

the city is a bustling community approaching 60,000 people and has grown to become one of the strongest economic centers in the state. Jonesboro is known for award winning school districts, Arkansas State University, outstanding medical centers, and a regional destination for arts and entertainment. Jonesboro is an outstanding community to me and I am honored to represent all of the wonderful people who call Jonesboro their home.

Over the past 150 years Jonesboro has seen many changes but one thing remains the same—the people of this city, throughout good times and bad, have always come together to cherish, celebrate and support one another. This is what makes the community unique and it is their key to success. I am certain the City of Jonesboro has a bright future and will continue to be the cornerstone for prosperity in our state.

BILL OF RIGHTS FOR THE NEW MILLENNIUM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. DUNCAN. Madam Speaker, Billy Stokes is the founder and senior partner of the law firm of Stokes, Williams, Sharp and Davies in Knoxville, Tennessee. He was one of the highest-ranking state officials during the administration of former Governor Don Sundquist.

Like most Americans today, he is worried about our Country's future. He has given a lot of thought to where we are and where we are headed as a nation, and he has written to me with a proposal for a "Bill of Rights for the New Millennium."

BILL OF RIGHTS FOR THE NEW MILLENNIUM

I. WE THE PEOPLE OF THE UNITED STATES:

This means all of us;

II. IN ORDER TO FORM A MORE PERFECT UNION:

We pledge to cooperate and communicate with members of the opposing party to address and to resolve issues affecting our Nation in a civil manner;

Communication and cooperation does not require abandoning our core principles;

The Federal Government will not impose its will on state and local governments;

III. ESTABLISH JUSTICE:

The right of the people to seek redress and remedy in the Courts will not be impeded;

Those who seek to demean or simply profiteer by abusing our judicial system through frivolous lawsuits will not be tolerated.

IV. INSURE DOMESTIC TRANQUILITY:

Lines of communication from the citizenry to the Government will be open and welcome;

Citizens will not be intimidated or insulted for petitioning the government through their elected representatives, to be heard;

V. PROVIDE FOR THE COMMON DEFENSE:

The greatest and most honorable military in the history of the world will be maintained and supported;

We will use our might to protect our freedoms and will protect the USA from enemies of such freedoms, state-sponsored or otherwise; foreign or domestic, by all means necessary;

VI. PROMOTE THE GENERAL WELFARE:

We will see that access to adequate healthcare is available to all Americans;

The helpless will be helped;

Meaningful opportunities for success will be open to all who are willing to work;

VII. SECURE THE BLESSINGS OR LIBERTY TO OURSELVES AND OUR POSTERITY:

We will support the principles of hard work that this Nation is built upon;

While taxes are necessary, hard work and success will not be punished by attempts to redistribute wealth gained thereby;

We cannot and will not pile debt upon our children and grandchildren;

VIII. WE WILL DEFEND AND PROTECT THE CONSTITUTION OF THE UNITED STATES OF AMERICA AT ALL TIMES.

EMPLOYER-OWNED LIFE INSURANCE LIMITATION ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GUTIERREZ. Madam Speaker, I rise today to announce the introduction of my bill, the "Employer-Owned Life Insurance Limitation Act." Every employee makes a commitment to his employer. He commits time, energy and creativity to the advancement of the company.

However, instead of making a commitment to their employees—their health, education and wellbeing—many companies are gambling on their lives by taking out employer-owned life insurance policies in which the company is the only beneficiary. The family and loved ones of a deceased individual should be the only beneficiaries of a life insurance policy, not a speculating company.

As highlighted in Michael Moore's new film, "Capitalism: A Love Story," a corporation is allowed to take out life insurance on its employees—often without their knowledge or consent—and cash in, in the event of their death. These policies are being taken out on everyone from the CEO to the janitor, and the only beneficiary of these countless policies is the company itself.

Every day, 14,000 people in this country lose their health insurance; but instead of investing in the health, life and longevity of its employees, much of Corporate America has adopted the practice of investing its resources in the demise of its employees. My legislation would prohibit the practice of taking out employer-owned life insurance except in the case where the death of an individual would incur a significant cost to the company—that is individuals making \$1 million or more in salary.

In addition, this legislation would require that the company disclose the policy to the covered individual within 30 days of taking out the policy. Also, should the employee move on to another job, the employer would have 30 days to cancel the policy. This will stop the practice of taking out policies without an employee's knowledge and maintaining the policy long after the employee has left the company.

Employees who find that their employer has taken out a policy in violation of this legislation would have the right to bring civil action against their employer to stop the company from holding the contract. Additionally, the employee could be awarded damages amounting to either \$500,000 or, in the case of a deceased employee, three times the amount of the benefit paid to the employer. In the case of a living employee, the employee would be

awarded three times the benefit as it exists on the date of action, whichever is greater.

