

not just to discuss textbook readings, but to truly think about how these timeless lessons relate to our community today.

Under his dynamic leadership and enthusiasm, the Young Israel House has become a place of renewed energy. His hard work and diligence have brought about many positive programs that benefit so many. His unselfish dedication to others has made him a leader, not only in the Jewish community, but in the larger community.

It gives me great pleasure to congratulate Rabbi Michael Whitman on his 10th anniversary and this well deserved recognition.

CONGRESS AND THE FEDERAL COURTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, January 21, 1998 into the Congressional Record:

CONGRESS AND THE FEDERAL COURTS

I am impressed by how much Congress' view of the Supreme Court and the rest of our federal court system has changed since I first came to Congress in 1965. Back then, the actions of the federal courts particularly the Supreme Court, were watched with great interest. The courts, for better or worse, helped change the country, enforcing civil rights laws, expanding civil liberties, and opening up the democratic process. Their decisions spurred sharp congressional debate and reaction.

Congress, today, may spar with the President over court appointments or disagree with certain lower court decisions, but it seems more detached from the actual work of the federal judiciary, particularly as it relates to the exercise of congressional power. There are several possible explanations for this change. First, the Supreme Court, reflecting the conservatism of its majority, has taken a lower profile, and fewer cases, than did the Warren and Burger courts. Second, the congressional agenda has shifted from civil rights and anti-poverty efforts—areas of the law where the Court was traditionally active—to budgetary matters—where it was far less so. Third, Congress itself has become more conservative, and many members are comfortable with most of the Court's rulings.

The 1996-1997 term of the Supreme Court further underscores the changed relationship between Congress and the courts. The term was perhaps the most significant in a decade, as the Court invalidated three federal laws and struck several blows for states' rights at the expense of Congress. The Court sent a powerful message to congress about the Court's role in redesigning the institutions of our government and in allocating power among them. I was surprised by the relative indifference of Congress to these decisions.

Constitutional scheme: The federal judiciary is an important part of our system of checks and balances. The federal courts not only decide cases, but also enforce important constitutional values. They can act as a bulwark against government power, particularly in the defense of individual liberties. They can protect state interest from encroachment by the federal government. They can also check overreaching by the executive and legislative branches.

The Framers viewed the judiciary as the weakest of three branches of the federal government, but still included constitutional limits on the exercise of judicial power. The Constitution requires the creation of a Supreme Court, but gives Congress the discretion to establish lower federal courts. Likewise, the Constitution, subject to certain exceptions, gives Congress the authority to regulate the jurisdiction of the federal courts—that is, regulate the types of cases the courts may hear. Congress has over the years generally expanded the jurisdiction of the courts, but has also acted in certain areas to curtail or even eliminate jurisdiction. Finally, Congress controls the pay of federal judges, and the Senate has the responsibility of confirming Presidential nominees to the courts.

Current problems: Friction between Congress and the federal courts has focused in recent years on two primary areas: pay and workload. First, many federal judges complain their salaries have not kept pace with inflation over the last four years, although Congress did approve a cost-of-living increase for the federal bench for 1998. Congress, in general, has linked the pay of federal judges to that of other senior government officials, including Representatives and Senators, so that all salaries of senior officials stay in the same range. The problem, judges say, is that Congress rarely gives itself a raise, so judicial salaries, which range from \$125,700 for bankruptcy judges to \$175,400 for the Chief Justice of the Supreme Court, lose value over time. This, in turn, hurts morale and makes it harder to attract top-flight candidates to the federal bench. The answer, judges say, and I agree, is to fund congressional and judicial salaries separately.

Second, federal judges are concerned about the increasing caseload for the federal judiciary. As Chief Justice Rehnquist noted in a year-end report, caseload has increased in part because Congress has expanded federal court jurisdiction over crimes involving drugs and firearms—so federal courts now hear more cases in these areas—and in part because the Senate has not confirmed nominees for the federal courts. Currently, 82 of the 846 judicial offices are vacant, and 26 of the vacancies have been in existence for 18 months or longer. The President has been slow to make nominations, but the real problem has been the Senate's failure to act on nominees in a timely manner. Some Senators complain that the President nominates "activist" judges who expand the law beyond the intent of Congress. My impression is that the President's judicial nominees are notably moderate. Each Senator is entitled to his opinion, but the proper response by an objecting Senator is to vote against the nominee, not to slow or block the nomination process. These vacancies over time erode the quality of justice.

