

## EXTENSIONS OF REMARKS

### A PROCLAMATION RECOGNIZING SELENA STEALEY

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. NEY. Mr. Speaker:

Whereas, Selena Stealey is a dedicated young woman worthy of merit and recognition; and

Whereas, Selena Stealey has been acknowledged by the United States Government for her caring efforts toward Hurricane Katrina victims and their pets; and

Whereas, Selena Stealey should be commended for her excellence in collecting and raising pet supplies.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Selena Stealey for her outstanding accomplishment.

### IN HONOR OF THE 100TH ANNI- VERSARY OF THE GREEN BAY EAST—GREEN BAY WEST HIGH SCHOOL FOOTBALL GAME

**HON. MARK GREEN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. GREEN of Wisconsin. Mr. Speaker, today I would like to recognize Green Bay East and West High Schools as they prepare to celebrate their 100-year-old football rivalry this weekend.

The seed for this historic gridiron contest was planted a century ago, on November 30, 1905. Football fans from across the region came out in droves to support their teams, and their enthusiasm quickly spilled out into the surrounding communities. Now, one hundred years later, it is one of the most intense and emotional high school sporting events in the state of Wisconsin and the nation.

For many years the football game between East and West High School was the largest public event in the city, with only Green Bay Packer games drawing a larger crowd. The celebration in Green Bay this weekend is one of community and pride, where friends and family can come together to reflect on the traditions of school spirit, kinship and community.

Mr. Speaker, it's my pleasure to recognize this historic football game and pay tribute to the one hundred years of tradition surrounding it. On behalf of the residents of Wisconsin's 8th Congressional District, I say congratulations and best of luck to both teams this weekend!

### CONGRATULATIONS TO MR. GEORGE MARTI

**HON. CHET EDWARDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. EDWARDS. Mr. Speaker, George Wesley Marti was born in Oak Grove, Texas in southern Tarrant County, the son of John and Lula Bell Marti. Driven by the great influence of his grandmother and fascination with radio, George Marti had a vision and developed a business plan at the young age of thirteen that involved establishing a radio station in the city of Cleburne, Texas.

In 1937, three years after the original formulation of his business plan for a Cleburne radio station, George Marti earned his Radio Telephone 1st Class Operator's License and Amateur Radio License, at the age of sixteen. Entering the United States Marine Corps in 1942, George Marti later enrolled in the Radio Material School of the Naval Research Laboratory in Washington, DC. George Marti graduated from this training, in 1943, the first in his class, and proceeded to serve on the maiden voyage of the USS *Freland*, later taking command of the communications for Marine Air Group 13 in American Samoa.

After being discharged in 1945, George Marti realized his vision of opening a radio station in Cleburne, Texas, with the on air debut of KCLE in April of 1947. Marti Electronics began to manufacture full time the Marti Remote Pickup System of his own invention that allowed reporters to broadcast remotely for the first time without the installation of telephone wires. By 1994, "The Marti," was operating in more than 80 percent of the world's radio stations.

George Marti established the Marti Foundation in 1988 in order to provide college scholarships to students of Johnson County that could otherwise not afford to go to college. The Marti Foundation has provided 551 scholarships in its 17 year history, and is currently supporting over 100 students at this very moment. Marti Foundation scholarships enjoy a 95 percent graduation rate.

In addition to his many accomplishments as Mayor of the City of Cleburne, Texas from 1974 to 1986, George Marti has been named the National Association of Broadcasters' 1991 Engineer of the Year, in 2002 the first inductee to the International Charolais Association Hall of Fame, in 2002 the first inductee to the Texas Association of Broadcasters' Hall of Fame.

George Marti continues a long history of service and devotion to his home of Johnson County, and is a most valued and regarded citizen of Cleburne, Texas.

I am proud to call George Marti my friend.

### MARKING THE 100 YEAR CELEBRA- TION OF THE CITY OF AMMON, IDAHO

**HON. MICHAEL K. SIMPSON**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SIMPSON. Mr. Speaker, I rise today to join with the community of Ammon, Idaho, in celebrating the city's 100th anniversary. This important milestone has been reached through the hard work and tenacity of the early settlers as well as the vision and spirit of today's citizens.

The City of Ammon is located to the east of the City of Idaho Falls in Bonneville County. It is one of east Idaho's fastest growing communities. Early settlers would hardly recognize the flourishing business district and the numerous residential developments. The population of Ammon now exceeds 10,000, with a median age of only 28 years for its residents. Many young families are enjoying the ambience of a small town as well as the convenience of living within a few miles of a large metropolitan center. Their enthusiasm and willingness to volunteer time and energy are helping the community to grow and prosper. A multitude of new businesses are joining the older more established ones of Ammon's early years to develop a vibrant, thriving economy.

Mr. Speaker, I would like to congratulate all those who have been involved in the "100 year celebration of the City of Ammon". I know many of the citizens of Ammon and have enjoyed their friendship over the years. I have worked with Mayor Ard on projects to better the City of Ammon, and I wish him and all the members of the community well as they begin an exciting second hundred years.

### A PROCLAMATION RECOGNIZING ALLEN R. STANFORD

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. NEY. Mr. Speaker:

Whereas, Allen R. Stanford has been recognized as the 2006 Recipient of the "Excellence in Leadership Award" by the Inter-American Economic Council; and

Whereas, Allen R. Stanford has been acknowledged for his performance and leadership in the areas of finance and investments; and

Whereas, Allen R. Stanford should be commended for his service as the CEO of the Stanford Financial Group based in Houston, Texas.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Allen R. Stanford for his outstanding accomplishments.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN HONOR OF THE LIFE OF DR.  
VANG POBZEB

**HON. MARK GREEN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. GREEN of Wisconsin. Mr. Speaker, today I would like to commemorate the life of Dr. Yang Pobzeb, an extraordinary man who recently passed away on August 23, 2005 after a life of passionate service to human rights and Hmong people across the globe.

Dr. Pobzeb began his activism in the mid-1970s and was among the first to achieve national recognition in the Hmong American Community. In 1987 he founded the Lao Human Rights Council—an organization devoted to improving the living conditions of Hmong people both in Laos and the U.S. Dr. Pobzeb was a tireless advocate for a people and culture that faced tremendous persecution, and he took every opportunity to remind the international community of the plight of the Hmong people in Laos. I was proud to work together with him, time and time again, in this fight.

Mr. Speaker, it is my distinct honor to commemorate the life of such an incredible man. Dr. Pobzeb was truly an exemplar of compassion and dedication, and on behalf of the citizens of Wisconsin's Eighth Congressional District, I offer my condolences to his family, and pay tribute to his life of activism and sacrifice.

CONGRATULATIONS AND BEST  
WISHES TO FATHER LAWRENCE  
SOLER

**HON. CHET EDWARDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. EDWARDS. Mr. Speaker, I rise today to recognize a champion of the Waco, Texas community, Reverend Lawrence Soler. I would like to extend my most sincere thanks and congratulations to Father Soler for his principled service and dedication to the needs of his parishioners. We are celebrating Rev. Soler's 50th year in the priesthood.

Rev. Lawrence Soler has served as Pastor of Sacred Heart Church for over 27 years. He also served as Pastor of St. Francis Church for several years. During his tenure at Sacred Heart Church, Rev. Lawrence Soler directed the fundraising and construction of a new \$1.2 million dollar sanctuary to accommodate the ever-increasing Catholic community of south Waco. In the last 2 years, he directed the fundraising and construction of a new Parish Activity Center also.

During his service at Sacred Church, he has conducted thousands of marriages, baptisms, confirmations, and communions. The work of Reverend Soler is a model of selfless service and sacrifice. His generous spirit and tireless efforts on behalf of the community have undoubtedly touched countless lives.

It is my privilege to honor the contributions of Reverend Lawrence Soler and I personally want to thank him for the shining example has given to us all and wish him well in his future endeavors.

Thank you my friend.

A TRIBUTE TO ROSEMARY  
CHILDREN'S SERVICES

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SCHIFF. Mr. Speaker, I rise today to honor Rosemary Children's Services of Pasadena, CA, upon its 80th anniversary.

In 1920, Mrs. Emma Spear and the women of the Pasadena Shakespeare Club established a shelter program for abused, neglected or abandoned teenage girls in Pasadena, because the only alternative at that time was juvenile hall. Rosemary Cottage opened in April of 1920 and could house 10 girls and a housemother. Their name came from William Shakespeare's "Hamlet" "There's Rosemary, that's for remembrance; pray you, love, remember."

In 1928, a new "Cottage" was built and made available to 19 teenage girls. In the 1940s, Rosemary Cottage introduced treatment services, improved their property and hired social workers to meet the United Way standards. Rosemary's group home program was launched in 1967 by the generous donation of a home from Robert Romberger. The group homes program was the first step in teaching independent living skills to teenage girls in placement situations. Since then, three other group homes have been acquired and can house up to 43 at-risk girls.

Rosemary Children's Services help hundreds of children of all ages. Along with their excellent residential program, they provide foster care to nearly 400 girls and boys in Southern California, many of whom have been the victims of neglect, sexual, or physical abuse. They sponsor a school that provides specialized education in a small structured environment and their mental health program includes out-patient services for teenage girls, individual and group therapy, exercise programs, artistic activities and training in various life skills.

I am greatly honored to recognize Rosemary Children's Services for its 80 years of loving care and support to countless children in our community, and I ask all Members to join me in congratulating Rosemary Children's Services for their remarkable achievements.

A PROCLAMATION RECOGNIZING  
MARION GATEWOOD

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. NEY. Mr. Speaker:

Whereas, Marion Gatewood has been recognized for being inducted into the Muskingum County Farm Bureau Hall of Fame; and

Whereas, Marion Gatewood has been acknowledged for his dedication and commitment to farming by the members of the Muskingum County Farm Bureau; and

Whereas, Marion Gatewood should be commended for his outstanding dedication to Muskingum County and for his exceptional knowledge and contributions to their farming community.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in hon-

oring and congratulating Marion Gatewood for being inducted into the Muskingum County Farm Bureau Hall of Fame.

COMMENDING THE GENEROSITY  
OF GALENA PARK,  
CHANNELVIEW, AND SHELDON  
ISD

**HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to commend the generosity three school districts in our Congressional District have shown to our neighbors in Mississippi.

