Bell, dedicated family man, community activist, business leader, U.S. Veteran, and friend and mentor to many.

Mr. Bell grew up in Cleveland, attended Baldwin Wallace College and served our country as a paratrooper during WWII and the Korean War. In 1959, he became president of the Lakewood-based Bonne Bell Inc., a company his father had started thirty-two years earlier.

Mr. Bell's unwavering integrity, concern for others, boundless energy and expansive heart, reflected within every facet of his life—from his commitment to his family, to his concern for his employees, to his social activism on behalf of charitable causes. He blazed a trail of opportunity for all when he became one of the only business leaders in America to initiate a program to hire senior citizens, some of them in their nineties. Many companies have since followed in his path, realizing the significant contributions offered by older Americans.

Always focused on the health and well-being of his employees, Mr. Bell, a marathon runner himself, provided on-site exercise facilities and offered financial incentives for employees who took personal responsibility for their physical health. In 1970, he founded the American Heart Association's Cleveland Heart-A-Thon. He also led the effort to establish a tennis tournament between the United States and Australia that served to promote the development of girls' junior tennis programs.

Mr. Speaker and colleagues, please join me in honor and remembrance of Jess A. Bell. Please also join me as I offer my deep condolences to his wife of 51 years, Juliana; his children, Julie, Buddy, James and Joe; his 14 grandchildren; his sister Bonne, and his extended family and many friends. Though he will be greatly missed, the joyous legacy of his life, framed by kindness, energy and an unwavering focus on lifting the lives of others, will live on forever within the hearts of his family and friends, and within the spirit of our entire community.

#### A TRIBUTE TO ROBERT WASH

#### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 29, 2005*

Mr. COSTA. Mr. Speaker, I rise today to honor the memory of Robert M. Wash of Fresno, California. He is survived by his two sons John and Thomas, and daughter Lynn.

Robert Wash was a respected member of our community and his memory will be forever cherished. He was born to Henry and Effie Wash on May 27, 1908 and grew up in Fresno County. His family instilled in him the qualities of character with which he touched so many lives.

Upon graduation from Caruthers High School, Mr. Wash attended the University of California, Berkeley; where he graduated with a degree in Economics. Ever the dedicated student he continued his education at Boalt Hall and passed the California State Bar Exam. He pursued his passion for law by becoming a prosecuting attorney in the District Attorney's office for several years. In 1950, he was appointed Fresno County's first County Counsel. He retired from the position in 1978, after serving as County Counsel for 28 years. In 2001, Robert Wash received the highly prestigious Bernie E. Witkins Lifetime Achieve-

ment award from the Fresno County Bar Association.

Mr. Wash was not only a dedicated employee he was also an active community participant. He was a member of the Fresno Rotary Club, Fowler Friday Evening Club, Garden of the Sun Corral of the Westerners International and the San Joaquin Civil War Roundtable.

Robert Wash had a passion for history that he expressed through his amazing writing. His vast knowledge of the area's history and his love of the subject was projected through his writings. Many of the historical markers in Fresno County are inscribed with his words. He was the President of the Fresno County Historical Society and played the role of Confederate President Jefferson Davis at the Civil War Reenactment ceremonies on several occasions.

Aside from being an accomplished writer and making incredible professional achievements, Robert Wash was a beloved family man. He is described as being a good man who took care of his family.

Robert Wash was his Family's hero and will continue to be appreciated by his community.

#### CONGRATULATIONS TO DEERLAKE MIDDLE SCHOOL IN TALLAHASSEE, FLORIDA

#### HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 29, 2005*

Mr. BOYD. Mr. Speaker, I would like to take this opportunity to congratulate Deerlake Middle School, home of the Bucks, in Tallahassee, Florida for receiving the Blue Ribbon School award under the No Child Left Behind program. This award is certainly a testament to the quality of education this school provides and to the hard work the administrators, faculty and students have done to be one of only thirteen schools in the entire state to win this award.

Many identify No Child Left Behind with efforts to improve failing schools. However, schools like Deerlake that go above and beyond what is required by the law should not be forgotten. I am extremely proud of not just the students who worked so hard, but also the faculty and administrators whom spent so many hours helping the students become better citizens through education.

Deerlake Middle School is a model of excellence that will serve as an example to every Middle school throughout the United States. This school has proven that through hard work and dedication, academic success is not out of reach for any student.

Therefore, I ask every member to please, join with me in congratulating the children and teachers of Deerlake Middle School who have worked so hard to achieve their goal. I would also like to congratulate Principal Jackie Pons and Assistant Principals Gwendolyn Lynn Williams and Shane Syfrett for providing this level of excellence.

The future of this country depends on the success of our education system. As the Representative of Tallahassee Florida, I am honored and proud to be on the floor today speaking about such students and the parents who support them everyday.