

Jon Butterworth, Assistant Coach Dave Heise, Program Coach Tim Graves, Assistant Alissa Vanmulem, JV Coach John Cotsonas, Frosh Coach Al Pisano, and Trainer Jen Stantz.

HONORING PATTY MANDRELL

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Patty Mandrell, the outgoing President of the Chowchilla District Chamber of Commerce. The Chowchilla District Chamber of Commerce honored her at an Installation and Awards Banquet on January 18, 2003 in Chowchilla, California.

Born in Madera, California, Patty grew up in Dos Palos before becoming a resident of Chowchilla. Patty is very enthusiastic about writing, reading, and people, which makes her a key component in the community. Her interest in journalism led her to a part-time position at the Chowchilla News newspaper, where she later become Editor and is currently the Managing Editor.

Patty has been highly active in her community. She has served on the Central California Women's Facility/Valley State Prison for Women Citizen's Advisory and Drug Advisory Committees. Patty also sat as a Charter Board member for the Police Activities League. The honors that she has received vary from the Golden Apple Award in 1999, the Outstanding Citizen Award from the Fresno and Madera Counties Police Chiefs Association in 2000, and the Rotary Distinguished Public Service Award in 2002.

Patty and her husband of 34 years, Lyndon Mandrell, have two daughters Tricia and Stacy. To quote Patty, "God is my best friend; my Mom has always been my role model and I've never been ashamed of being my Daddy's girl."

Mr. Speaker, I rise to honor Patty Mandrell as the outgoing President of the Chowchilla District Chamber of Commerce and a true support of the Chowchilla community. I urge my colleagues to join me in wishing Patty Mandrell many years of continued success.

INTRODUCTION OF THE NEIGHBORHOOD RAIL ACCOUNTABILITY ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. GREEN of Texas. Mr. Speaker, today I am introducing a simple piece of legislation making 3 new changes to the way that the Surface Transportation Board (STB) reviews rail construction projects, particularly when in residential areas.

I am introducing this legislation following the frustration I have experienced dealing with the STB on a matter of great importance to thousands of my constituents' quality of life—the potential San Jacinto rail line in Southeast Harris County, Texas. The level of concern in the community, on many issues, and the outpouring of public opposition produced during

the STB's formal process has been tremendous.

Residents are concerned with increasing traffic delays and accidents in an area already experiencing too many problems with train traffic. Citizens are concerned about the safety of their children going to school, the potential for dangerous spills and accidents, localized noise and air pollution, and several other concerns. Amazingly, in their Draft Environmental Impact Statement, the STB concluded that the project will have a negligible impact on the surrounding community. I have spoken with hundreds of people about this project, and I can say that the STB is flat out wrong.

I do not believe that they ignore the public interest at the STB on purpose, but I believe that the agency and its decision-making process are biased against the concerns of residents who are facing rail construction in their neighborhoods. I am introducing this legislation to change the decision-making process so that it is more balanced in three ways.

First, if there is a high level of public opposition, the legislation requires that the concerns of residents and local officials be taken into greater consideration than in the past, especially when the rail construction proposal is in a residential area.

Secondly, the legislation requires that, before a final determination, the STB determine whether a proposal would have a disproportionate impact on either minority areas or economically disadvantaged areas. If so, the STB would be required to report to the public what alternatives to the disproportionate impact proposal were considered and why they were not chosen.

Finally, the legislation would require the STB to investigate the providing of false, potentially material information about the project. During the investigation, the entire decision process is put on hold, and if the STB found that the false information was intentionally provided the application is automatically denied.

I am not introducing a rifle shot bill directed at a project in my area, but instead this legislation is broad based and applicable across the country. I have learned from my experience that the STB's balance needs to be shifted back towards the affected community.

DEDICATION CEREMONY OF THURGOOD MARSHALL COMMEMORATIVE STAMP

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. CUMMINGS. Mr. Speaker, January 7 marks the first day of the 108th Congress. I am pleased and honored to be a Member of Congress and the Chair of the Congressional Black Caucus. I am also pleased and honored that earlier today the Thurgood Marshall Commemorative Stamp was dedicated.

The dedication and issuance of this stamp in honor of Justice Thurgood Marshall, serves to recognize this great man for his civil rights achievements as a lawyer and for reaching the pinnacle of the U.S. Justice system as the first African-American Supreme Court Justice. President Lyndon B. Johnson nominated Justice Marshall to the Supreme Court where he served 23 years on the Supreme Court, retiring on June 27, 1991, at the age of 82.

