

been very aggressive in prosecuting financial crimes

Far from fulfilling the promise of the authors of Sarbanes-Oxley that it would protect economic growth by creating a favorable investment climate, Section 404 of the Sarbanes-Oxley Act has raised the costs of doing business, thus causing foreign companies to withdraw from American markets and retarding economic growth. By criminalizing inadvertent mistakes and exceeding Congress's constitutional authority, Section 404 also undermines the rule of law and individual liberty. I, therefore, urge my colleges to cosponsor the Due Process and Economic Competitiveness Restoration Act.

ACCESS TO LEGAL  
PHARMACEUTICALS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mrs. MALONEY. Mr. Speaker, today, along with my Republican colleague, CHRISTOPHER SHAYS, and my Democratic colleagues, DEBBIE WASSERMAN SCHULTZ in the House and Senator LAUTENBERG in the Senate, I am introducing the Access to Legal Pharmaceuticals Act, which will ensure that a woman's access to birth control cannot be denied by pharmacists who have personal objections to certain legal prescriptions.

A disturbing trend has recently erupted in drug stores across the nation: some pharmacists are refusing to fill women's prescriptions for legal contraception. It's happening everywhere: in small towns and large cities, in the north and the south. And it's happening to all women, whether they are young or old, married or single, with children or without. In some cases, the pharmacists are refusing to tell women where they can fill the prescription; in others, they are refusing to return the prescription paper back to the women. These women are frequently ridiculed and lectured by these pharmacists about their choice to use birth control pills.

It is incomprehensible that in the 21st century, we are living in a time where women are having to fight for their right to obtain birth control pills. Something must be done so that this assault on privacy does not continue to invade the bedrooms of American women. The Access to Legal Pharmaceuticals Act, ALPhA, protects an individual's access to legal contraception. It requires a pharmacy to ensure that if a pharmacist has a personal objection to filling a legal prescription for a drug or device, the pharmacy will ensure that the prescription is filled without delay by another pharmacist who does not have a personal objection. This act also ensures that if a prescription drug is not in stock, and it is a type of drug that the pharmacy routinely carries, such a drug will be ordered without delay.

A November 2004 poll conducted by CBS and the New York Times indicated that 8 out of 10 Americans believe that pharmacists should not be permitted to refuse to dispense birth control pills. This opinion was strong despite party affiliation—85 percent of Democrats and 70 percent of Republicans polled squarely opposed pharmacist refusals. The Access to Legal Pharmaceuticals Act reiter-

ates the beliefs of the majority of Americans and the principles of our Constitution: that women have a fundamental right of access to birth control.

CALLING FOR THE RELEASE OF  
JOSE DANIEL FERRER GARCIA, A  
POLITICAL PRISONER IN CUBA

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. ANDREWS. Mr. Speaker, I rise today to call attention to the shameful imprisonment of Mr. Jose Daniel Ferrer Garcia, a pro-democracy activist in Cuba who has been jailed for his outspoken leadership in the Cuban democracy movement.

Mr. Garcia is the regional coordinator for the Christian Liberation Movement in Santiago Province. Through this leadership position, he has mobilized many Cuban youth for democratic change, and has focused on accomplishing the movement's chief objective: to unite citizens that are willing to defend and promote human rights and achieve changes in the Cuban society through peaceful means.

As part of the March 2003 crackdown on Cuban dissidents in which 75 prodemocracy activists were arrested by the Castro regime, Garcia was captured and sentenced to serve 25 years in prison. The prosecution had originally requested that Garcia receive the death penalty. Currently jailed in a prison located in Western Cuba, Garcia is being held over 1,000 kilometers away from his wife and two young sons.

Jose Daniel Ferrer Garcia has dedicated his life to achieving positive change in Cuba. He has worked in an effort to bring the basic rights that we enjoy in the United States to the Cuban people, and has been imprisoned for 25 years because of these efforts. Mr. Speaker, it is imperative that the United States Congress continue to oppose the Castro regime and adhere to the travel and aid sanctions that are currently in place for Cuba. Mr. Garcia, along with his brother Luis Enrique and activists such as Dr. Oscar Elias Biscet, have been willing to risk their freedom so as to ensure that their fellow countrymen can truly be free. They need and deserve the support of the United States, and I ask that my colleagues join me in urging that the Administration call for their immediate and unconditional release.

LIBERTY LIST ACT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. SCHIFF. Mr. Speaker, in his second inaugural address in January, President Bush declared that "the survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom in all the world." Today, along with my colleague from Florida, Ms. ROS-LEHTINEN, I introduce legislation to aid that expansion by honoring the work of courageous men and women all over the world who strive to advance human rights

and democratic values within their own countries and throughout the international community.