Galena Park ISD, Channelview ISD, and Sheldon ISD have united and adopted Pascagoula public schools in Mississippi. Twenty-three Galena Park Schools, eleven Channelview Schools and seven Sheldon ISD schools are collecting donations to provide school supplies clothing and other necessities to students in Pascagoula.

Pascagoula serves almost 9,000 students at 16 campuses. Reports indicate that two schools were completely destroyed by Hurricane Katrina. The rest of the Pascagoula campuses sustained severe roof and window damage.

In addition to sending badly needed resources to Pascagoula, Galena Park, Channelview and Sheldon ISD have also enrolled hundreds of students from Louisiana and Mississippi.

I'd like to thank the leadership and staff at these three school districts for opening their doors to the children who have been affected by Katrina. I wish the best to our neighbors in Mississippi, Louisiana and Alabama as they rebuild their lives.

TRIBUTE TO MS. REEVES DIXON

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SERRANO. Mr. Speaker, it is with deep sympathy that I rise today to give a final goodbye to a wonderful woman who dedicated her life to helping others live well. Ms. Reeves Dixon passed away on September 2, 2005. She was a fine woman and will be sorely missed by all who knew her.

This daughter of the Bronx life's resume is long and impressive but I want to take a moment to highlight the important contributions she made to the people of my community.

Since 1980 Reeves worked with the 163rd Street Improvement Council, serving first as the Assistant Executive Director and later as its President and CEO. As CEO of the 163rd Street Improvement Council Reeves pushed the organization to plan, design, develop and implement affordable housing and support services that focused on meeting the housing and human services needs of the residents of the Southeast Bronx.

Most of the Council's clients have incomes below the median level. In an effort to help empower these low income families the council offers an integrated program which provides quality and affordable housing through

direct assistance that includes support services, education, advocacy, placement and referral. The Council helps to increase self-esteem and self determination and decrease dependency on government subsidies. Under her strong leadership the Council moved from a budget of \$400,000 to a multi-million dollar organization. Its growth not only demonstrated the great need for such an organization in the Bronx but also the strong leadership and vision of Reeves.

This past week the world watched in disbelief as Hurricane Katrina destroyed a major American city. While this storm will go down in history as the worst natural disaster to strike this Nation, it had much more significance. Katrina forced Americans to remove the wool that many had placed over their eyes to face the grim reality that there are millions of people in this country who live in utter poverty. Perhaps now Americans will realize the great responsibility they have to uplift those who are most vulnerable in our society. The life of Reeves Dixon is a shining example of how every American should lead his/her life—working to uplift her/his fellow man. Reeves understood that her community, much like the Nation as a whole, could not survive if its most vulnerable citizens were not protected. As a result she spent her life empowering others.

Although Reeves has passed on, the many good works that she did will continue to benefit the lives of others for generations to come. Surely that is the mark of great life. For her unyielding spirit and kind heart I ask my colleagues to join me in saying goodbye to a dear friend and role model to us all—Ms. Reeves Dixon.

A SALUTE TO DR. BILLY TAYLOR

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CONYERS. Mr. Speaker, as Dean of the Congressional Black Caucus, and Chairman of the Jazz Forum and Concert that occurs during the Congressional Black Caucus Foundation's Annual Legislative Conference, I rise to salute the lifetime achievements of one of the most distinguished artists in American music history, Dr. Billy Taylor. The following biography, found on the Kennedy Center's web site, chronicles a career of accomplishment deserving of such high recognition, and of this body's thoughtful attention and respect:

"Billy Taylor arrived in New York City on a Friday evening in 1942. He headed for Minton's Playhouse in Harlem, where he was heard by one of his idols, tenor saxophonist, Ben Webster. The following Sunday Taylor began his professional career, playing with Webster's quartet at the Three Deuces alongside Webster, Big Sid Catlett and Charlie Drayton. During this time, Billy was Art Tatum's protege and Jo Jones was his 'appointed guardian.'"

Taylor worked with Machito's Afro-Cuban band, replaced Erroll Garner in the Slam Stewart Trio, and became a member of the Don Redman Orchestra, the first American jazz band to tour Europe after World War II (1946). He also played on Broadway in Billy Rose's "The Seven Lively Arts," opened for Billie Holiday in "Holiday on Broadway," and

played in the pit band for "Blue Holiday," starring Ethel Waters, Mary Lou Williams and the Katherine Dunham dancers.

He played a lot of solo gigs along the northeast corridor—the Earle Theater in Philadelphia, The Royal Theater in Baltimore, the Howard Theater in DC and the Apollo in NYC. In 1949 he got a call to sub for Al Haig with Charlie Parker and Strings at Birdland. This was the beginning of his two-year stint as house pianist at that legendary jazz club. He played with everybody—Charlie Parker, Dizzy Gillespie, Miles Davis, Oscar Pettiford, Art Blakey, Milt Jackson, Zoot Sims, Roy Haynes, and Kenny Dorham among others. Often playing opposite such bands as Duke Ellington, Count Basie, Stan Kenton and Lennie Tristano, his tenure at Birdland was one of Taylor's greatest learning experiences.

Billy made some recordings with his own group during the early 1950's for such labels as Prestige, Riverside, ABC Paramount, Impulse!, Sesac, Mercury and Capital Records. He also recorded albums with Quincy Jones, Sy Oliver, Mundell Lowe, Neal Hefti, Eddie 'Lockjaw' Davis, Sonny Stitt, Lucky Thompson, Coleman Hawkins and Dinah Washington. He even started his own music publishing company, Duane Music, Inc.

Also about this time Taylor started writing about jazz and giving lectures/clinics to music teachers interested in teaching jazz. He began to witness first-hand, the serious lack of funding for the arts and humanities and began to focus on radio and television in order to gain better exposure for America's classical music. He helped to facilitate many local and national broadcasts featuring jazz artists in live performances. Some in broadcast studios, others in nightclubs, dance halls, and hotels. In 1958 he was named Musical Director of the first series ever produced about jazz, "The Subject Is Jazz" (NET). His house band for these 13 programs included Doc Severinsen, Tony Scott, Jimmy Cleveland, Mundell Lowe, Earl May, Eddie Safranski, Ed Thigpen and Osie Johnson. Guests included none other than Willie "The Lion" Smith, Duke Ellington, Langston Hughes, Jimmy Rushing, Bill Evans and Aaron Copeland among others.

During the 1960's Taylor was working regularly with his trio and hosting his own daily radio show on New York's WLIB. He was making guest shots on various TV shows and recording for Capital Records, when the Beatles began to nip at the heels of Taylor and other highly successful members of the Capital family like Frank Sinatra, Nat King Cole, and Peggy Lee. Rather than continue to be neglected, Taylor opted to forget about recordings for the time being and concentrate on radio and television. His success on WLIB led to a post at the popular WNEW, playing jazz for their affluent middle-of-the-road audience. He continued to perform as well during this period, usually with his trio and sometimes with larger ensembles.

In the early 1970's, Taylor was named Musical Director for the popular daily television show, The David Frost Show. Many feel he had the best jazz band on TV at that time. They played an hour jazz concert every night for the studio audience, and at least twice a week, Frost booked guests like Louis Armstrong, Count Basie, or Buddy Rich to play and be interviewed. Two recordings were made with Taylor's band on the Frost show before the show came to an end three and a

half years later. Billy Taylor returned to WLIB, this time as program director of the station and began to build the largest jazz audience in New York City. Simultaneously he had his own local television program on New York's Channel 47. It was about this time that Taylor was offered an opportunity to enroll in the doctoral program at the University of Massachusetts at Amherst. He had been an adjunct professor at C. W. Post College in New York and a visiting professor at Howard University, and felt the need to organize his teaching materials so that they might be more effectively used by others. After a few years of intense study, he earned his combined Masters and Doctorate in Music Education (1975). But he sorely missed playing and writing music. He had been appointed to the National Council for the Arts by President Nixon in 1970, and although this was a tremendous honor, the amount of time required to be an effective arts advocate took precious time away from practicing his music. Nonetheless, he tackled the task at hand, alongside his distinguished colleagues, Maurice Abravanel, Eudora Welty, Beverly Sills, and Nancy Hanks, who were doing so much to help make the arts available to everyone. It was a highly productive and rewarding period for Taylor, but not especially creative, musically.

Sometimes things work themselves out in mysterious ways. Maurice Abravanel commissioned Taylor to write "Suite For Jazz Piano and Orchestra"; T. J. Anderson commissioned him to write "Make A Joyful Noise"; the University of New Hampshire commissioned him to write a dance suite, "For Rachel"; the Kentucky Symphony asked him to write "Impromptu." And so, Taylor began to write jazz for ensembles that were larger than his trio. He composed the musical score and lyrics for an off-Broadway production of Wole Soyinka's "The Lion and The Jewel," and some dance music for the original production of "Your Arms Are Too Short To Box With God." (To date, Billy Taylor has over 350 songs to his credit, including the popular, "I Wish I Knew How It Would Feel To Be Free," which has been recorded by various artists and served as an anthem for the civil rights movement. His latest work, "Urban Griot," is detailed under the Soundpost section of this website.)

All the while, Billy Taylor continued his work in broadcasting, as Musical Director for Tony Brown's Black Journal Tonight (PBS); and from 1977–1982, as host of NPR's most listened to jazz program of its time, "Jazz Alive." By the end of the 1970's he was touring with his trio more than ever, but playing fewer and fewer jazz clubs, which had become crowded, overpriced and excluded young people. Realizing the need to bring his music to a broader audience, Taylor began to focus more on performing in larger venues such as concert halls and performing arts centers, which were a welcome change.

In the early 1980's, Taylor was tapped by Charles Kuralt to become arts correspondent for the popular television program, "CBS Sunday Morning." Still at that post today, he has profiled over 250 well-known and not-so-well-known members of the jazz community. (He received an Emmy Award for his profile on Quincy Jones.) It was during this time that Billy also decided to start his own record company (Taylor Made), but after producing five albums, he realized that it was the music he wanted to be involved in, not the business. He

continued his work as a performer both on the bandstand and on television & radio as well. He hosted his own jazz piano show for Bravo, "Jazz Counterpoint," which featured such artists as George Shearing, Marian McPartland and Ramsey Lewis, along with two different NPR radio series, "Dizzy's Diamond." and "Taylor Made Piano," which traced the history of jazz using the piano to tell the story. Based upon Dr. Taylor's book, "Jazz Piano," "Taylor Made Piano" won a Peabody Award and generated more requests for tapes than any previous NPR program. As the 80's drew to a close, Billy Taylor signed with GRP/Impulse, making some of his most popular recordings, including the re-release of My Fair Lady Loves Jazz (arranged by Quincy Jones), It's A Matter of Pride, Dr. T (featuring Gerry Mulligan) and Homage (featuring the Turtle Island String Quartet) which received a Grammy nomination in 1996.

