

A viewing will be held at 10 a.m. Jan. 3 at Ardmore Presbyterian Church, Montgomery Avenue and Mill Creek Road; a service will follow at 11 a.m. Burial will be 11 a.m. Jan. 4 at Arlington National Cemetery, Arlington, Va.

THE NINTH CIRCUIT COURT OF  
APPEALS

HON. JIM BUNN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 1, 1996*

Mr. BUNN of Oregon. Mr. Speaker, today I am introducing a plan, already approved by the Judiciary Committee in the other body, to reorganize the Ninth Circuit Court of Appeals. This proposal, which is long overdue, would divide a circuit that is twice as large as the national average in terms of geographical area, population, and caseload.

The Ninth Circuit Court of Appeals was originally designed during the Civil War, when 6 of the 9 States in the circuit had not yet been admitted to the Union. Since then, the laws of the Nation, and the resources required to interpret those laws, have grown exponentially. Caseload growth is a concern in many circuits, but no circuit suffers the burden as does the ninth circuit.

One large problem is the magnitude of cases that has led to lengthy delays. Even Chief Judge Wallace, the top judge in the ninth circuit, admitted that cases can be delayed for 4 months over the national average. While the judges have worked very hard to improve an unacceptable situation, I believe we can do better.

The number of judges alone prevents consistency in the ninth circuit. There are 28 judges in the ninth, more than twice the national average of 12.6, leading to thousands of possible combinations of three judge panels to hear a case. Because there are so many sitting and visiting judges, there is little uniformity among decisions, leading to greater uncertainty of the law of the land. Furthermore, the Ninth Circuit Court of Appeals has a higher rate of cases being overturned by the U.S. Supreme Court than the national average.

In addition, Chief Judge Wallace recently called for 10 additional judges to ease the burden on the current judges, while others have requested that the number of judges be doubled to 56. However, adding judges to the already unwieldy panel of 28 would only worsen the problem; reorganizing the ninth circuit into two more manageable circuits provides a much more efficient solution.

There is recent precedent for the successful split of a Circuit Court of Appeals. The Hruska Commission recommended in 1973 that both the fifth and the ninth circuits be divided due to overwhelming size and caseload. The fifth circuit was split in 1980 with great success in improving efficiency. Chief Judge Tjoflat of the eleventh circuit testified before the other body's Judiciary Committee that while the new fifth and the eleventh circuits have approximately the same number of judges as does the ninth, the two new circuits are able to process 50 percent more cases than the current ninth circuit.

Judges, lawyers, and legislators have been calling for a reorganization of the ninth circuit since the formal recommendation in 1973, and

the attorneys general of nearly all of the States involved have endorsed the ninth circuit split. While many people agree that much greater reform of the Federal judicial system is needed, this bill is a crucial first step. I ask my colleagues to join me in support for this important legislation.

REMARKS BY SENATOR NUNN AT  
NATIONAL PRAYER BREAKFAST

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 1, 1996*

Mr. LANTOS. Mr. Speaker, it is an honor and a great personal pleasure for me to introduce into the CONGRESSIONAL RECORD the following statement by our distinguished colleague and my good friend, Senator SAM NUNN. His speech, delivered at the National Prayer Breakfast this morning, was very powerful and given with his usual sense of thoughtfulness and sincerity. I strongly urge all of my colleagues to take a moment and read this moving address given the Senator NUNN.

[National Prayer Breakfast, Feb. 1, 1996]

SENATOR SAM NUNN—TRANSCRIPT OF  
REMARKS

Thank you Bob Bennett, President and Mrs. Clinton, Vice President and Mrs. Gore, fellow sinners. Have I left anyone out? I say to my good friend, Alan Simpson, Billy Graham called me also, Alan. He said, as he did in his message, that he was praying for us all. But, he felt particularly compelled to pray for Alan Simpson and for me. Alan, I don't know what he meant by that, but you and I appreciate it.

A few years ago during the Bresznev era, Dr. Billy Graham returned from a highly publicized trip to Moscow and was confronted when he returned by one of his critics with these words, "Dr. Graham, you have set the church back 50 years." Billy Graham lowered his head and replied, "I am deeply ashamed. I have been trying very hard to set the church back 2,000 years."