The Liberty List will be an independent annual report issued by the State Department to highlight the work of individuals and organizations, including the media, who promote the development of liberty, democracy, and respect for human rights. In addition to honoring these individuals and organizations for their important contributions to their societies, the Liberty List will draw attention to the conditions against which the honorees struggle and will offer some protection for honorees by identifying them to the international community. A few individuals and groups, such as Aung San Suu Kyi and her National League, for Democracy NLD, are known around the world for their struggle. Yet, for every individual who is known to the international community, there are many other heroes who deserve recognition and support as they risk their own lives for the improvement of others.

The Liberty List is fundamentally different from the existing State Department Report on International Religious Freedom and the annual Country Reports on Human Rights Practices. Current reports focus on the human rights records of national governments; they deal with the imposition of state power. The Liberty List, in contrast, will spotlight individuals and organizations who are working against that power to build freedom, democracy, and respect for human rights.

Leaders in the struggle for freedom and democracy around the world deserve recognition for the sacrifices and their struggles. It is through the work of individuals, who struggle at the local and national levels to improve the lives of their families, friends, and neighbors, that democracy, freedom, and human rights will prevail. The Liberty List Act will establish a means by which the United States can honor these men and women as they strive to make the world a better, safer place.

I urge my colleagues to join Ms. ROS-LEHTINEN and me as cosponsors of this legislation.

A TRIBUTE TO TIM BURGESS, M.D.

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to read into the CONGRESSIONAL RECORD, a tribute to my father, Dr. Tim Burgess, from his close associate and friend, Arvin Short.

Intelligent, competent, compassionate, loving, wise, fatherly, nurturing, clever, witty, emotionally kind and concerned. Harry Meredith Burgess was all of these and more. He was one of the finest people I have ever known and he was literally the best doctor I have ever met.

I came to Denton in 1974 full of vinegar. After meeting and spending 10 minutes with Tim, I knew, without a doubt, that I wanted and had to work with this man. And at that very moment, although I had been to medical school for 4 years and spent 5 years in surgical residency, I began my training as a doctor.

Tim Burgess did not demand, command, plead or suggest. He taught by example, quietly and competently. He, more than any other person in the field of medicine, made me a physician.

Tim is, and always will be, the shining light of the medical profession.

HONORING THE CONTRIBUTIONS OF TEXAS STATE BOARD OF EDUCATION MEMBER JOE BERNAL

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the many accomplishments of Texas State Board of Education Member Joe Bernal.

Mr. Bernal is a proud product of the Texas educational system. He received his Bachelor of Arts degree from Trinity University, his Master of Arts degree from Our Lady of the Lake University, and his doctorate from the University of Texas at Austin.

He has amassed a distinguished record in service to his country and his state. He is a World War II veteran who served in the Philippines and Japan. Altogether, Mr. Bernal has more than 50 years experience in education and government service, including time spent as a social worker, a classroom teacher, a principal, an assistant superintendent, a Texas state representative, and a state senator.

During his legislative career, Mr. Bernal was a tireless advocate for education and civil rights. He championed bills that created free statewide kindergarten for needy five-year-olds, established the University of Texas at Austin, authorized the state's first minimum wage law, and expunged from the state statute all laws supporting racial segregation.

He now serves the people of Texas as a Member of the State Board of Education, a position he has held with distinction for seven years. Joe Bernal has had an extraordinary career, and his state is immeasurably better off because of all he has done. He is an example to all of us, and I am honored to have the chance to recognize him here today.

FREEDOM FOR ALFREDO FELIPE FUENTES

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Alfredo Felipe Fuentes, a political prisoner in totalitarian Cuba.

Mr. Fuentes is a member of the United Cuban Workers Council and an independent journalist. According to various reports, he has been an active opponent of the dictatorship since 1992. His peaceful, pro-democracy activities and truthful articles have helped the world to learn the facts about the nightmare that is the Castro regime. Unfortunately, those who believe in truth are targeted by the tyrant's machinery of repression.

On March 19, 2003, Mr. Fuentes was arrested as part of the dictatorship's heinous crackdown on peaceful pro-democracy activists. In a sham trial, he was accused of sending reports to Radio Martí about opposition

demonstrations. For these "crimes," Mr. Fuentes was sentenced to 26 years in the totalitarian gulag.