During the 90's Dr. Taylor was named Artistic Advisor for Jazz to the Kennedy Center for the Performing Arts in Washington, D.C. Since 1994, under the umbrella of Jazz at the Kennedy Center, Taylor has developed one acclaimed concert series after another including the Art Tatum Pianorama, the Louis Armstrong Legacy series, the annual Mary Lou Williams Women in Jazz Festival, Beyond Category, Betty Carter's Jazz Ahead and the Jazz Ambassadors Program. His nationally broadcast NPR series, "Billy Taylor's Jazz at the Kennedy Center" is recorded live and features a mix of performances, audience Q & A, and conversations with musical guests. (see the Education/Residencies section of this website). Billy pioneered this play a little, talk a little format in the early 80's, with his "Jazz Models & Mentors" series, presented four times a year at New York's Metropolitan Museum of Art. Taylor performs regularly with his current trio (Chip Jackson/bass & Winard Harper/drums) as well as with his long time friend, pianist Ramsey Lewis. When he's not touring, composing or recording, he can be found in classrooms throughout the country, conducting master classes, workshops and lecture/demonstrations. As he approaches his 80th birthday, Billy Taylor remains vigorously dedicated to nurturing jazz and creating new forums and opportunities for the artists who perform it. He encompasses that rare combination of creativity, intelligence, vision, commitment and leadership, all qualities that make him one of our most cherished national treasures."

In March 2005, Dr. Taylor retired from concert performance.

A PROCLAMATION RECOGNIZING  
ROB VERNON

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. NEY. Mr. Speaker:

Whereas Rob Vernon has been a dedicated president of the Muskingum County Farm Bureau worthy of merit and recognition; and

Whereas, Rob Vernon should be rewarded for his passion and commitment toward farming; and

Whereas, Rob Vernon should be commended for the excellence and devotion with which he served the county of Muskingum.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Rob Vernon for his outstanding accomplishments.

RELIGIOUS LEADERS SPEAK OUT  
ON BUDGET

**HON. TOM PRICE**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. PRICE of Georgia. Mr. Speaker, our national budget and spending bills reflect our government's values and priorities, and in recent years those priorities have been skewed heavily in favor of helping the rich and eroding protections for the poor. Our country's religious leaders recognize that danger, and for the second time this year have issued statements calling on our government to truly care for the least among us and to abide by a budget and spending plan that reflects the higher values and morals of our country. I would like to submit for the RECORD a letter from the leaders of many of the major Protestant churches in our country and another by the National Council of Jewish women calling on Congress not to abandon the poor in the aftermath of Katrina. The budget reconciliation process should not be used to further reduce funding for education, food stamps, health care, and other critical domestic priorities while spending twice that amount in tax cuts for the wealthiest among us.

THE EPISCOPAL CHURCH, USA,  
EVANGELICAL LUTHERAN CHURCH  
IN AMERICAN, PRESBYTERIAN  
CHURCH (U.S.A.), UNITED CHURCH  
OF CHRIST, UNITED METHODIST  
CHURCH.

SEPTEMBER 13, 2005.

DEAR MEMBERS OF CONGRESS: As leaders of our respective denominations, we have long sought an end to the injustices inherent in poverty. We have never seen these injustices born out so vividly in our own country as in the aftermath of Hurricane Katrina. The devastation wrought by Katrina has exposed the anguished faces of the poor in the wealthiest nation on the planet. These faces, precious in the eyes of God, cause us to remember that racial disparities and poverty exist in almost every community in our nation. They also compel us to set before Congress once again our concerns for the FY '06 federal budget and its impact on people living in poverty. With renewed urgency, we call on Congress to stop the FY '06 federal budget reconciliation process immediately.

We believe our federal budget is a concrete expression of our shared moral values and priorities. Congress rightly and quickly responded in appropriating needed funds to ensure an adequate initial response to Hurricane Katrina. Our denominations have mobilized and are responding in prayer and financial support and direct service to those in need. Yet, just as disaster struck the Gulf Coast, the U.S. Census Bureau reported in very particular detail that poverty in the United States is growing. The annual report, Income, Poverty, and Health Insurance Coverage in the United States: 2004 showed that 37.0 million people lived in poverty in 2004, an increase of more than one million people since 2003.

In April, during consideration of the budget resolution we wrote to Congress that, "As we view the FY '06 Federal Budget through our lens of faith this budget, on balance, con-

tinues to ask our nation's working poor to pay the cost of a prosperity in which they may never share." It is clear that programs such as Medicaid and the Food Stamp Program that were slated for cuts by Congress will in fact have greater burdens placed on them as a result of Hurricane Katrina. These programs are not simply entitlements or "government hand-outs," they represent the deep and abiding commitment of a nation to care for the least among us.

Believe us when we tell you that even before Hurricane Katrina or the Census Bureau's report, neither we nor our friends of other faiths had the resources to turn back the rising tide of poverty in this country. The FY '06 reconciliation bill that is working its way through the authorizing committees will send more people searching for food in cupboards that, quite frequently, are bare.

We commit ourselves to working for economic policies infused with the spirit of the One who began his public ministry almost 2,000 years ago by proclaiming that God had anointed him "to bring good news to the poor."

The Most Reverend FRANK  
T. GRISWOLD,

*Presiding Bishop and  
Primate of the Epis-  
copal Church, USA.*

The Right Reverend MARK  
HANSON,

*Presiding Bishop of  
the Evangelical Lu-  
theran Church in  
America.*

The Reverend Dr. CLIFTON  
KIRKPATRICK,

*Stated Clerk of the  
General Assembly,  
Presbyterian Church  
(U.S.A.).*

The Reverend JOHN H.  
THOMAS,

*General Minister and  
President, United  
Church of Christ.*

JAMES WINKLER,

*General Secretary,  
General Board of  
Church and Soci-  
ety, United Meth-  
odist Church.*

NATIONAL COUNCIL OF JEWISH WOMEN URGES  
NEW NATIONAL PRIORITIES IN KATRINA'S WAKE

NEW YORK, SEPT. 12, 2005.—In the aftermath of Hurricane Katrina, National Council of Jewish Women (NCJW) President Phyllis Snyder issued the following statement:

We have watched with alarm the tragedy that continues to unfold in New Orleans and the Gulf Coast as a result of Katrina. Our hearts go out to all of the people who have suffered from this disastrous hurricane—those who have lost loved ones, homes, livelihoods, and their communities.

We applaud the efforts of the individuals who have worked day and night to rescue and provide relief to those victimized by Katrina. So, too, we salute the countless volunteers, many of whom are from NCJW, working to assist evacuees who have relocated to their communities.

This is a tragedy compounded by the grave mistakes made by the very people and institutions charged with keeping us safe. We urge the establishment of an independent commission of inquiry with adequate budget authority and subpoena power to investigate this catastrophe. It is important that this effort rise above partisan politics in order to determine exactly what went wrong and to make recommendations for the future.

Recovering from Katrina will necessitate measures that go well beyond the immediate

cleanup and rebuilding tasks. This disaster has exposed the fault lines of race and poverty in our society that we all knew existed but which have been ignored, especially in recent years.

NCJW calls upon our leaders and lawmakers to realign their priorities, and we pledge to redouble our efforts to ensure that this happens. We must prioritize funding to address human needs over tax cuts that disproportionately benefit the wealthy and drain vital budgetary resources. We must act to address the vestiges of racism that linger in our society. And we must act to ensure that the communities that rise from the rubble embody a new vision of equality and social justice.

H.R. 3673, SECOND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

**HON. JOHN SULLIVAN**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SULLIVAN. Mr. Speaker, I rise today to offer my sincerest condolences and sympathies to the victims of Hurricane Katrina. With the recent devastation of Louisiana, Mississippi, and Alabama, our Nation has reached a state of emergency. My thoughts and prayers are with those who have been tragically uprooted from their communities, or have lost loved ones in the path of the destruction. I wholeheartedly support the effort to provide food, water, and daily necessities to these victims, as well as the long-term effort to rebuild our Gulf Coast and house the now-homeless.

As we move forward with the effort to provide for families and to rebuild, it is Congress' job to ensure that federal aid and taxpayer dollars are spent appropriately and are reaching the truly needy. Last week, the Federal Emergency Management Agency was spending just over \$500 million a day, an unprecedented rate, and over the weekend spending reached \$2 billion a day. Over \$60 billion in emergency appropriations has been allocated, a record for disaster relief, and Congress is expected to authorize more funds in the coming weeks.

I strongly urge that future spending bills for Hurricane Katrina include controls on how the money will be spent; that this spending is offset with reductions in other programs, just as Congress did following the California earthquake and the Oklahoma City bombing; and that Federal resources are allocated for rebuilding only where State and local governments and the private sector cannot provide the funds.

Additionally, I encourage accountability and meticulous record keeping within the federal organizations funding the emergency and rebuilding efforts. I feel it is imperative that the Department of Homeland Security and other related agencies help these citizens and rebuild these towns, but in a financially responsible manner, ensuring every dollar is spent wisely and fairly in an effort to best help the victims of this tragedy. In this time of disaster, it is important that we do not saddle future generations with unmanageable debt, but rather work together to exercise fiscal responsibility.

RECOGNIZING OFFICER ROBERT FERRARA

**HON. SUE W. KELLY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mrs. KELLY. Mr. Speaker, I stand here today to honor a dedicated and heroic public servant from the Nineteenth Congressional District of New York. We nearly lost one of our finest citizens when Town of Chester Police Officer Robert Ferrara was critically injured while serving in the line of duty.

Officer Robert Ferrara, age 34, was seriously wounded on the night of July 20, 2005, when a drunk driver smashed head-on into his police vehicle. He suffered multiple fractures throughout his body including: a punctured lung, a ruptured spleen, a lacerated liver, a kidney abrasion, and a laceration to his head.

Officer Ferrara has dutifully served the Town of Chester since 1999 as a police officer. Previously, he spent 4 years working as a Deputy Sheriff with the Orange County Sheriffs Office. In addition to his public service, Officer Ferrara is the dedicated father of a 7-year-old girl.