Congress has several possible options for easing the workload of the federal courts. First, I agree with the Chief Justice that the Senate should act within a reasonable time to confirm or reject the President's court nominees. Second, Congress could consider measures to limit the jurisdiction of the federal courts in certain areas. Congress has acted in recent years to limit access to federal courts in habeas corpus petitions by state and federal prisoners. Justice Rehnquist has proposed curtailing federal jurisdiction in so-called "diversity of citizenship" cases as well to further limit caseload; diversity cases, which constitute 20% of federal civil cases, are essentially state law claims tried in federal court because the opposing parties are from different states. Third, some federal judges have urged Congress to draft laws with more precision to

avoid years of litigating the meaning of certain statutes. Congress does need to do a better job of eliminating such uncertainties, but that is easier said than done. The difficulty of gaining majorities in support of bills often means that ambiguous language is necessary to get a bill passed.

Conclusion: The federal judiciary is the least understood branch of our government, perhaps reflecting the subtle way in which the courts exercise power. The judicial branch has neither the sword of the executive branch nor the purse of the legislative branch, but rather must exercise power as the authoritative expounder of the Constitution. It is a testament to the strength of our democracy that the judgments of our courts, particularly the Supreme Court, are observed and that the judiciary has and will continue to play an instrumental role in defining our institutions of government and the scope of our rights as individual citizens.

TRIBUTE TO RONALD CLARY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Ronald Ben Clary, who has served as the President of the Canoga Park/West Hills Chamber of Commerce for the past two years.

President Kennedy said, "Change is the law of life. And those who look only to the past or present are certain to miss the future." Ron has worked hard to bring positive changes to our community during his tenure as president.

Under his leadership, Canoga Park and West Hills have grown and prospered, improving the standard of living for everyone in our community. The Chamber has added many new members, sponsored the annual Memorial Day Parade and initiated the new International Fall Fest. These activities have provided an opportunity for neighbors to come together to celebrate and appreciate our town. In addition, Ron is responsible for the creation of the Business Development Committee of the Chamber. This purpose of this committee was to focus civic attention on the need for beautification in downtown Canoga Park.

Ron has not only played an important role in the Chamber of Commerce, he is active in several other civic organizations as well. He has been a member and President of the Board of Directors of the Leadwell Homeowners' Association since 1984. The board manages the maintenance, operation and amenities of the West Side, which encompasses 195 homes, and is in the process of completing an \$8 million earthquake renovation.

Many organizations have recognized Ron's leadership abilities. Kiwanis International awarded him a lifetime membership in 1991, one of the highest honors presented by this organization. His extensive community service efforts have been recognized by the March of Dimes, the Muscular Dystrophy Association, Pierce College, the Valley Cultural Foundation, Pacific Lodge Boys' Home and many other civic groups.

Mr. Speaker, distinguished colleagues, please join me in honoring Ronald Clary for his service as President of the Canoga Park/West Hills Chamber of Commerce. He is a role model for the citizens of our community.

HONORING MARY MAXWELL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. ENGEL. Mr. Speaker, as we all know, all levels of government are large and it can be complicated for a citizen to find his or her way. Often the initial contract sets the tone for how that citizen sees government—as helpful or aloof and uncaring.

For many citizens calling Westchester County Government that initial contact was the cheerful and helpful voice of Mary Maxwell, a telephone operator whose friendly demeanor assured the caller that they were entering friendly territory.

She worked initially at Grasslands Hospital in Valhalla after which she moved to the medical unit at White Plains. Subsequently she worked in Yonkers and Mount Vernon before returning to White Plains.

She was universally recognized with the title of “friendly and happy person” by the many who worked with her and were greeted by her when they called.

Mary Maxwell lives in Yonkers where she has been active for many years at the Community Memorial Baptist Church.

Mary Maxwell is that person who puts a human face on a large organization; one who is friendly and helpful to complete strangers for the 35 years she was a telephone operator. Working in a medical organization often means having to deal with people in their sorrow and despair. She has done it and done it well.

She is known as a “mother to many” for her empathy and friendship and those people are gathering to wish her well in her retirement. I want to join with them in celebrating all the good and kind work that Mary Maxwell has done for all of us.

CONGRATULATING THE
CARDEROCK DIVISION OF THE
NAVAL SURFACE WARFARE CENTER
ON ITS CENTENNIAL ANNIVERSARY
IN 1998

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mrs. MORELLA. Mr. Speaker, I rise today to salute the Carderock Division of the Naval Surface Warfare Center for 100 years of service to the United States. The origin of this facility dates back to the establishment of the U.S. Navy's Experimental Model Basin at the Washington Navy Yard in 1898. The current model facilities were built in Carderock, MD, and dedicated in November 1940. The David Taylor Model Basin, named after its founder, Rear Admiral David Taylor, is one of the largest and foremost test centers in the world. The David Taylor Model Basin was designed and built by the U.S. Navy for reliable construction and testing of ship models. These models are maneuvered under special conditions in large water basins where their performance can be closely examined. The research of these models allows for the accurate prediction of a vessel's performance. Using the sophisticated

equipment at the model basin, scientists and engineers are able to research, develop, and test ship and craft designs for the Navy, Coast Guard, Maritime Administration, and maritime industry.

