

TRIBUTE TO THE COLORADO
TRIAL LAWYERS ASSOCIATION

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 2003

Ms. DeGETTE. Mr. Speaker, I would like to recognize the exceptional endeavors and notable undertakings of an extraordinary professional membership organization in the State of Colorado. It is both fitting and proper that we recognize this outstanding association for its leadership in government and the legal community and for its enduring service to the people of our state. It is to commend this distinguished organization that I rise to honor the Colorado Trial Lawyers Association on the occasion of its 50th Anniversary.

The Colorado Trial Lawyers Association (CTLA) has been on the front lines of progress since its inception and has proven to be a powerful force in transforming the legal landscape of our state. CTLA's statement of purpose merits mention. "The Colorado Trial Lawyers Association is comprised of Colorado trial lawyers who are committed to the protection and advancement of individuals rights and to the advancement of trial advocacy skills, high ethical standards and professionalism in the ongoing effort to preserve and improve the American system of jurisprudence." Within this unequivocal statement lies the touchstone that has guided CTLA's work with government and its immeasurable contribution to the legal profession in Colorado.

For the last half-century, CTLA and its members have been resolute in their commitment to protecting the health, safety and welfare of Colorado consumers. It has been active in educating the public concerning the efficacy of individual rights and the pivotal role of the trial lawyer in protecting those rights. CTLA has recognized, and continues to recognize, that it has a public trust of considerable magnitude. Through its legislative advocacy, CTLA has provided vital information and invaluable counsel to Members of the Colorado General Assembly and the United States Congress on issues that protect consumers and impact our civil justice system. Due in no small part to CTLA's advocacy, many detrimental legislative proposals have been defeated, particularly those that would have prevented or hindered access to the courts for redress of grievances.

Trial advocacy is facing considerable change, technological and otherwise. CTLA has given the legal profession inestimable service through its outstanding legal education programs by providing state-of-the-art instruction concerning law, ethics and professional conduct for members and non-members alike. CTLA has demonstrated an unwavering commitment to those in need. Countless members have provided pro-bono legal aid, including free legal assistance to the victims of the terrorist attacks of September 11 through the Trial Lawyers Care Program. My membership in CTLA has had a profound impact on my career in the practice of law and public service.

Please join me in commending the Colorado Trial Lawyers Association on the occasion of its 50th Anniversary. It is leadership, advocacy and commitment of the Colorado Trial Lawyers Association that continually enhances our lives and builds a better future for all Americans.

IRAQ RECONSTRUCTION IS A
NOBLE CAUSE THAT MUST NOT
FAIL

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 2003

Mr. Oxley. Mr. Speaker, I recommend to my colleagues the following column by the distinguished commentator Morton M. Kondracke in the November 6 edition of Roll Call. Mr. Kondracke has eloquently stated the stakes facing all of us in Iraq. His incisive and knowledgeable commentary should be read by all.

[From Roll Call, Nov. 6, 2003]

IRAQ RECONSTRUCTION IS A NOBLE CAUSE
THAT MUSTN'T FAIL

(By Morton M. Kondracke)

In January 1946, seven months after V-E Day, the eminent novelist John DosPassos wrote after a trip to Europe that U.S. servicemen were telling him, "We've lost the peace. We can't make it stick."

In an article in Life magazine, he wrote that "A tour of the beaten-up cities of Europe . . . is a mighty sobering experience. Europeans, friend and foe alike, look you accusingly in the face and tell how bitterly they are disappointed in you as an American."

"They cite the evolution of the word 'liberation.' Before the Normandy landings, it meant to be freed from the tyranny of the Nazis. Now it stands in the minds of the civilians for one thing: looting."

If this sounds familiar in the aftermath of the Iraq war, it goes on: "Instead of coming in with a bold plan of relief and reconstruction, we came in full of evasions and apologies. . . . We have swept away Hitlerism, but a great many Europeans feel that the cure has been worse than the disease."

It was another year after this article was written before Secretary of State George Marshall delivered his celebrated speech at Harvard University launching the Marshall Plan for European relief.

By contrast, Congress gave final approval this week, six months after the Iraq war, to the contemporary version of the Marshall Plan: the \$20 billion downpayment on Iraqi reconstruction. At that, reconstruction was already under way.

We succeeded grandly in Europe in one of the most generous and idealistic—and also pragmatic—undertakings in American history.

Prior to America's making the effort, DosPassos noted, Winston Churchill made a speech in which he warned Americans, "You must be prepared for further efforts of mind and body and further sacrifices to great causes, if you are not to fall back into the rut of inertia, the confusion of aim and the craven fear of being great."

It's sad that we don't have a Churchill around to affirm the morality of what America is doing in Iraq: We have toppled a monstrous dictator and we are trying to rebuild his shattered country, turn it into a democracy and make it an example to a region that knows only authoritarianism and despotism.

It is a noble cause that President Bush has undertaken. His adversaries at home and abroad say that he got us into it by deception, but what could possibly have been his motive?