Officer Ferrara's relentless determination and resolve to overcome tragedy has served as a guiding light. His willpower and inner strength have touched his family, his friends, and even those who never met him but have heard of his courage. His community has been inspired by Officer Ferrara. Over 200 people recently participated in a blood drive in his honor, with some waiting in line for hours.

Officer Ferrara deserves recognition for he symbolizes the likes of an exemplary officer and diligent public servant possessing an unwavering commitment to serving others and protecting the well-being of the community.

A PROCLAMATION IN MEMORY OF LOUIS MENDELSON

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. NEY. Mr. Speaker:

Whereas, I hereby offer my heartfelt condolences to the family and friends of Louis Mendelson; and

Whereas, Louis Mendelson will certainly be remembered by all those who knew him because of his upright character; and

Whereas, Louis Mendelson was born and raised in Bellaire, Ohio and owned the former Berman's Mens Store in Bellaire; and

Whereas, Louis Mendelson was active in many endeavors in his community as a member of the Temple Shalom Synagogue in Wheeling, West Virginia, a member of the Bellaire Area Chamber of Commerce, and Bellaire Kiwanis Club; and

Whereas, Louis Mendelson will be remembered and honored for his public service as a U.S. Army Veteran of World War II.

Therefore, while I understand how words cannot express our grief at this most trying of times, I offer this token of profound sympathy to the family and friends of Louis Mendelson.

CONTRIBUTIONS OF NORTH TEXANS TO HURRICANE KATRINA RELIEF

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize and commend the compassionate contributions of North Texans towards the hurricane relief efforts. During the past two weeks, televisions across the nation have brought into our living rooms images of the terrible destruction and suffering caused by Hurricane Katrina. Obviously our hearts ache at seeing our fellow Americans in desperate need, struggling at first just to survive, and now beginning to put their lives back together, one piece at a time. This desperation and despair, however, has not gone unanswered. Americans have come together in the past weeks, giving new meaning to the word "community," and the North Texas community has been a leader in this endeavor.

The City of Dallas and the surrounding areas have served as models of compassion, generosity, and leadership as North Texas has welcomed thousands who have been so tragically displaced by the hurricane into our neighborhoods and communities. So many sectors have given so selflessly of their time and resources to those in desperate need: city and county administrations, transit agencies, faith-based institutions, educational institutions, private and non-profit sector entities, and regular citizens have answered humanity's greatest call.

The American Red Cross in North Texas has come to the aid of thousands of evacuees here in Dallas, providing much needed meals and beds. Volunteers at the Call Center of the Dallas Emergency Operations Center have fielded thousands of calls, helping to organize this massive relief effort. Transportation has been generously provided by Dallas Area Rapid Transit, who have distributed over 3500 transit passes to evacuees, and the Dallas Water Utilities Distribution Division has assisted by providing pallets and personnel at the Dallas Convention Center.

The area's first responders have acted with bravery and selflessness. The Dallas Police Department has committed over 300 officers to support evacuee operations. The Texas State Guard has provided invaluable medical and shelter management services, deploying over 250 guardsmen to the Convention Center and Reunion Arena shelters alone. Fire Rescue and EMS personnel have lent their expertise to the relief effort at shelters throughout Dallas, and nearly two thousand patients have been served.

The Surgeon General of the United States, Richard Carmona, has described medical operations in Dallas as "nothing short of astounding," and Mr. Justo Hernandez, the coordinating officer on site with the Federal Emergency Management Agency, has reported that, in his 17 years of service with the agency, FEMA has never been as well received as it has in Dallas. Louisiana State Representative Derrick Shepherd described the effort as a "first-class administration of a difficult administration" and New Orleans Mayor Ray Nagin stated, "People are doing great work everywhere in Texas".

Clearly, world renowned Texas hospitality has lived up to its reputation. The spirit of the North Texas community is strong and kind, and I commend all North Texans who have contributed toward the restoration of hope for their fellow man.

RECOGNIZING CHRISTIANSBURG,  
VIRGINIA CHIROPRACTOR FOR  
SERVICE TO THE CHIROPRACTIC  
PROFESSION

**HON. RICK BOUCHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BOUCHER. Mr. Speaker, next week, the American Chiropractic Association—the nation's largest professional association for doctors of chiropractic—will elect a new Chairman of the Board of Governors at their annual conference in St. Paul, Minnesota. The outgoing Chairman, the chair since 2003, is a constituent of mine who practices in Christiansburg, Virginia: Doctor of Chiropractic, George B. "Mac" McClelland.

Dr. McClelland is a 1969 graduate of National College of Chiropractic and has practiced chiropractic for more than 30 years. He was elected chairman of the Board of Governors during ACA's 40th Annual Business Meeting in Albuquerque, New Mexico, September 20, 2003.

Dr. McClelland has been extremely involved in the chiropractic profession for many years. He has served on the ACA Board of Governors since 1999, and on its executive committee for the past two years. Prior to being elected to the Board, Dr. McClelland served as ACA's Virginia Delegate for 18 years. In addition, Dr. McClelland is a current member of ACA's Council on Orthopedics and has been a member of ACA's Council on Roentgenology and its Council on Sports Injuries. He served as national chairman of ACA's Managed Care Committee from 1996 to 1999.

Dr. McClelland has also been extremely active with the Foundation for Chiropractic Education and Research (FCER) and currently serves as its vice president, as well as a member of its Research Committee, Board of Trustees and President's Council. In addition, he was FCER president from 1990 to 1996.

Dr. McClelland has been recognized for his service and significant contributions to the chiropractic profession. He is a two-time recipient of the VCA Chiropractor of the Year Award and has also received a Special Service Award and a Lifetime Achievement Award from the VCA. In 1997, he received ACA's first Delegate of the Year Award, and he has also received the Chairman's Award, the President's Award, a Meritorious Service Award and a Distinguished Service Award from the ACA. In 1985, he was awarded an honorary Fellow of the International College of Chiropractic degree.

Dr. McClelland, a Vietnam veteran and avid golfer, lives in Blacksburg, Virginia with his wife, Susan. He has two children. Fall Saturdays find Mac and Susan's home decked out in Virginia Tech maroon and orange.

Mr. Speaker, I am proud to have Dr. McClelland as a constituent and even prouder of his more than 30 years of service to patients throughout Virginia.

HONORING CONSTITUTION DAY

**HON. JOHN A. BOEHNER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BOEHNER. Mr. Speaker, I rise today to recognize the United States Constitution's 218th anniversary.

On September 17, 1787, 39 delegates from 12 states convened in Philadelphia to outline the powers of a new government—a government that for the first time in world history would exercise its authority from powers loaned to it by its citizens, not the other way around. It represented a sea change from centuries of belief that every person's right to his property was somehow the state's to grant or to confiscate.

John Adams once said, "The moment that the idea is admitted into society that property is not as sacred as the Laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. Property must be sacred or liberty cannot exist." I believe that every American that swears to defend the Constitution is obliged to defend that sacred right. Unfortunately, there exists a depressing trend, highlighted by the Supreme Court's recent 5–4 decision in *Kelo v. New London*, where those who think "government knows best" gain and property rights yield.

With the death of the late Chief Justice William Rehnquist, America is once again presented with a test of her character. A new Chief Justice must be appointed. He or she will bear the responsibility for defending a document that has generally succeeded in securing individual liberty for 218 years. From what I have learned about Judge Roberts, I am optimistic that he will rise to the occasion. I can only hope that the Senate will too. The Constitution is far too valuable for politics.

IN SUPPORT OF POW/MIA  
RECOGNITION DAY

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. HIGGINS. Mr. Speaker, I rise in respect of National POW/MIA Recognition Day. The brave sacrifices made by our Nation's veterans have protected the liberty of millions of Americans, and have brought freedom to countless individuals throughout the world. Today is a day for our Nation to humbly thank and remember those who have given up their freedom to protect our own.

Hundreds of thousand of Americans have been interned at the hands of their captors; many of these men and women are alive in our country today, and more than 88,000 remain missing from World War II, the Korean War, the Cold War, Vietnam, the Persian Gulf, Somalia, Kosovo, Afghanistan and Iraq. Today, our Nation thanks these brave individuals who have protected our freedom while losing their own and we renew our commitment to the families of those who are still missing by promising to do everything possible to account for their loved ones.

On September 16, 2005, I ask our Nation to salute American POWs and those honorable

men and women missing in action, and I urge my colleagues to fly the flag of the National League of POW/MIA Families, a black and white banner symbolizing America's missing.

CELEBRATING THE 60TH ANNIVERSARY  
OF SAN JOAQUIN MEMORIAL  
HIGH SCHOOL

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. COSTA. Mr. Speaker, I rise today to congratulate San Joaquin Memorial High School on this ceremonious day in celebration of their 60th anniversary.

San Joaquin Memorial High School deserves congratulations for their dedication to providing their students with a superior education and making the tuition very affordable for many families in the Fresno area. With a 154 graduating class of 2005 nearly all of their students plan to attend colleges or universities. Over the past 15 years San Joaquin Memorial High School graduates' average college enrollment is higher than 98 percent and many of their graduates advance to the top universities in the nation.

The School was founded in 1945 and was given the name "Memorial," and school colors, "red, white, and blue," to serve as a living reminder of the men and women from the San Joaquin Valley who gave their lives in the service of their country. San Joaquin Memorial High School has been an exceptional addition to our community and serves as a model High School for other schools in the area.

San Joaquin Memorial High School strives to offer an academically challenging curriculum designed to stimulate critical thinking, to develop individual capabilities, to seek the truth in information and to gain wisdom in knowledge. They also believe that they can help their students recognize the uniqueness of the self and offer an environment conducive to personal growth. The students at San Joaquin Memorial High School are empowered to become self-disciplined and with their discipline they donate much of their time to community service in an effort to better society for the public, their school and their church.

They have continued to develop and modernize their facilities from its three original classroom buildings in 1945. A part of their Mission Statement is to give "service to the poor." With their hard work and dedication to supplying the San Joaquin Valley with an enormous amount of consideration and compassion for others they will surely continue to thrive in the Valley for many years to come.

