

David Barton said, “Franklin had warned that ‘forgetting God’ and imagining that we no longer needed his ‘concurring aid’ would result in internal disputes that decay the Nation’s prestige and reputation, and a diminished national success. Washington had warned that if religious principles were excluded, the Nation’s morality and political prosperity would suffer. Yet despite such clear words, in cases beginning in 1962, the court offered rulings which eventually divorced the Nation, its schools and its public affairs from more than three centuries of its heritage; America is now learning experientially what both Washington and Franklin knew to be true; we are suffering in the very areas that they predicted.”

Barton’s warnings may be somewhat dire, but I do believe there is something to what he says. We certainly have disregarded some of the warnings of the early framers of the Constitution, and we have strayed far afield from what the original intent of those who wrote the Constitution appeared to be.

So despite the fact that the Constitution does not contain a separation of church and State clause, that phrase is not in the Constitution, in 1992 the Supreme Court declared an invocation and benediction at a graduation ceremony unconstitutional. So at a graduation ceremony you could not have an opening prayer or a benediction. Of course, as I said earlier, we begin the legislative day in this House with prayer every day.

The court held that a minute of silence in a school was unconstitutional. This seems a little bit beyond the pale to me that students could not have a minute of silence. They could think about history, they could pray, look out the window, but this was ruled as unconstitutional.

The court also ruled that a student-led prayer at a football game was unconstitutional. This was a prayer that the students had voted to have, and it was led by a student, it was outside the school building, and yet the court said the football players had to be there and the cheerleaders had to be there, and they might hear a prayer that was offensive to them. Therefore, you could not have a prayer. Again, that seems a little bit far afield.

As many of us know, the words “under God” were struck from the Pledge of Allegiance by the Ninth Circuit Court of Appeals, and that was thrown out by the Supreme Court because they said the parent bringing the case had no legal standing. In other words, the father was not the legal guardian of the young woman, the young girl that he was providing in the case. So the court did not rule it out. They did not throw out the ruling by the Ninth Circuit based on its merits but rather because of no legal standing, and I am sure we will see that reintroduced in the court again in some fairly recent date.

The Constitution is increasingly being interpreted as a “living document” and legal decisions increasingly come down based not on what the law states but rather based upon the personal ideology of the jurist. So the philosophical bent of the Supreme Court justices and district court justices determines very largely the course of this Nation in many important areas.

So we are now faced with the confirmation of Judge Roberts, and it is a very serious business. And we have one other vacancy on the Supreme Court, the first time in a long time we have had a situation like this. The direction that the court goes is going to be very important.

I know of nothing personally regarding Judge Roberts that would lead me to believe that he would not try to be a strict constructionist, that he would not try to interpret the Constitution as it is written, and I do not believe he would be a biased person. I am sure there would be those that disagree, but these are critical sometimes, Mr. Speaker, and these decisions will be very important.

So the makeup of the courts and the will of Congress will greatly influence whether we continue to drift further from our heritage or draw closer to those values upon which our Nation was founded. The willingness of Congress to focus on the pernicious influences impacting our children, the willingness of the American people to demand that those profiteering at the expense of our culture and our young people be reined in, will largely shape the future of our Nation.

Terrorism is an ever-present threat, the economy is of concern, and natural disasters like Hurricane Katrina are a tremendous threat to us. However, terrorism, economic distress and natural disasters will not prevail as long as our national character is sound. We are engaged in a cultural and spiritual struggle of huge proportions, and I can only hope that the principles upon which this Nation was founded remain pre-eminent.

As Congress addresses important issues such as those that I have mentioned, it is critical that we not lose sight of the fact that our Nation’s survival is directly linked to the character of our people; and I would urge Congress to think about these things and particularly to try to guard the future for our young people, because the future of this Nation is our young people. If we continue to let some of these pernicious influences that we now see impacting them so greatly continue, it may certainly render us one of those nations that become somewhat like Rome, like Great Britain, and also like we have seen with the Soviet Union. So it is important that we be vigilant.