I believe that taking out employer-owned life insurance policies on non-executive level employees is criminal, and my legislation would punish it accordingly by establishing such a violation as a misdemeanor punishable by a \$500,000 fine and imprisonment for up to one year.

This legislation would also commission a GAO study to examine the prevalence of these policies and the number of violations under this bill to ensure that we have the most accurate information on this practice.

Madam Speaker, each year companies spend \$8 billion in premiums on these policies. That is \$8 billion that could be directed toward employee healthcare, pensions and educational opportunities. Instead, it goes to what is essentially a game of Craps, where an employer is betting and banking against the employee's life.

I ask my colleagues to join me in eliminating this unjust practice.

TRIBUTE TO THE MEMORY OF MAXINE JAMES

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PAYNE. Madam Speaker, I ask my colleagues here in the House of Representatives to join me as I rise with a heavy heart to remember my long time Chief of Staff and friend, Maxine James. Maxine passed away on September 21, 2009, after a lengthy illness. Prior to her retirement last year, Maxine served as my Chief of Staff from the time of my inauguration in 1989. She was an integral part of my career and I credit much of my success to her capable skills. Maxine was the consummate professional who served as my personal advisor and as Staff Developer for my office.

Maxine James was born and raised in Newark, New Jersey. She was a long time resident of Newark until she purchased a home in East Orange 12 years ago. Maxine was always interested in being of service to the public at large. During her 15 years as a Community Affairs Department Staffer for Prudential Insurance Company, she served on the boards of directors of various community organizations including Second Chance, a program developed to help ex-offenders and the problem of recidivism; Newark House, a State run halfway house for prisoners and Newark Emergency Services for Families where she served the board as treasurer, vice president and president. During Maxine's tenure as president, NESF opened the first homeless shelter for families. It was while I served an executive at Prudential that I had the opportunity to meet this talented and promising young woman.

Maxine was an extraordinarily gifted woman who volunteered her skills and resources to assist others. She was only the third woman and first African-American woman to join the Newark Jaycees. She used her limited knowledge of campaigns and elections to mount a campaign for the position of external vice president which she won handily. Maxine enjoyed a vast network of friends and associates who will all miss her tremendously. Maxine

was a dedicated and caring mother to her two sons, Brian and Christopher as well as a devoted grandmother to Olivia and Malcolm.

Madam Speaker, I know my colleagues agree that the Greater Newark Community has lost a visionary and friend in Maxine James. Her family, friends and associates can all be proud of the legacy she leaves behind.

OPPOSING MOTION TO RECOMMIT
H.R. 3221

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise to voice my concern over the recent motion to recommit the bill HR 3221, the Student Aid and Fiscal Responsibility Act of 2009, which passed the House on September 17, 2009.

The motion to recommit stated, in part, that no organization that has been indicted for any federal or state campaign finance or election law can be eligible for any federal government contract or grant. The motion specifically names the Association of Community Organizations for Reform Now (ACORN) as an organization covered by the bill.

Article I, Section 9 of the Constitution clearly states, "No Bill of Attainder or ex post facto Law shall be passed." Congress cannot legislatively punish an individual or specific class of people. The fact that the motion to recommit appears to meet both criteria for a bill of attainder—specificity and punishment—should give us pause. Legislation that could potentially violate the Constitution surely deserves more debate than twenty minutes.

The recent revelations regarding the conduct of some ACORN employees is disquieting and merits closer investigation; however it is not Congress' place to assign guilt and punishment. The Constitution affords all accused people the protections of the judicial system; Congress must allow the judicial branch to function properly. For this reason I opposed the motion to recommit, and I will oppose any legislation that attempts to punish an individual or specific class of people without the judicial protections afforded them by the Constitution.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Ms. WOOLSEY. Madam Speaker, on September 23, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 732. Had I been present I would have voted:

Rollcall No. 732: No—on Motion to Adjourn.

HONORING MR. EDWARD C.
YBARRA, JR.

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GONZALEZ. Madam Speaker, Central Catholic High School has a long and glorious

history in San Antonio. On March 25, 1852, it became the first boys' school to open in the city and it has served generations of San Antonio's young men. Now, one of Central's distinguished alumni, Edward C. Ybarra, Jr., is poised to become its 35th principal.

Mr. Ybarra first came to Central as a freshman in 1979 and, after graduating in 1983, went on to earn his degree from Texas Lutheran University. Central had clearly put its hold on him, however, and Ybarra returned to the school in 1987 to coach the basketball, football, track, and golf teams. He started teaching history the next year and, after earning his Master's Degree in Education from the University of Texas at San Antonio, became Assistant Principal for Student Development in 1997.