PETITION TO RELEASE ROMAN  
CATHOLIC FAITHFUL FROM  
CHINESE PRISONS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. WOLF. Mr. Speaker, upon the 50th anniversary of the Communist government assault on the Roman Catholic Church in Shanghai, I wish to submit for the RECORD a letter

from the Cardinal Kung Foundation to Chinese President Ju Hintao. The Cardinal Kung Foundation advocates on behalf of the persecuted underground Catholic church in China.

SEPTEMBER 1, 2005.

President HU JINTAO,  
*People's Republic of China, c/o Ambassador Yang Jiechi, Embassy of the People's Republic of China, Connecticut Avenue, NW Washington, DC.*

DEAR PRESIDENT HU: September 8, 2005 will be remembered as your historical first visit to the United States and to Yale University as the President of the People's Republic of China. The world will be eagerly listening to your vision for China. However, September 8, 2005 is also being observed by 12 million Roman Catholics in China and millions more worldwide as the 50th anniversary of the unjust and brutal assault on the Roman Catholic Church in Shanghai when the Chinese government simultaneously arrested the late Bishop Ignatius Kung Pin-Mei, at the time the Roman Catholic Bishop of Shanghai, 21 priests, 2 nuns, and approximately 300 Roman Catholics for practicing their Roman Catholic religion.

Today, fifty years later, we commemorate and weep silently about this gross injustice and tragedy that your government had inflicted upon these innocent Catholic religious and faithful. All of them were sentenced to 10-30 years and even to life imprisonment. In honor of these bloodless martyrdoms, the late Pope John Paul II secretly (in pectore) elevated Bishop Kung Pin-Mei to a Cardinal in 1979 while he was still in jail and publicly proclaimed him a cardinal in 1991 amidst a 7-minute standing ovation before an audience of 7,000 people.

Since 1949 when your government took over China, literally tens of thousands of Roman Catholic bishops, priests, nuns, and their faithful have been imprisoned for 5, 10, 20, 30 or even 40 years. Many of them, such as Bishop Fan Xueyan of Baoding (34 years in solitary confinement), died in jail. Some of them are still in jail on this date or have vanished after they were arrested. Many of them were released after a very long period in jail. Some of those released are still living in China or in other parts of the world. Some, such as Cardinal Kung Pin-Mei, whom the late Pope John Paul II called "this noble son of China and of the Church" (30 years in solitary confinement and 2.5 years in house arrest), and Archbishop Dominic Tan Yee-Ming of Canton (24 years in jail without a trial), have since died.

It does not matter if these prisoners are dead or living today. They are still considered criminals because the "criminal" charges against them were never erased by your government.

There are thousands more like Cardinal Kung, Bishop Fan and Archbishop Tang. They are all loyal citizens of China and they love China.

Mr. President, you have the power and the leadership to bring modern China into an era of true religious freedom. Mr. President, you also have the wisdom and historical acumen to realize that a country without religious freedom is never peaceful and constructive. You know the importance of changing the world's perception of China's human rights policy for the better and you can do it. And, we pray that you will do it.

The Chinese government has justifiably exonerated numerous political prisoners in the past. On this 50th anniversary of the unjust and brutal assault of the Roman Catholic Church in Shanghai described above, the Cardinal Kung Foundation appeals to you once again, as we have appealed to your Ambassador Yang Jiechi on March 23, 2005, that all these prisoners, including Cardinal Kung,

Bishop Fan and Archbishop Tang and many others, both living and dead, be officially and posthumously exonerated of so called crimes of which the Chinese government falsely and unjustly accused them, some as long as five decades ago. We also appeal to you to release all current religious prisoners from prison and labor camp as per the attached list. By your doing so, the reputation of these living and dead religious prisoners of conscience in China can be restored. Those who are still living can at least once again enjoy equal treatment in the society. To do so will be a powerful testimony to the Chinese government's respect for and adherence to human rights and liberty. To do so will also prove that China is honoring the spirit of the Olympic Games that you will have the honor of hosting in 2008.

God love you.

Thank you.

Yours truly,

JOSEPH KUNG,  
*President, Cardinal Kung Foundation.*

CONGRATULATING NED MCGINLEY  
ON THE OCCASION OF HIS SERVICE  
AS NATIONAL PRESIDENT OF  
THE ANCIENT ORDER OF HIBERNIANS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Mr. Ned McGinley, of Wilkes-Barre, Pennsylvania, who is serving his second, two-year, term as national president of the Ancient Order of Hibernians.

Born in Pittston, Pennsylvania, Ned graduated from Wilkes College in 1966. He was captain of the wrestling team and was named All American in 1963. Married for 36 years to his wife, Maryellen, the couple has three children and five grandchildren.

A school teacher for 31 years in the Wyoming Valley West School District, Ned is now athletic recruitment coordinator for King's College in Wilkes-Barre. A member of the AOH since 1978, Ned served in numerous leadership roles within the organization. In June, 2002, he was elected national president without opposition. Having visited Ireland 25 times in the past 16 years, Ned has been devoted to furthering the Peace Process in Northern Ireland.

He is a strong proponent of the Hibernian Charity Corporation, instituted in 2005, to bring tax deductible contributions to Project St. Patrick, stipends for religious vocations and support for the Hibernian Hunger Project.

Under Ned's leadership, the AOH is working to introduce a resolution on the Molly Maguires to the Pennsylvania legislature. The AOH is convinced that the Irish men convicted of crimes in the Pennsylvania coal fields of Luzerne and Schuylkill Counties in the 1870s were denied legal due process during their trials. During Ned's term of office as national president, the AOH has called upon the Irish Republican Army to renounce violence in its struggle for a united Ireland. Last July, the IRA agreed to do that and limit itself to using the political process to achieve goals.

Mr. Speaker, please join me in congratulating Ned McGinley for his devoted service to

the Ancient Order of Hibernians, a proud organization committed to preserving Irish history and culture and to promoting Irish values.

WINNING THE WAR IN IRAQ

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. HENSARLING. Mr. Speaker, last night while participating in a special order hour, I misspoke and substituted the name of my wonderful wife Melissa for that of my young daughter Claire. I would like to reiterate how proud I am of our brave men and women in uniform and of their contributions to keeping American families safe.

SUPPORT FOR OUR COAST GUARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. FILNER. Mr. Speaker, I rise in strong support of H.R. 889, the Coast Guard and Maritime Transportation Act of 2005, and in strong support of the U.S. Coast Guard.

Mr. Speaker, I have never been more proud of the men and women that serve in the United States Coast Guard. In the past 2 weeks, these valiant men and women have shown their dedication to our Nation. In the aftermath of Hurricane Katrina, the Coast Guard was the very first government entity to arrive. The Coast Guard is solely responsible for saving thousands of Americans from the destruction and flood waters brought by Hurricane Katrina.

The Coast Guard, whose motto is Semper Paratus, always ready, was prepared to respond to this storm. Before levees ever broke, the Coast Guard was flying additional helicopters and extra aircrews to the Gulf region. Once the storm hit, the Coast Guard air and boat crews were operating 24 hours a day to save their fellow citizens.

The best decision that the President has made in the past 2 weeks is to place Vice Admiral Thad Allen in charge of the emergency response to the Katrina disaster. To the Coast Guard, being prepared to respond to a disaster is not just a paper exercise to sit on the shelf when the big one comes. Responding to emergencies and tragedies is a part of the daily routine for the Coast Guard. By working to create relationships with State and local government officials, and those in the private sector, the Coast Guard has the resources to respond in times of crisis. To date, the Coast Guard has saved over 12,500 lives with their air resources, and in using boats or other surface transportation methods has saved over 11,500 lives. They have also evacuated over 9,400 people to hospitals.

And when the storm had passed, they remained on the scene helping to cleanup the mess and protect the environment. In New Orleans, they are coordinating the cleanup of 15 significant oil spills, and helping to coordinate the removal of sunken ships and barges.

Mr. Speaker, the Coast Guard has responded with all of the resources at their command to the Katrina disaster. It is time for the

House of Representatives to respond to the Coast Guard by ensuring they have the resources they need to carry out their missions in the coming year.

Mr. Speaker, I am honored to have joined with my Committee Chairman, Mr. LOBIONDO, in crafting language in this bill that not only provides the appropriations and authorizations for the Coast Guard, but more importantly, gives proper recognition and gratitude for their efficient response to the Hurricane disaster. Make no mistake of it Mr. Speaker, while there was confusion and chaos, it was the Coast Guard that was there, on the ground saving lives.

IN REMEMBRANCE OF  
REPRESENTATIVE LLOYD MEEDS

**HON. RICK LARSEN**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. LARSEN of Washington. Mr. Speaker, today we mourn. We also remember. We mourn the loss of a public servant who worked to make government the best it could be. We remember his accomplishments and celebrate his legacy.

And we take heart in the memories that we share of this great man.

Congressman Lloyd Meeds was not a distant politician. He was a friend and a neighbor whose public work was devoted to maintaining and improving our unique quality of life for generations to come. He was, in the words of his colleague Congressman Morris Udall, "a workhorse rather than a showhorse", a "glutton for the tough, detailed work that so many of us shun."

These words paint an accurate picture of a true public servant and statesman. And they set a standard of excellence for those of us now serving in Congress.

Congressman Meeds's tough, detailed work played a major role in creating Head Start and the Youth Conservation Corps. He took a stand as one of the first to support Title IX, the law that bans gender discrimination in our schools.

He set an example for me personally with his work to preserve and protect land for future generations by brokering the North Cascades Act that created the North Cascades National Park and the Alpine Lakes Wilderness. He later worked for a resolution to ensure passage of the Alaska National Interest Lands Conservation Act, a vital piece of legislation that will protect some of the most pristine land in the United States for generations to come.

His accomplishments were many, and his commitment to the Pacific Northwest was unyielding. That commitment certainly did not end when he left Congress.

The State of Alaska declared February 28, 2005 "Lloyd Meeds Day" as a heartfelt thank-you for the Congressman's lifetime of effort on behalf of the environment and Native Americans.

This is the legacy of Congressman Lloyd Meeds—a passionate and tireless advocate for the causes he embraced.

We mourn a loss today. Congressman Meeds will be missed. The foundation he laid, however, provides the basis for the diversity

and strength we see in our communities today.