ENERGY INDEPENDENCE

The SPEAKER pro tempore (Mr. KUHLMAN of New York). Under a previous

order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I listened to the gentleman from Nebraska (Mr. OSBORNE), and I wish to just add that many times people find their families breaking apart and experience a sense of hopelessness because of the pressures that come to bear.

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It is not that they necessarily have bad character, but, in fact, very bad things happen to them. And in fact, Hurricane Katrina showed us in another way how America’s overdependence on imported petroleum leaves our families more economically vulnerable and leaves America strategically more vulnerable to shortages or other market disruptions.

If we look in the past year of 2004, the five major U.S. oil companies, Exxon, British Petroleum, Shell, Chevron, and Conoco, have almost tripled their profits from 2002, taking in over \$50 billion more than they did just 2 years before. And guess where those dollars came from? Right out of our pockets, putting greater pressures on family life. In 2005, after months of suspected price gouging, these five major oil companies are on target to pocket over \$100 billion more, nearly \$40 billion more than Congress has appropriated so far to rebuild the entirety of our devastated Gulf Coast, which has taken generations to build. That is how much money these big companies are making.

According to the September 1 Wall Street Journal article, unleaded gasoline prices surged 36 percent in just 3 days, pushing the wholesale price to 132 percent above 1 year ago. This massive increase occurred despite the fact that in the same 3-day period, the price of crude oil went up just 4.25 percent. Over the past year, crude oil prices have gone up 64 percent. So that means the wholesale price of gasoline jumped nine times as fast as the price of crude in 3 days and is running more than double the increase of crude over the past year; and these companies are gaining a windfall benefit.

According to information provided by the Congressional Research Service, we suffered a gasoline shortage of 13 percent as a result of Hurricane Katrina. But in 2004, according to a Congressional Research study, 2.5 percent of motor fuel usage in our country came from ethanol, a fuel produced here at home. If we had moved to providing 10 percent of our fuel from ethanol, as some States like Minnesota do, we would have been able to replace more than half of this shortfall with ethanol and put the money in the pockets of our own farmers rather than dictators and kings over whom we have almost no control.

As of today, there are about 5 million vehicles on the road that will run on 85 percent ethanol, but most people do not know it, and it is very difficult to

find the fuel because these companies do not want to really bring it on line.

We need to change this situation. The 2002 farm bill provided the first-ever energy title as part of a farm bill in American history, promoting the production and usage of ethanol, biodiesel, and other renewable energy sources. But in recent years, instead of moving to aggressively implement these provisions, the Bush administration has consistently proposed reducing funding for these energy programs. And this is after his own energy plan failed to provide a single one of its 103 recommendations directed at programs offered by the U.S. Department of Agriculture. We have agriculture waiting, a lady in waiting, that this administration refuses to see to help America move toward energy independence.

The recently passed energy bill makes additional moves in that direction, but fails to take America in the direction fast enough to counter these massive price increases. Think about it. Oil shortages in the 1970s. Wars in the Middle East in the early 1990s and again now have the supply of oil looming as a prime motivator. Domestic shortages due to national disasters such as Katrina push up gasoline prices to a national average of more than \$3 a gallon and local prices as high as \$6 a gallon. When will we learn? When will we take control of our own fate?

I have sponsored the Biofuels Energy Independence Act of 2005, H.R. 388, to advance research, development, production, and marketing of biofuels produced from renewable sources like corn, soybeans, cellulose, and other biomass supplies. I want to again urge my colleagues to break America's addiction to imported oil right now by taking advantage of technology that is available today. Literally, we could displace one third of imported petroleum with these renewable fuels that could be produced inside our borders. All it takes is leadership. Is it not time?

ISSUES AFFECTING AMERICA IN THE AFTERMATH OF HURRICANE KATRINA

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to come before the House of Representatives, and we want to thank the Democratic leader for allowing the 30-something Working Group to come to the floor once again to work on issues and talk about issues that are facing Americans in this time after Hurricane Katrina and the devastation that has taken place in the South. Also, issues that are facing everyday working Americans throughout our country that are working 30-somethings and their families. When I mention their families, I am not only

talking about 30-somethings as individuals but also their parents and their grandparents and their children and children to be.