Over the years, he helped to forge Central into a second family and safe haven for its students and their families, efforts that earned him a nomination as Assistant Principal of the Year from the National Catholic Educational Association.

Edward Ybarra's successes stand as a testament to the strong foundation of his school-days at Central as the successes of his thousands of young charges reflect the quality of his leadership as a teacher and assistant principal. Both augur well for the successes to come to him and to Central under his leadership as president. The depth of his connection to the school over the past thirty years also speaks to the strength of community at Central Catholic High School.

Henry Adams once wrote, "A teacher affects eternity; he can never tell where his influence stops." Edward Ybarra has affected eternity, and the world is better for it.

HONORING MR. PAUL E. ATKINSON

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SESTAK. Madam Speaker, I rise in honor of Mr. Paul E. Atkinson, who died August 4, 2009 following a fall at his residence in Palo Alto, CA. He is survived by a son Paul E. Atkinson of Paris, France, a daughter Mary Hafner of Palo Alto, CA, and a son Peter Atkinson of Grand Junction, CO and seven grandchildren.

Mr. Atkinson was the long time President of Sun Ship, a leading shipyard nationally, and one of the largest employers in Delaware County, part of the District that I have the honor to represent. Very many of my constituents in Delaware County and in its surroundings worked at Sun Ship under the extraordinary leadership of Mr. Atkinson.

Among their many proud achievements were (1) the 590 foot HUGHES GLOMAR EXPLORER, built at the height of the Cold War for the CIA to secretly lift a sunken Soviet submarine from a three mile depth in the Pacific Ocean, (2) conversion of the tanker MANHATTAN into the largest icebreaker of all time, that successfully twice transited the Northwest Passage to Alaska and became the forerunner of the commercial commerce now beginning in the Arctic, and (3) construction of the largest solid rocket cases ever, begun in the period of President Kennedy's renowned reach into space.

With regret at Mr. Atkinson's passing but with thanks to him and those of my constituents who worked with him, I am pleased to add the following record of Mr. Atkinson's achievements.

Mr. Atkinson joined Sun Shipbuilding & Dry Dock Company in Chester, PA after graduating from the Webb Institute of Naval Architecture in May 1942. Mr. Atkinson undertook many varied assignments in both new shipbuilding and ship repair operations during those war years and helped to guide Sun Ship into the post-war era with employment in the 5000 range, introduction of unions and participation in the postwar prosperity with new shipbuilding some 70% of manpower, burgeoning ship repair work 10–20% from increased Delaware River traffic and outside sales (non marine) work 10–20% from wind tunnels, the largest solid rocket cases ever built, much nuclear work for reactors, Savannah River and the Fernald Plant, paper mills, and key components of the Verrazano Bridge.

During the Korean War, Mr. Atkinson became General Superintendent of all operations and in 1956 he became Vice President of Operations. Large shipyards in the United States began with the invention of riveting and Sun Ship was no exception. In 1957, Mr. Atkinson led the complete rebuilding of the shipyard with fewer but greatly enlarged shipways into a true welding shipyard with several pioneering attributes, among them the largest floating drydock then in the United States.

A keen business participant well versed in the involvement of government in marine shipbuilding contracts whether through subsidy or mortgage guarantee, Mr. Atkinson looked for a better way. He became Sun Ship President in 1961. In 1965 he saw a shipping need and a Navy budgetary impediment under Defense Secretary McNamara. Mr. Atkinson conceived the gas turbine propelled ADM. WM. M. CALLAGHAN, and with an established ship operator, Sun Ship formed a joint venture that built, chartered and operated the ship for decades for the Navy.

Building on that success, Mr. Atkinson, was an early pioneer in the development of roll-on/roll-off (ro/ros) vessels. During 1965–1977 Sun Ship constructed ten ro/ros, five 80,000 ton tankers, several 120,000 ton tankers, placing many of those ships in build and charter subsidiaries under the shipping diversification strategy he pioneered at Sun Ship. Among these was TOTE, a dry cargo roll-on/roll-off shipping company, wholly owned by Sun Ship, operating to Alaska. Today it is a leading successful, unsubsidized, American flag operator. During that period, under Mr. Atkinson the yard converted the MANHATTAN for her two pioneering ice-breaking voyages through the Northwest Passage to Alaska and built the legendary HUGHES GLOMAR EXPLORER to secretly lift a sunken Soviet submarine from three miles deep in the Pacific at the height of the Cold War.

Atkinson was a Trustee of Webb Institute for many years and a recipient of its coveted William Selkirk Owen Award. He was a member of the American Bureau of Shipping, and their Technical Committee. He also was a director of the Shipbuilders Council of America, and a member and technical representative of Lloyd's American Committee. He received the prestigious Sea Grant Association award and was active personally and through Sun Ship