Through his knowledge, advocacy and devotion to the cause of civil rights, Justice Marshall made a significant contribution to the battle fought in the United States courts to eradicate the legacy of slavery. I believe, however, that he should be revered most for his courage and independent judicial temperament—for breathing life into the text of the Constitution. He worked tirelessly to guarantee all Americans equality and liberty in their individual choices, especially on issues involving voting rights, housing and education. It is an honor to recognize a man whose career is a monument to the judiciary system and who has inspired so many to continue his quiet crusade.

Marshall was born and raised in the Congressional District I represent—Baltimore, Maryland—and actually lived in a home which is about eight blocks from where I now reside. We both attended Howard University and, more significantly, he was once turned away from the law school I attended and graduated—The University of Maryland School of Law. As such, I am especially proud to honor Thurgood Marshall, as I share a common path with this historic figure.

I believe Justice Marshall has had a significant impact on the events of the 20th Century. His efforts on behalf of African-Americans built a structure of individual rights that has become the cornerstone of protections for all Americans.

Prior to joining the Supreme Court, in 1954 Justice Marshall argued the case of *Brown v. Board of Education of Topeka, Kansas* before the Supreme Court, where racial segregation in public schools was declared unconstitutional. In fact he won 29 of the 32 cases he argued before the Supreme Court, including cases in which the Court declared unconstitutional: a Southern state's exclusion of African-American voters from primary elections (*Smith v. Allwright, 1944*); state judicial enforcement of racial "restrictive covenants" in housing (*Shelley v. Kraemer, 1948*); and "separate but equal" facilities for African-American professionals and graduate students in state universities (*Sweatt v. Painter and McLaurin v. Oklahoma State Regents, both 1950*).

After his death, an article in the *Washington Afro-American* stated, "[w]e make movies about Malcolm X, we get a holiday to honor Dr. Martin Luther King, but every day we live the legacy of Justice Thurgood Marshall."

Justice Marshall opened doors for all Americans and had a significant impact on the events of the 20th Century. Marshall was instrumental in supporting the rights of minorities and immigrants; limiting government intrusion in cases involving illegal search and seizure, double jeopardy, and the right to privacy; and in creating new protections under the law for women, children, prisoners, and the homeless.

His legacy has inspired Americans to name educational institutions, federal buildings, legal societies, libraries, and numerous academic achievement awards in his honor. And now a commemorative stamp in his honor. I know I join many in the Congress to say I am honored and privileged to be a part of history—the dedication of the Justice Thurgood Marshall Commemorative stamp.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. BECERRA. Mr. Speaker, on Wednesday, January 8, 2003, I was unavoidably detained, and therefore unable to cast my floor vote on rollcall No. 10, a procedural vote to Table the Appeal of the Ruling of the Chair.

Had I been present for the vote, I would have voted "nay" on rollcall vote 10.

LIBERTY AMENDMENT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. PAUL. Mr. Speaker, I am pleased to introduce the Liberty Amendment, which repeals the 16th Amendment, thus paving the way for real change in the way government collects and spends the people's hard-earned money. The Liberty Amendment also explicitly forbids the federal government from performing any action not explicitly authorized by the United States Constitution.

The 16th Amendment gives the federal government a direct claim on the lives of American citizens by enabling Congress to levy a direct income tax on individuals. Until the passage of the 16th amendment, the Supreme Court had consistently held that Congress had no power to impose an income tax.

Income taxes are responsible for the transformation of the federal government from one of limited powers into a vast leviathan whose tentacles reach into almost every aspect of American life. Thanks to the income tax, today the federal government routinely invades our privacy, and penalizes our every endeavor.

The Founding Fathers realized that "the power to tax is the power to destroy," which is why they did not give the federal government the power to impose an income tax. Needless to say, the Founders would be horrified to know that Americans today give more than a third of their income to the federal government.

Income taxes not only diminish liberty, they retard economic growth by discouraging work and production. Our current tax system also forces Americans to waste valuable time and money on complacency with an ever-more complex tax code. The increased interest in flat-tax and national sales tax proposals, as well as the increasing number of small businesses that questioning the Internal Revenue Service's (IRS) "withholding" system provides further proof that America is tired of the labyrinthine tax code. Americans are also increasingly fed up with an IRS that continues to ride roughshod over their civil liberties, despite recent "pro-taxpayer" reforms.

Mr. Speaker, America survived and prospered for 140 years without an income tax, and with a federal government that generally adhered to strictly constitutional functions, operating with modest excise revenues. The income tax opened the door to the era (and errors) of Big Government. I hope my colleagues will help close that door by cosponsoring the Liberty Amendment.

NORTH CAROLINA
REPRESENTATIVE LARRY JUSTUS**HON. CHARLES H. TAYLOR**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. TAYLOR of North Carolina. Mr. Speaker, I rise to honor the public service of North Carolina State Representative Larry Justus.

