

cases concerning specific constitutional issues. Limiting the jurisdiction of any court for any particular class of cases raises questions regarding both the separation of powers doctrine and the Equal Protection Clause of our Constitution.

Additionally, it is not settled doctrine that Congress has the power to eliminate Supreme Court review of constitutional questions. As President Reagan's first attorney general, William French Smith, noted: "The integrity of our system of federal law depends upon a single court of last resort having a final say on the resolution of federal questions. The ultimate result of depriving the Supreme Court of jurisdiction over a class of cases would be that federal law would vary in its impact among the inferior courts. State courts could reach disparate conclusions on identical questions of law and the Supreme Court would not be able to resolve the inevitable conflicts."

For all of these reasons, Mr. Speaker, enactment of H.R. 3313 would be unwise and quite possibly unconstitutional. I agree with the late Senator Barry Goldwater who opposed similar "court stripping" bills during his Senate service, stating that "the frontal assault on the independence of the Federal courts is a dangerous blow to the foundations of a free society."

I noted with great interest a letter I recently received from former U.S. Representative Bob Barr, who authored the Defense of Marriage Act in 1996. In his correspondence to members of the House, dated July 19, 2004, former Congressman Barr urged the House to defeat H.R. 3313, stating that it will "needlessly set a dangerous precedent for future Congresses that might want to protect unconstitutional legislation from judicial review. . . . The fundamental protections afforded by the Constitution would be rendered meaningless if others follow the path set by H.R. 3313."

Former Congressman Barr also notes in his letter that, "where I differ with the supporters of H.R. 3313 is in my confidence that the Supreme Court will not invalidate DOMA [the Defense of Marriage Act]. During the lengthy consideration of DOMA, the House of Representatives heard detailed testimony on the constitutionality of DOMA. A parade of legal experts—including the Justice Department—determined that DOMA is fully constitutional. Although there are a few naysayers and wishful thinkers who opined that DOMA is unconstitutional, the overwhelming weight of authority was clear that DOMA is constitutional. Based on the exhaustive review of these opinions, Congress overwhelmingly passed DOMA and it was signed into law by President Clinton. DOMA remains good law. It is a sound and valid exercise of congressional authority, pursuant to the Full Faith and Credit Clause of the Constitution."

Further, former Congressman Barr comments in his letter that "because H.R. 3313 does not strip state courts of jurisdiction to hear challenges to the cross-state recognition section of DOMA, the result will be that each of the 50 state supreme courts will be the final authority on the constitutionality of a federal law. The chaotic result could be 50 different interpretations reached by state supreme courts, with no possibility of the U.S. Supreme Court reversing any incorrect interpretation of the federal DOMA. The potential for mischief by these courts is obvious. Ironically, I fear an increased likelihood of an adverse decision on

DOMA's constitutionality if H.R. 3313 becomes law."

Mr. Speaker, for all of these reasons, H.R. 3313 is neither good law nor good policy. My personal belief is that marriage is a union between a man and a woman, but that the regulation of marriage should be left to the states. Amending the Constitution of the United States is a serious matter not to be taken lightly and neither is enactment of legislation that would alter the careful balance of power and responsibility that the founders of our nation apportioned between the three branches of the federal government. I oppose H.R. 3313.

HONORING LOUISIANA EMPLOYER
BAKER OIL TOOLS—THE FIRST
RECIPIENT OF THE MANUFACTURING
EXTENSION PARTNERSHIP OF LOUISIANA'S ANNUAL
PACE AWARD

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. JOHN. Mr. Speaker, our local employers are dedicated contributors to our local economies. Each day our local manufacturers not only produce valuable products in our communities, they employ the skills of area workers and resources to get the job done. Manufacturers like the one I am recognizing today are committed to success, and their success directly benefits our communities.

One such local manufacturer is Baker Oil Tools located in Lafayette, Louisiana. Baker Oil Tools is a leader in oilfield services and today they are being honored by the Manufacturing Extension Partnership of Louisiana (MEPoL) with the first-ever Platinum Award for Continued Excellence (PACE Award).

MEPoL—a non-profit business resource based at the University of Louisiana at Lafayette—has a distinguished history of providing business and technical assistance to manufacturing firms throughout the State of Louisiana. They have worked with over 550 Louisiana businesses—including Baker Oil Tools—since 1997 to increase the productivity and profitability of their clients.

MEPoL educated, encouraged and empowered Baker Oil Tools to embrace the principles of 'Lean Manufacturing,' a systematic approach to identifying and eliminating waste in the manufacturing process through continuous improvement. This efficient approach enabled the organizational advancements that led to the receipt of this prestigious award.

Thanks to a committed workforce and leadership dedicated to excellence, Baker Oil Tools has made significant advances in driving productivity, quality and technology throughout their organization. Baker Oil Tools is a local manufacturing leader and this award is an outstanding achievement.

Congratulations to Baker Oil Tools on receipt of MEPoL's first annual PACE award and to their long standing commitment to the people and prosperity of our community.

IN RECOGNITION OF NATIONAL
ASSISTED LIVING WEEK

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mrs. TAUSCHER. Mr. Speaker, I rise today to recognize September 12 to 18 as National Assisted Living Week. Created in 1995 by the National Center for Assisted Living, National Assisted Living Week is being celebrated this year for the first time in collaboration with the American Association of Homes and Services for the Aging and the Assisted Living Federation of America.

Along with good health and access to family and friends, nothing is more important to the senior citizens of our communities than their independence. National Assisted Living Week recognizes senior citizens who prize their independence and honors the professionals, volunteers, and investors who support the facilities and services that help them keep it.

The 2004 NALW theme, symbolized by a family tree and a heart, is "Caring for Our Heritage". The focus is on diverse cultural traditions that enrich our communities at all stages of life and are especially meaningful and comforting to residents of assisted living environments.

Mr. Speaker, I commend NCAL, AAHSA, and ALFA for working together to promote National Assisted Living Week, beginning this Grandparents' Day. We as a nation are grateful to the members of these three organizations for their mission and expertise in advocating and caring for and preserving the quality of life of our senior citizens.

CITY OF COPPELL RANKED IN TOP
TEN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize five communities within my district for being acknowledged as among the "Top Ten Suburbs of the Dallas-Fort Worth Area," by D Magazine, a regional monthly magazine. Top honors went to Southlake, Colleyville, Highland Village, Flower Mound, and Coppel based on these communities' excellent schools, affordability, and low crime rates.

Every two years, the magazine ranks some fifty plus suburbs of the Dallas-Fort Worth region, the State of Texas' largest metropolitan area. Coppel was ranked number nine on this year's top ten after receiving top marks for its diversity. D Magazine also noted the city's predominantly younger residents and made specific mention of the Coppel Community Garden. Started in 1998, the Coppel Community Garden seeks to promote community "cohesiveness" through volunteer gardening. The Community Garden operates in conjunction with Coppel's Share the Harvest program to provide fresh produce to local food pantries.

I applaud Mayor Doug Stover and the City Council of Coppel for building the City of Coppel into a distinguished community. I am proud to represent such a vibrant city.