PERSONAL EXPLANATION

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ISTOOK. Mr. Speaker, my absence today from the House chamber is due to my traveling to New Orleans and Oklahoma City to assess the damage and relief efforts in the wake of Hurricane Katrina. My return to Washington, DC is not possible until after conclusion of today's legislative business. As a member of the Committee on Appropriations and the vice chair of the Subcommittee on Homeland Security I am involved in the direct funding of our government's efforts in saving lives, stabilizing this devastated area, restoring order, mitigating still uncertain conditions, and beginning the rebuilding process that can assist in returning prosperity and making people whole. During my visit to New Orleans, I will witness firsthand the scope of the devastation, observe relief operations, and meet with some of the more than 2,100 members of the Oklahoma Army National Guard serving in New Orleans. My trip concludes with my traveling to Oklahoma City to meet with hurricane evacuees and relief workers.

Since Hurricane Katrina made landfall on the Gulf Coast August 31, Oklahomans have been at the forefront of relief efforts. Since August 30, the Oklahoma National Guard has supplied four U860 Blackhawk helicopters, airlifted tens of thousands of pounds of food and water to New Orleans and supplied much-needed security and rescue efforts in the midst of looting and flooding that followed the hurricane's landfall. Oklahomans have also opened up their homes and businesses to help the relief effort, and have worked with the Red Cross in opening shelters for those evacuees throughout Oklahoma.

INTRODUCING LEGISLATION TO  
ESTABLISH A SPECIAL INSPECTORS  
GENERAL COUNCIL FOR  
HURRICANE KATRINA

**HON. TODD RUSSELL PLATTS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. PLATTS. Mr. Speaker, I rise today to introduce legislation to establish a Special Inspectors General Council for Hurricane Katrina. As Members of Congress charged with overseeing the operation and accountability of the Federal government, we have a responsibility to ensure that all funds we authorize and appropriate are spent for their intended purposes. In the wake of the terrible devastation caused by Hurricane Katrina, we have already appropriated more than \$60 billion for the immediate relief effort, and this amount is, no doubt, only the beginning. These funds must be spent in a way that ensures that the people in the affected areas of Louisiana, Mississippi, and Alabama are able to recover.

Assuring accountability for relief and recovery projects is imperative. The public's trust in

their government has been shaken in the aftermath of this disaster. We must assure the American people that we are being appropriately prudent with their money. Any dollar lost to fraud or waste is a dollar that does not make it to someone who is in need. This funding is too important to be misspent, and that is precisely why I am introducing this legislation today.

As Chairman of the Subcommittee on Government Management, Finance, and Accountability, I have seen firsthand the good work of agency inspectors general. Their unique relationship with both the agencies they oversee and the Congress, to whom they report, provides an ideal check on the system. Inspectors general have long stood as a bulwark against fraud and mismanagement.

While some in the Congress have called for the appointment of one Special IG to oversee hurricane relief funding, this proposal raises concerns. The most troubling aspect of the legislation is a requirement that this Special IG be appointed by the Secretary of the Department of Homeland Security within three days. This is contrary to the intent of the Inspector General Act. The IG Act requires that an IG with this much authority—one who would potentially oversee the expenditures of up to \$200 billion—be appointed by the President with the advise and consent of the Senate. Under the Special IG proposal, we would face the unworkable problem of having several IGs with Senate confirmation reporting to a political appointee who reports to one cabinet secretary.

The response to Hurricane Katrina will involve the full breadth of Federal resources. It will touch nearly every Federal agency. What we need is a coordinated response from the IGs now in place throughout government. We need IGs with institutional knowledge unique to their own agencies to work together under the leadership of the Department of Homeland Security. This Council will draw on the resources of over 5,000 auditors and investigators who are already in place today.

The hurricane relief money is being spent right now. It is important that this coordination begin as quickly as possible. We cannot take a chance on a single Special Inspector General who mayor may not have the depth and breadth of knowledge to ensure full accountability at all the Federal agencies that will be part of this effort. We have no time for a learning curve, especially when we have the ability to leverage the considerable resources already available. A Special IG Council will enable this important work, which in many cases is already underway, to be completed in the most effective manner.

HONORING THE BEDFORD  
GAZETTE

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SHUSTER. Mr. Speaker, I rise today to honor the Bedford Gazette, a daily newspaper serving Bedford County, Pennsylvania. On September 21, 2005, the Bedford Gazette will celebrate its 200th anniversary. A solid institution in Bedford, I grew up with the Gazette in our family's home.

While there is no definitive list of the oldest newspapers in the United States that are still published under their original names, it is believed the Bedford Gazette is among the 30 oldest newspapers in the country. The motto of the paper: "Published continuously since 1805. One of America's oldest newspapers" stakes its historical claim. What began as a four page weekly containing mainly political reports and stories has grown to publish daily since 1950.

As with so much of my district, Bedford, Pennsylvania has had a front seat to American history. The Bedford Gazette was there as eyewitness, recording the first steps of a new nation, and there are documented reports of Gazette editors as players in that history. One editor wrote of playing billiards with John Brown when he stayed in Bedford (under an assumed name) on his way to Harper's Ferry, West Virginia, to carry out his infamous raid. Another Gazette editor announced to the country that Pennsylvanian James Buchanan would not seek re-election to the U.S. Presidency. The proximity of the famous Bedford Springs Hotel allowed the Gazette access to centuries of America's movers and shakers. Presidents James Polk, Zachary Taylor, William Henry Harrison, John Tyler, James Garfield, Dwight D. Eisenhower, and Ronald Reagan all spent time at the Hotel and the Gazette was there to record it.

The Frear family of Bedford has a long history with the Gazette. In 1935 Hugo Frear became editor of the paper, and when he volunteered for service in the U.S. Navy during World War II, his wife Virginia stepped in and ran the paper herself. His son Ned would become editor, serving for 30 years and eventually his grandson Chris would take the reins for another 10. All in all, three generations of the Frear family were owners, publishers, and editors for almost 60 years.

Mr. Speaker, I am proud to recognize the historical milestone of the Bedford Gazette, a newspaper found on all kitchen tables across the county, including my own. The Bedford Gazette is more than just a daily newspaper. It is an established tie connecting Bedford's rich history and promising future.

#### NADER STATEMENT ON ROBERTS NOMINATION

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. CONYERS. Mr. Speaker, for decades Ralph Nader has forced Washington to confront crucial issues that otherwise might be swept under the rug. True to form, he now has called to our attention an important question regarding the candidacy of John Roberts to be Chief Justice of the United States. His statement to the Senate Judiciary Committee on that nomination raises issues in many areas important for all of us in Congress. Important areas of focus are access to the courts.

Mr. Nader's statement follows:

WASHINGTON, DC,  
September 12, 2005.

Mr. Chairman and members of the Senate Judiciary Committee, thank you for the opportunity to submit testimony on the nomination of Judge John G. Roberts Jr. for the

position of Chief Justice of the Supreme Court of the United States. I ask that this statement be made part of the printed hearing record.

In 1994 I testified before the Senate Judiciary Committee on the nomination of Stephen G. Breyer by President Clinton to be an Associate Justice of the Supreme Court of the United States. In that testimony I called attention to the importance of balance in the way our laws handle the challenges of corporate power in America.

I said: "For our political economy, no issue is more consequential than the distribution and impact of corporate power. Historically, our country periodically has tried to redress the imbalance between organized economic power and people rights and remedies. From the agrarian populist revolt by the farmers in the late 19th and early 20th century, to the rise of the federal and state regulatory agencies, to the surging trade unionism, to the opening of the courts for broader non-property values to have their day, to the strengthening of civil rights and civil liberties, consumer, women's and environmental laws and institutions, corporate power was partially disciplined by the rule of law."

Today it is more important than ever for all Supreme Court Justices and, in particular, the Chief Justice of the Supreme Court to have the inclination and wisdom to realize that our democracy is being eroded by many kinds of widely reported systemic corporate excesses. Giant multinational corporations have no allegiance to any country or community, and the devastation and other injustices they visit upon communities throughout the United States and around the globe have outpaced the countervailing restraints that should be the hallmark of government by, for and of the people. Unfortunately, the structure and scope of these hearings are not likely to devote a sufficient priority to the corporate issues of our times.

In 1816 Thomas Jefferson wrote: "I hope we shall . . . crush in its birth the aristocracy of our moneyed corporations, which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country." Imagine his reaction to the corporate abuses of Enron Corp., HealthSouth Corp., Tyco, WorldCom or Adelphia Communications Corp. to name only a few, along with the drug, tobacco, banking, insurance, chemical and other toxic industries. The corporate crime and greed of today tower over the abuses of the "moneyed corporations" of Jefferson's day. The economic power of giant corporations is augmented by a flood of Political Action Committee (PAC) money and other donations that shape the quality and quantity of debate in our country and consequently drive our society to imperatives that are increasingly more corporate than civic.

You will hear about Judge Roberts from several perspectives, but it is safe to assume that questions and testimony about Judge Roberts' views on corporate power and the rule of law will be inadequate given the broad and profound impact giant corporations have on our democracy. An important procedural and substantive corollary is the important role our civil justice system plays in expanding the frontiers of justice and in giving individuals the ability to hold "wrongdoers" accountable in a court of law. "If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice," said the famous jurist, Learned Hand.

Unfortunately, powerholders, corporations and other institutions which are supposed to be held accountable by the civil justice system, are striving to weaken, limit and override the province of juries and judges. Some

companies, led by insurers, have used expensive and focused media to promote the view that civil juries are too costly and too unpredictable. This narrow and short-sighted perspective is contrary to the long-standing tenets of our democracy and in particular the Seventh Amendment to our Constitution.

The civil jury system of the United States embraces a fundamental precept of tested justice: ordinary citizens applying their minds and values can and do reach decisions on the facts in cases that often involve powerful wrongdoers. This form of direct citizen participation in the administration of justice was deemed indispensable by this nation's founders and was considered non-negotiable by the leaders of the American revolution against King George III. But the civil jury is more than a process toward bringing a grievance to resolution. The civil jury is a pillar of our democracy necessary for the protection of individuals against tyranny, repression and mayhem of many kinds and for the deterrence of such injustices in the future. Our civil jury institution is a voice for and by the citizenry in setting standards for a just society. Jury findings incorporated in appellate court decisions contribute to one of the few authoritative reservoirs of advancing standards of responsibility between the powerful and the powerless—whether between companies and consumers, workers, shareholders and community or between officialdom and taxpayers or citizens in general. Knowing the evolution of the common law and the civil jury provides compelling and ennobling evidence of this progression of justice. Chief Justice William Rehnquist wrote, "The founders of our Nation considered the right of trial by jury in civil cases an important bulwark against tyranny and corruption, a safeguard too precious to be left to the whim of the sovereign, or, it might be added, to that of the judiciary."