The "war for oil" charge is simply laughable. The "war for politics" charge—that it was done to help Republicans—is outrageous.

The "war for ideology" analysis makes more sense—i.e., that "neo-conservatives" in Bush's administration wanted to topple Sad-

dam Hussein from Day One. But why did they want to do so, if they didn't think he represented a menace to U.S. security?

Bush's Democratic foes are charging that Bush trumped up evidence of Hussein's possession of weapons of mass destruction. But the fact is that every intelligence service in the world believed he had them—how else could Bush have won a unanimous vote at the U.N. Security Council to give Hussein one final chance to account for them?

How and why the United States got into the war in the first place will be hashed out for the rest of this presidential campaign and beyond, but the important thing now is to win the peace.

Whatever their differences on whether the war should have been fought or how the peace is being won, even Bush's harshest foes ought to admit that what he's undertaking is an idealistic enterprise.

If Democrats are proud of America's intervention in Kosovo and remorseful of our failure to intervene to prevent genocide in Rwanda, how can they not support an effort to establish democracy in Iraq?

Moreover, what Bush is doing is not only Wilsonian, it's also pragmatic. In 1946, the danger was that if America failed in Europe, Russia would take over. In 2003, if the United States fails, Saddam Hussein and Osama bin Laden succeed.

There's no question that the effort is going to be difficult—or even that Bush miscalculated the difficulties and didn't plan well enough for them.

But contrary to the charge that he "has no plan," he plainly does now. As stated by U.S. Iraq Administrator Paul Bremer, it is to (1) "establish a secure environment by taking direct action against terrorists . . . and restore urgent and essential services to the country, (2) expand international cooperation in the security and reconstruction and (3) accelerate the orderly transition to self-government by the Iraqis."

Can this be brought off? The jury is very much out. Our forces and Iraqis who side with us are under constant attack, at least in Sunni-dominated areas of the country. The international community—ever so solicitous of Iraqi citizens' welfare under economic sanctions—either wants us to fail or has been scared off by bombings.

The vast majority of Iraqis clearly want stability and self-rule. For our sake and for theirs, it's imperative that we stay the course and do this right—and not allow vicious killers to force us out too early.

It would be a catastrophe, both for the Iraqis who are working with us and for our standing in the world, if this effort were to fail. Fortunately, polls indicate that most Americans want to stay the course. It's time for Bush's critics to quit just carping and contribute constructive ideas on how to make this effort succeed. If it does, all of us will be very proud.

VETERAN'S DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 2003

Ms. Eddie Bernice Johnson of Texas. Mr. Speaker, as we celebrate Veterans' Day, it is fitting and proper that we honor an African-American sailor who paid the ultimate price for our freedom.

I am planning to introduce legislation soon that calls for awarding the Congressional Medal of Honor to Dorie Miller posthumously for his heroic actions during World War Two.

This recognition is long overdue for a man who served his country with distinction and valor during the attack on Pearl Harbor.

Dorie Miller is just one example of African-American war heroes and veterans who have gone beyond and above the call of duty to persevere freedom's full measure, although they themselves were denied it in many quarters at home.

As Americans, we owe a debt of gratitude to our veterans. It is our duty to ensure that they receive the support they need from the country they so diligently served.

As we daily witness the courageous and professional efforts of our armed forces engaged in Iraq, Afghanistan and in Southeast Asia, we are all reminded of the tremendous sacrifices our veterans have made on our behalf.

As we celebrate another Veteran's Day this November, we must back up our promises with our meaningful action. We must honor all of our veterans, irrespective of their station in life, their gender, or the color of their skin.

Like Dorie Miller, many have died for the freedom we cherish. Death is not a respecter of persons. Nor should we be.

PAYING TRIBUTE TO JOY
RASMUSSEN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 2003

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to an amazing woman from Steamboat Springs, Colorado. Joy Rasmussen, a member of the US Women's National Triathlon team, is set to compete at the International Triathlon Union World Championships in December in Queenstown, New Zealand. Joy is ranked 15th nationally in her division and is eligible to compete in next year's World Championship in Portugal. I rise to pay tribute to Joy today before my colleagues here in the Congress.

Joy took up competing as a way to make new friends, though her athletic prowess in this event appears to come natural to her, which is no easy task. Triathlons encompass a quarter-mile to half-mile swim, a 12 to 18 mile bike ride, and a 3 to 5 mile run. Joy's athletic feats are especially commendable, as she pursues excellence outside of a full-time career. Before putting in a full day as a realtor with the Colorado Group Realty, Joy trains in the early morning and makes longer training runs, rides, or swims on the weekend. Even after a nasty spill last February that sidelined her for five months, Joy has continually driven herself to improve.

Mr. Speaker, I stand before you to show my appreciation to Joy Rasmussen for being a beacon of inspiration to Americans who attempt to achieve excellence in their personal and professional endeavors. Joy's accomplishments are extraordinary and I am honored that she will be representing America at the upcoming World Championships in New Zealand.