Mr. Speaker, this working group, like I stated last week and the week before last, is a group of Members on the Democratic side of the aisle that come together on a weekly basis to talk about the issues that are facing Americans. I want to thank the Democratic leader and the gentleman from Maryland (Mr. HOYER), the Democratic whip; and also the gentleman from New Jersey (Mr. MENENDEZ), chairman of the Democratic Caucus; and the gentleman from South Carolina (Mr. CLYBURN), our vice Chair, for standing steadfast on behalf of those Americans that are in great need at this time. I would also like to thank all of the workers that are working on behalf of the Federal effort to be able to bring about some, hopefully, stability to those that are in the affected area.

Mr. Speaker, I speak from experience because I had an opportunity to travel down to Hancock County this past weekend and also to Gulfport, Mississippi, to speak with some of the residents there about some of their pain and suffering they are continuing to go through. And I know that last week I mentioned that we are in the first 2 minutes of the first quarter of their recovery process, and I will tell the Members what I saw down in Hancock County, which was one of the hardest hit areas.

Everyone knows about New Orleans, that when the storm hit New Orleans, the worst thing that happened to New Orleans was the fact that the levee broke and that those homes were flooded, and a lot of those homes have to be leveled due to the water damage and saltwater damage to those homes. But I had an opportunity to travel down there, Mr. Speaker, and I want to share some of the photos that we were able to take down there of some of the devastation that took place.

Mr. Speaker, this is actually a photo here of the Florida National Guard. I have to take my hat off to those men and women that actually went down to Hancock County, where they had a tidal surge, or storm surge, of 23 feet. We have Colonel Duren who is in between me and the gentleman from Mississippi (Mr. TAYLOR), who is a Member of this House. This is actually the gentleman from Mississippi's (Mr. TAYLOR) home that stood there and was washed away. The storm surge was actually to the top of the trees, and it was almost like a washing machine. Brick homes, wood homes, trailers, what have you, are just leveled and devastated. The gentleman from Mississippi (Mr. TAYLOR) feels that he will recover, but there are a number of stories of his neighbors and his whole neighborhood that was actually washed out.

These are members of the Florida National Guard that were with us, and they have cleared in Hancock County and Mississippi some 65 miles of roads

that needed to be cleared to help individuals put themselves back together.

This is also some devastation from the same county that is receiving very little media attention about what happened. Some buildings that have been there since the 1800s have been taken outside by Hurricane Katrina. And as the Members can see, the economy and the way of life in that particular area is going to be forever changed.

Also, we have here a middle school. I am standing there with Colonel Duren of the Florida National Guard once again. Not just because I am from Florida, but I want to thank all of the National Guard troops that are actually down there trying to be a part of the Federal response.

As the Members know, in Florida we have the special emergency response teams that have a lot of experience in the recovery process, helping people bring their lives back to normal. They are working with very little guidance, and I think I am going to make a point a little later on, Mr. Speaker, the reason why we need a commission to look at the whole Katrina experience from the beginning to the end. Some may say that a commission would bring about something similar to the 9/11 Commission with civilians, individuals that once served in this body, past first responders and present first responders, so that we will be able to avoid something like this from happening again.

This is actually a middle school here. The Florida National Guard cleaned about maybe 2 or 3 feet of mud out of this school. This is the library, where the librarian and we also met with the superintendent of schools in this county said that the librarian's goal was to have a million books in this library, and obviously she has been set back; and we will be asking Americans to not only help this school but other schools that are trying to stand up on their own two feet. All of these books were soaked, and obviously the mold and everything has set in here, and these are the setbacks that many of our young people have gone through.

The last picture I want to show here, I know FEMA has received its hard knocks and I commend not only past Director Michael Brown from stepping down from the post of FEMA because this recovery should not be about Michael Brown, it should be about FEMA doing its job, and with the appointment, the temporary appointment, of Mr. Paulson, who was the Miami-Dade County fire director, who went through Hurricane Andrew and a number of other hurricanes, we do know that he does have experience in recovery and also response. With it being very early in hurricane season, and North Carolinians and South Carolinians and Virginians looking at a possible storm hitting them now, it is important to have someone at the helm of FEMA that has some experience in dealing with natural disasters and know what to do when they happen.