As the hearing unfolds, I suggest that the members of the Judiciary Committee devote some time to areas beyond those that are traditionally the focus of witnesses and questioning by Committee members and ask fundamental questions about the views of Judge Roberts, a former corporate lawyer at Hogan & Hartson, regarding corporate power and the civil justice system.

In the spirit of expanding the criteria by which the Committee and the public can measure Judge Robert's judicial and civic philosophy, I offer the following questions for you to pose to the nominee. Some of the questions are narrowly focused and some are broad-gauged. But, in their totality they constitute the broad kind of "litmus test" that should be applied in selecting and confirming all judges. In short, does the nominee, having met the threshold requirements of competency, believe that the rule of law should be used to broaden and deepen, procedurally and substantively, our democracy—even if it means the rights of the giant corporation or powerful interests must be circumscribed to protect the rights of the individual citizen and of our communities—rural or urban, large or small?

In pursuing its own line of questions, the Committee should not let its exploration of the nominee's views be artificially restricted. Judicial nominees have given two reasons for refusing to answer questions, but these reasons are contradictory. First, they say, if they publicly express their views, it will compromise them if the issue comes before the Court. Second, they say, judges do not decide legal issues in a vacuum: they only decide a concrete dispute in a specific adversarial context. Accordingly, some nominees claim it's silly or inappropriate, for example, to say whether they believe the Constitution protects the right to abortion, because Justices don't decide cases by asking

such abstract questions. They face a particular statute, challenged by a particular party directly affected in a particular way, and the resolution of that dispute will turn on all those particulars.

This second response has a degree of merit—and undercuts the first reason for refusing to answer most questions. Precisely because neither nominees nor the public can know in what context issues will reach the Court (if at all), it is not problematic for nominees to discuss their views. They should not say how they would decide an actual pending case, but, short of that, it is fine for them to discuss issues because that in no way commits them to taking sides in any actual dispute—such disputes are invariably context-specific. For example, a nominee may be asked about the doctrine that treats a corporation as a “person” entitled to various constitutional rights. His or her thoughts on this issue will not tell us what he or she will do if such an issue is raised in a case before the Court. The latter may depend on the nature of the corporation (non-profit? media? multi-national?), the nature of the claimed right, and much more.

Moreover, even if the nominee testifies that he or she disapproves the doctrine, as a Justice the nominee may hold that the question is settled law. Or if a nominee says that he or she agrees with the doctrine, a new circumstance—or a party making a new argument—may lead the nominee to hold otherwise. Nothing a nominee says guarantees that he or she will decide any case any particular way. Nothing that is said has to be fixed in stone. Judges do give opinionated public speeches, do they not?

It may be wondered whether, in light of the above, any purpose is served by asking the nominee his views. The answer is yes. It's no secret that nothing a nominee says binds the nominee once he or she receives an office with life tenure. Nominees can't and shouldn't be bound. But especially with a nominee who has a limited public record, the hearings provide some basis for gauging the nature and quality of his ideas, about his philosophy of due process for example. At any rate they have that potential—if Senators do their job and do not accept a nominee's self-serving refusal to answer questions.

At the outset, it would behoove the Committee to establish the parameters the nominee will use in fashioning responses to your questions by asking:

What criteria are you using to determine if you will directly answer or not answer questions posed to you by members of the Senate Judiciary Committee?

If the Court has recently ruled on a matter, will you provide the Committee with your views on the Court's ruling?

If a matter is long settled, will you provide the Committee with your views on the Court's ruling?

Once this baseline has been established, the following questions should shed light on nominee's approach to some major issues of our day.

1. Lloyd Cutler, speaking as a prominent corporate attorney, once said: “There is one point I want to make clear: we believe in the arguments that we make.” Do you believe the arguments you have made on behalf of your corporate clients?

2. Do you believe limits on television station ownership abridge the free speech rights of corporate broadcasters?

3. What is your view of the First Amendment rights of the listeners being paramount to those of the broadcasters as articulated by the Court in *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367 (1969)?

4. Do you see a problem when corporations are treated as equal participants, with every

right to use their First Amendment rights to dominate public policy debates such as those that occur in state and local referenda?

5. Do you believe the Court should uphold state and Congressional limits on corporate political expression in order to equalize contributions to public debates?

6. Do you believe that a strict reading of the Constitution provides for the treatment of corporations as “persons” under the law for purposes of equal protection, freedom of speech or due process of law? And, if so, what in the Constitution's text provides a basis for this belief?

7. Many observers complain that law firms representing large corporations routinely abuse the discovery process in order to delay and harass their opponents. Have you observed that phenomenon? If so, what should be done about it?

8. In 1986, in *Pacific Gas & Elec. Co. v. Public Util. Comm'n of Cal.*, 475 U.S. 1 (1986) the Supreme Court (5 to 3) struck down a state regulation as violating a utility company's “right of conscience” under the First Amendment. What makes the case particularly unsettling is its disconnectedness to opinions past and future. As Justice Rehnquist observed in his lengthy dissenting opinion in the case, “the two constitutional liberties most closely analogous to the right to refrain from speaking—the Fifth Amendment right to remain silent and the constitutional right of privacy—have been denied to corporations based on their corporate status.” Do you think it makes sense to attribute a right of conscience to a commercial corporation?

9. Would any trade agreement, such as GATT, NAFTA, or CAFTA ever require Senate ratification as a treaty?

10. Does the President have complete discretion to determine whether an international trade or other agreement must be submitted to the Senate for two-thirds treaty approval? If not, what are the criteria that determine when an international agreement must be submitted to the Senate for two-thirds treaty approval?

11. Are there limits on Congress' power to strip federal courts of jurisdiction over a particular issue? If so, what are such limits?

12. Do you believe victims of defective products that meet federal standards should be limited from recovering damages from the manufacturers of the defective products?

13. Do you believe Congress should federalize and pre-empt state products liability common law in any or all sectors?

14. Plaintiffs' trial lawyers have been blamed by their corporate critics for all sorts of problems with the economy and legal profession. Do you believe that those representing injured persons in product liability and medical malpractice cases are harming America?

15. So-called tort-reform is aimed at restricting the amount of non-economic damages, such as pain and suffering, a party can receive. Are you concerned that this interferes with the traditional role of juries and judges to find facts and mete out appropriate justice?

16. Do you believe the use of the government contractor defense should be limited in nonmilitary procurement? If so, how?

17. Some people say the Ninth Amendment can play no substantive role in protecting rights, that it's merely a statement of principle or reminder of limited government. Do you agree?

18. A number of legal scholars argue that the 11th Amendment has been interpreted by the Court to shield states from liability for wrongdoing in a way that blatantly contravenes the original intention of the Amendment. Are you familiar with that scholarship and do you find it persuasive?

19. In what circumstances, if any, is it appropriate for a contractual arbitration clause to contract away substantive contract law, tort, or statutory rights? For instance, can an arbitration clause require arbitration of a worker's Title VII rights and at the same time limit the worker's compensatory damages to \$200,000? Can that same clause require the loser to pay the winner's attorney's fees? Can that clause require that the parties to arbitration bear their own attorney's fees?

20. Describe the presumption against preemption of state law. Does it apply in some or all instances where federal law is said to preempt state law?

21. Is the presumption against preemption of state law (by federal law) similar to the plain statement rule that demands that Congress speak with unmistakable clarity if it wishes to override the states' sovereign immunity? If the presumption against preemption is not similar to the plain statement rule, explain how it is different?

22. How is the presumption against preemption applied in cases where federal regulatory law (regulating, for instance, drugs, boats, pesticides, motor vehicles, and the like) is said to preempt state tort law that provides monetary remedies to compensate for injuries caused by a product that the federal government regulates?

23. Do you believe Congress should preempt the state-law-based medical malpractice system?

24. What are your views on the “American rule” as opposed to the English rule under which the losing party in litigation generally pays the winner's costs, including attorney's fees?

25. What has been your reaction or views on Congressional funding levels for federally funded legal services programs over the last two decades? Should government be responsible for funding representation for poor people in civil litigation where important property or liberty interests are at stake? Or should that be mainly or entirely a private function?

26. Some scholars and judges believe that “Originalism” is the only principled method of constitutional interpretation. Do you agree?

27. Do you believe that a declaration of war by Congress is Constitutionally required for the United States to engage in war?

28. Does a Congressional delegation of the war-making discretion to the President in the form of a war resolution meet the test of Article One, Section Eight of the Constitution?

29. What level of equal protection scrutiny was applied in *Bush v. Gore*, 531 U.S. 98 (2000)?

30. What is the precedential effect of *Bush v. Gore*? In other words, what kinds of equal protection claims does *Bush v. Gore* control or apply to? After *Bush v. Gore*, may a political entity (city, county, state) holding an election use more than one type of voting methodology (paper ballots, standard machines, punch cards, etc.) knowing that the error rates (whether through undercounts or otherwise) are different from one methodology to another?

31. Is there a need to amend our open government laws to make the President subject to them in whole or in part? Would such amendments be constitutional?

32. Do you believe arguments before the Supreme Court should be televised in the way C-SPAN televises Congressional deliberations?

33. In your view, is the Freedom of Information Act functioning properly at this time? If not, what are the major problems facing the Act?

34. In *Buckhannon Board & Care Home, Inc. v. West Virginia Dept. of Health and*

Human Resources, 532 U.S. 598 (2001) case, the Court rejected the argument that a party that has failed to secure a judgment on the merits or a court-ordered consent decree, but has nonetheless achieved the desired result because the lawsuit brought about a voluntary change (the catalyst theory) in the defendant's conduct is entitled to attorney's fees. Does the rejection of the catalyst theory of fee recovery in the Supreme Court's Buckhannon decision apply across-the-board to federal fee-shifting statutes? If not, to what kinds of fee-shifting statutes is it likely to apply and to what kinds is its application more doubtful?