After graduating from Dana High School, Larry T. Justus entered the University of North Carolina at Chapel Hill where he pursued and received a degree in Radio and Television Writing and Production.

Larry Justus married Carolyn who is a native of Transylvania County, North Carolina. They have four sons: Scott, Ron, Christ and Seth. He is remembered as a loving father and kind husband.

Larry served his country bravely and retired from the United States Air Force as a Lt. Colonel after serving in the Korean and Vietnam Wars. He served as a Squadron Commander, Executive officer, disaster preparedness officer, information and public relations officer and a protocol officer.

Larry continued his role in our armed forces by being involved in the American Legion, the Veterans of Foreign Wars and the Western North Carolina Retiree Officers Association.

Larry was committed to the principles of the Republican Party and worked diligently on behalf of the party. He served as a National Delegate to the 1980 Republican National Convention, a former member of the State Republican Central Committee, a member of the State Republican Executive Committee and was named "Outstanding North Carolina Republican" in 1974. He also served as the Henderson County Republican Chairman.

Larry will best be remembered for his unflinching service to North Carolina. Justus served Henderson County in the North Carolina House of Representatives from 1985 until his death in October of 2002 at the age of 70. He was known as an open, friendly, and accessible legislator and was the model for integrity in public service.

Mr. Speaker, I am sure that my colleagues will join me in praising the life and work of Representative Larry Justus.

INTRODUCING THE TEACHER VIC-
TIMS' FAMILY ASSISTANCE ACT
OF 2002**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mr. HASTINGS of Florida. Mr. Speaker, a study conducted by the National School Safety Center on School Associated Violent Deaths notes that between 1992 and 2001, 33 teachers, school administrators, school employees, or volunteers, were fatal victims of school violence. This means that during that nine-year period, a teacher, school administrator or some other school employee in America was killed while performing the duties of his or her job every fourteen weeks.

A similar study done by the U.S. Department of Justice last year stated that teachers, school administrators and other school em-

ployees accounted for nearly 10 percent of all fatalities from school violence on campuses nationwide. Even more disturbing is that the majority of faculty fatalities occurred when a school employee attempted to stop a fight or some type of disagreement between students or other faculty members. In trying to stop school violence, these school employees became victims of school violence themselves.

On May 26, 2000, my district was struck with horror when a thirteen year old student walked into Lake Worth Middle School and shot and killed his teacher, Mr. Barry Grunow. While this tragic event once again raised the important issues of school safety, gun control, and the minimum age at which a child can be tried as an adult, to the Grunow family, the tragic death of Barry Grunow has meant much more.

In addition to the painful loss of a father and husband, Barry Grunow's death had a long-term affect on the entire Grunow family. Barry's death meant that, within six months, the entire Grunow family would find themselves without health care coverage; Barry's death meant that the Grunow family would incur added and unexpected expenses; and, ultimately, Barry's death means one less income that can be used to support Pam Grunow and her two children in the years to come.

In Spring 2001, the Florida State Legislature passed and the Governor signed the Barry Grunow Act, a measure that provided death benefits to the spouses and children of victims of school violence. Today, I come to the floor of the House of Representatives to say that it is time for Congress to follow Florida's lead and pass a similar measure.

I rise today to reintroduce the Teacher Victims' Assistance Act of 2002. The 108th Congress is the second consecutive Congress that I have introduced this legislation. Similar to Florida's Barry Grunow Act, the Teacher Victims' Assistance Act places teachers, school administrators, school employees and school volunteers in the same high-risk category in which we currently place many of country's most important role models.

My bill provides the spouses and children of educators who are killed as a result of school violence with the following death benefits: a one-time death benefit of \$75,000, \$1,500 to be used to assist with any funeral expenses, \$900 per month in living assistance to the victims' surviving spouse, \$225 per month in living assistance to each dependent of the victim until the age of 17, \$7,500 per year, for up to five years, for each dependent to be used to pay for college or other forms of higher education before the age of 25, opportunity to enroll in the Medicare health benefits program, and exempts the family members from having to pay any accumulated income tax by the victim as a result of school employment.

Mr. Speaker, never before has Congress made the historic statement that we need to compensate the families of educators who are victims of school violence. Many of us understand that violence in our schools is virtually impossible to eliminate completely. However, it is possible for Congress to ensure every educator in the country that if another school shooting such as those which occurred at Lake Worth High School, the future of educators' families shall never be in jeopardy.

The Teacher Victims' Family Assistance Act of 2003 makes such a commitment, and I urge my colleagues to pass it immediately.