CONFERENCE REPORT ON H.R. 269,
DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

SPEECH OF

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 30, 2003

Mr. DeFAZIO. Mr. Speaker, I rise to oppose the Fiscal Year 2004 Interior appropriations bill conference report for a number of reasons.

I applaud the committee for approving \$400 million to reimburse accounts that the Forest Service borrowed from to fight this past Summer's forest fires. Unfortunately, the Forest Service borrowed \$695 million this year to fight fires. This appropriations bill leaves the public land management accounts that were borrowed from in the hole by nearly \$300 million—and most of these accounts were underfunded to begin with.

Accounts that the Forest Service borrowed from this fire season include the fuel reduction, law enforcement, forest research, recreation, forest jobs programs, fish habitat enhancement, and road and trail maintenance, among many others. These accounts represent some of the most important public lands management programs the federal government funds, and they will be reimbursed at just 57 cents on the dollar.

One of the most important is the fuel reduction account. Even if Congress fully reimburses the fuel reduction account, fuel reduction projects get delayed and pushed to the next year when the accounts are once again robbed. For the safety of our communities and the health of our forests, this cycle cannot continue.

This cycle of robbing other accounts is perpetuated every year by not adequately funding wildland fire suppression. The Forest Service borrowed almost \$700 million this year, in what was a below average fire year. This appropriations bill has a \$289 million increase over last year, but it's not near enough. Regardless of how severe next year's fire season is, this bill guarantees that the Forest Service will have to borrow yet again because Congress is not stepping to the plate and sufficiently funding fire suppression.

In addition to under-funding firefighting, this appropriations bill has a wholly inadequate increase for hazardous fuel reduction projects.

The build-up of hazardous fuels in our national forests is a problem brought about by nearly a century of forest mismanagement. It is a problem with a multi-billion dollar price tag to fix, but so far the President and the Congress have been unwilling to put up the money. This appropriations bill does nothing to rectify the dismal record of under-funding fuel reduction.

The project in the Metolius basin, the location President Bush originally planned to visit during his August trip to Oregon, is an excellent example why restoring forest health will require a substantial investment.

The Metolius project is on relatively flat ground, with sufficient road access, and a substantial amount of large, commercial Ponderosa pine. The project will log more than 20 million boardfeet of timber. Yet, even with that commercial return, it will still cost the Forest Service \$400 an acre to complete the project.

It's clear that even under optimal conditions, with ample commercial timber, it is impossible to clear the large amounts of brush and small trees necessary in successful fuel reduction projects, without spending substantial sums of money.

In contrast, the nearby area where the Davis Butte fire burned is more typical than the Metolius and provides a better picture of the real costs of fuel reduction. Visiting the Davis Butte fire one can see where dense stands of lodge-pole pine provided ladder-fuel for the fire to climb into the crowns of the ponderosa. It is essential that these types of trees be removed, unfortunately, they have little or no commercial value. They may have some value as pulp, mulch, or hog fuel, but most of the vegetation would have to be burned, or chipped and left on-site.

This type of treatment would be in line with the Pacific Northwest Research Station study that was conducted on the Klamath National Forest that estimated cost of fuel reduction at \$1,685 an acre. So not only can we pretend that fuel reduction won't cost anything—as the President has done thus far with his "Healthy Forest Initiative"—we can't pretend that it will be cheap.

There is a multi-billion forest health problem that needs a significant federal investment, but this bill does not make that funding commitment.

Another glaring problem with this appropriations bill is that it includes a fifteen month extension of the Recreational Fee Demonstration program.

This program was created by a rider to the 1996 Interior appropriations, and has been extended numerous times through appropriations riders, without ever having gone through the appropriate authorizing process. It is well past time to end these back-door extensions and allow the Resources Committee to do its job.

Under this program, the Forest Service, Bureau of Land Management, Fish and Wildlife Service, and National Parks Service can charge citizens fees to recreate on public land, including primitive trails and unimproved campgrounds. Charging citizens a stealth tax for hiking in the woods, walking on the beach, or picnicking with their family is unfair and punitive. It is appropriate to charge a modest fee for campgrounds or boat launches to pay for facilities and upkeep. But to charge a fee to park a car on the side of a logging road or at a trail head turns our public lands into the king's domain.

Beyond my philosophical objections, the mismanagement of the program by the Forest Service is staggering. The program was created to address the maintenance backlog on public land facilities, but only 50 cents of every dollar collected goes toward maintaining or improving our public lands. The rest is eaten up by administrative and collection costs. Fifty percent overhead costs does not make an effective government program.

And a recent investigation by the General Accounting Office (GAO) found that in 2001—the last year for which data is available—the Forest Service erroneously used \$10 million in appropriated funds to bolster the program. The Forest Service did not report these additional costs to Congress in their annual report. Nor did they report \$2.8 million of other administrative and vendor costs. This kind of deceptive representation in the Forest Service's annual report on the effectiveness of the program is disgraceful.