Today we represent different political parties, different religions and different nations, but as your invitation states, we gather as brothers and sisters in the spirit of Jesus who lived 2,000 years ago, and who lives in our hearts and minds today.

The first prayer breakfast was held in 1953 in a world of great danger. President Eisenhower was newly inaugurated and had just returned from Korea where our young soldiers were fighting desperately. World Communism was on the move. Eastern Europe and the Baltics were locked behind the Iron Curtain. All across the globe, the lights of religious freedom and individual rights were going out, and the specter of nuclear destruction loomed over our planet.

I wonder this morning how those who attended that first national prayer breakfast 43 years ago would have reacted if God had given them a window to see the world of the 1980's and 1990's.

They would have seen truly amazing things: Catholic nuns kneeling to pray in the path of 50-ton tanks—the power of their faith bringing down the Philippine dictatorship; the Iron Curtain being smashed, not by tanks of war, but by the hands of those who built it and those who were oppressed by it; the Cold War ending, not in a nuclear inferno, but in a blaze of candles in the churches of Eastern Europe, in the singing of hymns and the opening of long-closed syna-

gogues. I believe that God gave Joseph Stalin the answer to his question, "How many divisions does the Pope have?"

They also would have seen a black man in South Africa emerge from prison after 26 years and become the President of his nation, personifying forgiveness and reconciliation; the first hesitant but hopeful steps toward peace between Jews and Arabs in the Middle East, and between Protestants and Catholics in Northern Ireland. They would see that in 1996 we are blessed to live in a world where more people enjoy religious freedom than at any other time in history. Can we doubt this morning that a loving God has watched over us and guided us through this dangerous and challenging period?

During the early days of the Russian parliament, the Duma, I joined several other Senators in attending a meeting with a number of newly elected members of that body. The second day, a few of us were invited to a very small "prayer breakfast" with a group of Duma members who were just forming a fellowship, no doubt stimulated by Doug Coe. As in the larger meeting the day before, the breakfast discussion started with a degree of coldness and tension. One of the Russians, in obvious sadness and a little embarrassment, remarked that Russia was in great economic distress and that the United States was the only remaining superpower. It was clear that this was a very sensitive point for them. It had been abundantly clear the day before.

Senator Dirk Kempthorne and I then pointed out that in the real sense there is only one superpower in the world, our heavenly Father who watches over us all. The tension immediately eased and the spirit of fellowship was built, and we prayed together to that superpower, the God who loves us all.

Our world is a strange and tragic place. It is very ironic in many ways. The Cold War is now over, but in a tragic sense, the world has now been made safer for ethnic, tribal, and religious vengeance and savagery. Such tragedy has come to the people of Somalia, Bosnia, Rwanda, Burundi, Sudan, Haiti and others.

At home, the pillar of our national strength, the American family, is crumbling. Television and movies saturate our children with sex and violence. We have watered down our moral standards to the point where many of our youth are confused, discouraged and in deep trouble. We are reaping the harvest of parental neglect, divorce, child abuse, teen pregnancy, school dropouts, illegal drugs, and streets full of violence.

It's as if our house, having survived the great earthquake we call the Cold War, is now being eaten away by termites. Where should we turn this morning and in the days ahead?

Our problems in America today are primarily problems of the heart. The soul of our nation is the sum of our individual characters. Yes, we must balance the federal budget and there are a lot of other things we need to do at the Federal level, but unless we change our hearts we will still have a deficit of the soul.

The human inclination to seek political solutions for problems of the heart is nothing new. It is natural. Two thousand years ago, another society found itself in deeper trouble than our own. An oppressive empire strangled liberties. Violence and corruption were pervasive.

Many of the people of the day hoped for the triumphant coming of a political savior, a long-expected king to establish a new, righteous government. Instead, God sent his son, a baby, born in a stable. Jesus grew up to become a peasant carpenter in a backwater town called Nazareth. He condemned sin but made it clear that he loved the sinner. He befriended beggars and prostitutes and even