David Taylor resolved to construct the most modern Naval test facility when he pushed for the original Experimental Model Basin, and later, the Carderock facility. We realize his dreams and goals 100 years later. The model basin continues to be a premier site for Naval design and research. It is recognized around the world for its significant scientific and technical achievements. I am pleased to note that this centennial celebration will kick off on January 30, 1998, with the designation of the David Taylor Model Basin as a national historic mechanical engineering landmark by the American Society of Mechanical Engineers. This organization has recognized the contributions that the David Taylor Model Basin has provided in critical support for the development of Naval architecture.

I want to recognize and congratulate the David Taylor Model Basin and the Carderock Division of the Naval Surface Warfare Center on the award of the national historic mechanical engineering landmark. Mr. Speaker, please join me in saluting the talented and dedicated staff as they are recognized for this award during the centennial anniversary.

HONORING FLORA RICHARDSON
WILHITE OF BAYTOWN, TEXAS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. BENTSEN. Mr. Speaker, I rise to honor Flora Richardson Wilhite, of Baytown, Texas, for 32 years of outstanding service to the community as director of Sterling Municipal Library. Mrs. Wilhite may be retiring on January 31, 1998, but her contributions to Baytown will endure.

Born in Port Arthur, Texas and a graduate of Thomas Jefferson High School, Flora Wilhite knew early on that she would become a librarian. At age 6, her favorite Christmas present was a date stamp and ink pad, and she had already begun to arrange her books alphabetically by author's name. Those early indications led her to a long and distinguished career of service to Baytown.

After receiving her degree in library science from North Texas State University, Mrs. Wilhite began her career as Engineering Librarian at Lamar University. She then served as a Command Librarian for the U.S. Army in Germany before becoming Director of Sterling Municipal Library in 1965. During her 32 years at Sterling, Mrs. Wilhite oversaw many changes and improvements to the library, including expanded services and renovations to the facility. She began the hugely successful Baytown Bookmobile, delivering library service to underserved areas, nursing homes, and off-site literacy projects. In addition, Sterling's nationally recognized Literacy Volunteers of America adult literacy program is the result of Mrs. Wilhite's dedication to improving lives and encouraging lifelong learning. Flora Wilhite's love of learning, enthusiasm, and list of achievements will be difficult to replace.

Flora Wilhite has shown an unwavering dedication to the Baytown community. She

most recently received Exxon USA's Refiner of the Year for 1977 for her outstanding service to the community. In 1988 she was named Library Director of the Year by the Texas Municipal League Library Directors Association, of which she was a charter member and second president. In addition, she was the first woman elected to the Board of Directors of the Baytown Chamber, and to the Board of Directors of the Rotary Club of Baytown. She was also named Rotarian of the Year in 1995-96, served on the Board of Directors of the United Way of Baytown, and was honored in 1995 by the Baytown chapter of the American Diabetes Association for her countless civic contributions.

In retirement, Flora will now be able to spend more time with her husband, Ross, in the hobbies and pastimes they enjoy, particularly fly fishing and camping. This is a well-deserved change of pace. We all wish her well as she embarks on her new endeavors.

Mr. Speaker, I congratulate Rosa Wilhite for her 32 years of outstanding service to Baytown. Her contributions to Sterling Municipal Library and all of Baytown will endure for years to come.

THE HUMAN CLONING RESEARCH
PROHIBITION ACT

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. STEARNS. Mr. Speaker, today I will be introducing legislation to prohibit federal funding for the cloning of human beings. My bill also calls for an international ban on human cloning.

I would like to remind my colleagues that it took 273 tries to develop Dolly. But what about the other 272 animals? Most of them were either aborted, destroyed, or maimed. Do we want to do this with humans beings?

There are serious ethical and moral implications involved with cloning of humans. Theologians and ethicists have raised three broad objections. Cloning humans could lead to a new eugenics movement, where even if cloning begins with a benign purpose, it could lead to the establishment of “scientific” categories of superior and inferior people. Cloning is a form of playing God, since it interferes with the natural order of creation. Cloning could have long-term effects that are unknown and harmful. People have a right to their own identity and their own genetic makeup, which should not be replicated.

I, for one, do not think we can just sit idly by when there are people like Dr. Seed out there who look upon human life in much different terms than most Americans. I urge my colleagues to join me in this effort by cosponsoring my legislation.

TRIBUTE TO BET TZEDEK, ELI
BROAD AND THE SHOAH FOUNDATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in recognizing Eli Broad