Let me be very clear, Alfredo Felipe Fuentes is languishing in an inhuman gulag because of his belief in truth, freedom and democracy. According to reports, he is held in isolation, he is suffering from malnutrition and the abhorrent state of his cell. Mr. Fuentes is bravely suffering because he believes in freedom for all the men and women of Cuba.

Mr. Speaker, it is morally repugnant that, in the 21st Century, men and women are still locked in the dungeons of dictators because of their beliefs in freedom and human rights. It is as inconceivable as it is unacceptable that, while the world stands by in silence and acquiescence, brave men and women are systematically tortured because of their belief in democracy and the Rule of Law. My Colleagues, we must demand the immediate and unconditional release of Alfredo Felipe Fuentes and every political prisoner in totalitarian Cuba.

IN HONOR OF GOVERNOR ELBERT N. CARVEL

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to former Delaware Governor Elbert N. Carvel, lovingly known to most Delawareans as "Big Bert". Bert was born in Shelter Island, New York on February 9th, 1910 to loving parents Arnold W. Carvel and Elizabeth Nostrand Carvel.

Bert Carvel graduated from Baltimore Polytechnic Institute in 1928 and the University of Baltimore law school in 1931. After moving to Delaware in 1936, Mr. Carvel began working for the Valliant Fertilizer Company in Laurel. After years of hard work at Valliant Fertilizer, he rose to the position of President and Chairman of the Board.

Soon after rising to prominence in the business community, the 6 foot, 6 inch, gentle giant decided to throw his hat into the political arena. He was elected Lieutenant Governor of Delaware in 1944 and became the 65th Governor of the First State in 1949. He returned to the governorship in 1961 and served out his second term, eventually leaving elected office for good in 1965. As a former Governor myself, I honor and thank Governor Carvel for his major accomplishments while in office.

After leaving office, Governor Carvel remained a fixture around Delaware. His good-natured speeches and humor made him a lively and well-known personality throughout all three counties. He will be remembered for his work with community foundations such as: The March of Dimes, The American Cancer Society, Delaware Wild Lands, the Boy Scouts, Ducks Unlimited, many historical societies throughout Delaware and through his church, St. Philip's Episcopal in Laurel.

Bert Carvel's legacy is one of equal human rights and opportunity; he opposed the death penalty and favored a public accommodations law, civil rights era reform that opened public places to all people, including African-Americans. Bert Carvel was so strong in his convictions that he did not worry about the political

and personal price of legislation. He knew what was right and he made it his job to make sure Delaware always did the just thing. He was truly a larger than life statesman who will leave a larger than life legacy for all of us to remember.

TRIBUTE TO THIRD DISTRICT CONGRESSIONAL YOUTH ADVISORY COUNCIL

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. SAM JOHNSON of Texas. Mr. Speaker, last fall I encouraged high school students from the Third Congressional District to join the first-ever Congressional Youth Advisory Council. I guessed that perhaps 10 to 20 students would participate.

Nearly 150 young people from public, private and home-schools applied. An outside, independent panel from the community spent hours pouring over the applications with care. Ultimately, the panel hand-selected 39 students to represent their peers as the voice of the future to Congress.

At our first meeting, I didn't know what to expect so I just opened up the floor to questions. It sounded like a meeting of award-winning scholars, well-respected leaders, and involved-civic activists. That's because they were. The students boasted impressive credentials: honors society, student leadership, school athletics, community philanthropy, language clubs, and musical backgrounds.

Members asked about the future of Social Security, the election in Iraq, and the status of legislation. They voiced their support for our troops and concerns about government spending.

I'm guessing that I learned more from the CYAC than they did, and I'm better for it. I'm eager to improve on the Council next year and hope that the sophomores and juniors will return to contribute. I believe the students enjoyed our time together and feel confident creating the CYAC was the right thing after one person asked if we could meet every week. Clearly these students have things to say about the future of this great country and long to be heard.

It is my hope that someday the Congressional Youth Advisory Council will be associated with excellence and one of our highest standards of civic pride for young people in North Texas. I commend the students for volunteering their time on the Congressional Youth Advisory Council and I wish each one continued success in all of their endeavors. Without a doubt, every student will continue to play an important role in our community for decades to come, and that America and North Texas, will continue to benefit from their dedication, smarts, and service.

You know, a lot of people hope to make a difference sometime in their lives. To the members of the Congressional Youth Advisory Council, you just did. Thank you. I salute you; God Bless You and God Bless America.

The names of the students follow.

2005 CONGRESSIONAL YOUTH ADVISORY COUNCIL SOPHOMORES

Merinda Brooks, Plano, Jasper High School.