35. Brian Wolfman, Director of the Public Citizen Litigation Group notes, "The Bush administration says that Buckhannon applies to [Freedom of Information Act] FOIA cases, even though Congress stated explicitly, when it enacted FOIA, that fees should be available when FOIA cases settle. The Bush Justice Department has consistently argued to expand Buckhannon to every pro-consumer and civil rights statute in every conceivable situation." What approach (or approaches) to statutory construction of Congressional enactment was evident in the Supreme Court's Buckhannon decision? How would you describe the reliance on (or lack of reliance on) legislative history in the majority's reasoning in that case? Do you believe the Bush Justice Department is applying the Buckhannon decision correctly?

36. From both a legal (constitutional) and practical perspective, what is your view of the trend in the federal judiciary toward releasing more of its opinions in "unpublished" form, i.e., where the relevant court accords no precedential effect to the decision for other cases?

37. Should federal judges attend seminars which are funded by private corporations (or by foundations that are funded by such corporations) that have matters of interest to the corporations before the courts?

38. Do you believe a government attorney, in a subordinate position, should be forced (under penalty of discharge) to work on a case or argue a position that he or she believes is illegal, unconstitutional or unethical? Or should government lawyers have a "right of conscience" like other professionals?

39. What kinds of participation in civic life may federal judges continue to be involved in once they assume their judicial positions?

40. How many hours or what percent of their work time do you think partners in major firms should devote to pro bono work each year?

41. How many hours on average did you bill per year as a partner and at what rates?

42. How many hours on average did you bill per year as an associate?

43. What was the nature of your pro bono work and approximately how much time per year did you devote to pro bono work?

44. Corporate attorneys and legal scholars have written books and articles decrying unethical or fraudulent billing practices in large corporate law firms. An article in the Summer 2001 Georgetown Journal of Legal Ethics titled Gunderson Effect and Billable Mania: Trends in Overbilling and the Effect of New Wages states that unethical billing practices are "a pervasive problem in law firms across the country"—do you agree?

45. Did you ever observe unethical billing practices when you were in private practice?

46. If so, what was the nature of and who were the protagonists of such practices?

I hope these questions, whether asked orally or submitted to the nominee in writing for response, spark a robust, constructive debate between the Committee members and the nominee. Such exchanges should provide the Senate and the larger public with insights

into how Judge John G. Roberts will, if confirmed as Chief Justice, perform his duties.

RECOGNIZING DR. ROBERT W. DARTER OF SAINT HELENA, CALIFORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Dr. Robert Darter of Saint Helena, California for his 40 years of public service on the Saint Helena Library Board of Trustees, making him one of the longest serving members.

A native of Northern California, Dr. Darter earned his Bachelors of Science in Public Health from the University of California at Berkeley. He received both his M.S. in Microbiology and his M.D. from Northwestern University in Chicago.

Dr. Darter has become a household name in Saint Helena. A beloved and highly revered doctor throughout the community, Dr. Darter has helped care for and protects the health of his fellow Napa Valley citizens for nearly half a century.

Despite the uncompromising and exhausting demands of his profession, Dr. Darter has continued to devote his life to the betterment of our community. He has worked with numerous organizations including the Boy Scouts of America and Kiwanis Club of Saint Helena.

For the past 40 years Dr. Darter has played an integral role on the Saint Helena Public Library's Board of Trustees, the past 29 of which he has served as Chairman. With his leadership, dedication and forward thinking personality the Saint Helena Public Library has made considerable advances, including two building expansions, the first in 1979 and the second in 1999. He is currently working to designate neighboring land for future expansion campaigns, which will enable our library to continue enriching our community with the best possible resources.

I'm sure Dr. Darter's wife, Jan, and their five children Robert, Michael, James, John and Kimberley are all extremely proud of him.

Mr. Speaker, it is appropriate that we thank Dr. Robert Darter for his years of hard work and dedication to my hometown, Saint Helena. On behalf of my fellow colleagues I wish to extend my sincerest gratitude to Dr. Darter for all that he has done and continues to do for our community. Thank you, Dr. Darter.

HISPANIC HERITAGE MONTH

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise in honor of Hispanic Heritage Month and pay tribute to the extraordinary contributions that Hispanics make to America year-round. This month-long celebration begins on September 15, the anniversary of the independence of 5 Latin American countries—Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. This anniversary commemorates the day

these countries declared their independence from colonial rule, and continues to represent unity for all Latinos in the U.S. and in Latin America.

Throughout the month we celebrate the Hispanic community and pause to reflect on Hispanic values—faith, family, and patriotism. These values are American values. The Hispanic dream—the hope of a better future—is the American dream. There are more than 41 million Hispanic-Americans, and their hard work, deep faith and closely-knit families have made America a better and stronger country. As a Nation, we must advance initiatives that support empowerment and opportunity for all.

During this month, I am pleased to recognize the efforts of groups in Maryland's Eighth Congressional District that work to enrich the lives of Hispanic-Americans. An example of one such group is CASA de Maryland. The Ford Foundation and the National Council of La Raza, NCLR named CASA de Maryland "Affiliate of the Year" in recognition of its hard work and dedication to providing services that improve the lives of Latinos and others in Montgomery and Prince George's Counties.

As we honor the achievements of Hispanics, we know that celebrating the Hispanic community for one month a year is not enough. All Latinos deserve a real opportunity to achieve the American dream, whether they have been here for generations or have just arrived on our shores.

IN HONOR OF THE 3RD ANNUAL HISPANIC HERITAGE DINNER AND DANCE

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. HIGGINS. Mr. Speaker, on Saturday night, September 17, 2005, the 3rd Annual Hispanic Heritage Dinner and Dance will take place. I would like to congratulate the three organizations that worked hard to put this dinner together, Hispanics United of Buffalo, the Hispanic Women's League, and the Latino Business Owners Association (LBOA).

Hispanics United of Buffalo has worked hard in this community, providing assistance, while instilling pride, promoting rights, and allowing people to have a chance at a better life, by offering services unheard of being offered in the Hispanic community. Such services advocated by the agency include access to proper nutrition, adequate housing, affordable health care, meaningful employment, and equal educational opportunities. Since its inception, HUB has aided the Hispanic community by being a first step into a better, more prosperous community, not just for Hispanics nor simply for the West Side but for everyone in this city and for that I commend them.

The Hispanic Women's League, was formed in 1979 by a group of women to respond to issues affecting Hispanic women in Western New York. The primary commitment of the league has been to maintain a scholarship fund established to grant financial support to Hispanic/Latina women pursuing higher education. If it were not for the efforts of this organization, the next generation of leadership for the community would not be secure, by providing a chance at higher education to youth

in the Hispanic community; The Hispanic Women's League has ensured the future of the Hispanic community is a bright one and for that I would like to commend you.

The Latino Business Owners Association (LBOA) has become a sound and strong organization that serves existing and startup businesses in our community. It is the anchor of support in the business community with Leadership and Guidance. Aiding entrepreneurship in the Hispanic community, the LBOA is on the frontline of economical prosperity, providing credibility and an overall positive future for the community it has vowed to aid, and for this I commend you.

These three organizations play vital roles in the destiny of this community, and I know that their tireless efforts will continue to have a positive impact and play a major role in this city for years to come.

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## RECOGNIZING HISPANIC HERITAGE MONTH

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**HON. TOM DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to recognize the celebration of Hispanic Heritage Month and to recognize the importance of democracy in the Americas.

Hispanic Heritage Month runs from September 15th to October 15th each year and is an occasion for all Americans to recognize the invaluable achievements and contributions that Hispanic Americans have made to our nation. The first day of Hispanic Heritage Month also marks the anniversary of independence for six Latin American countries—Mexico, Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua.

Hispanic Americans are members of a rapidly expanding and increasingly influential community in this nation, and they have played a vital role in shaping our nation's culture. They have contributed to every aspect of enhancing our society including serving as leaders in business, government, law, science and the arts. Additionally, they have sacrificed in the defense of this nation's freedom by serving in every major American conflict. Currently more than 10 percent of our active duty force is of Latino descent.

During this month's celebration, it is important to take time to recognize the value of the role Hispanics have taken in the democratic process both here in the United States and abroad. Hispanics in this country have taken an active role in democracy by increasing voter participation and striving to be model citizens, truly meriting recognition. Hispanic Americans' dedication to democracy is an extension of their strong commitment to community, hard work, and family unity.

Mr. Speaker, in closing, I call upon my colleagues to join me in recognizing and celebrating National Hispanic Heritage Month.

## STATEMENT ON HOW TO END THE WAR IN IRAQ

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, on September 15, 2005, I prepared the following statement during a hearing organized by Rep. LYNN WOOLSEY on how to end the war in Iraq:

Good morning. Thank you, Chairwoman WOOLSEY for your leadership in holding this important hearing. 1,896 of our brave young men and women have died in Iraq. By some counts, up to 100,000 innocent Iraqis have perished in a war that was based on false premises. It was wrong to go in from the start and it is wrong to stay. And it is counter-productive to U.S., Iraqi and regional interests, as Iraq heads closer to an all-out civil war.

The U.S. presence in Iraq is fueling the insurgency, and has turned Iraq into a training ground for the insurgents. The insurgency is growing stronger by the day and attack tactics are becoming more advanced. Iraqi rebels have refined their bomb-making skills. According to a CIA assessment from this past June, the Iraq war was likely to produce a dangerous legacy by dispersing to other countries Iraqi and foreign combatants more adept and better organized than they were before the conflict.

It is not only our soldiers who are falling victim to this insurgency. Just yesterday it was reported that almost 150 Iraqis died and 500 were wounded in coordinated attacks of at least a dozen suicide bombings in Baghdad. 114 of those people were Shiite day laborers in Baghdad, lured into a minibus by a suicide bomber with the promise of work. This was the second deadliest suicide bombing since the war began. Al-Zarqawi's Sunni militant group, Al Qaeda in Mesopotamia, claimed responsibility in statements released over the group's website that said the bombings signified that "the battle to avenge the Sunni people of Tal Afar has started." Later, an audiotape released over the Internet that was said to be from Al-Zarqawi declared a "full-scale war on Shiites around Iraq, without mercy."

One year ago today, it was reported that a National Intelligence Estimate produced for President Bush in the summer of 2004 on the political, economic and security situation in Iraq determined that at best, stability in Iraq would be tenuous, and at worst, there were trend lines that pointed to a civil war.

Now today, as fears of civil war in Iraq are becoming realized, it is clear that the worst scenario predicted is coming true. The U.S. presence in Iraq is only making the conflict worse, as it is strengthening tensions between the Sunni militants and the Shiite majority, and serving to strengthen the insurgency.

The Iraqi constitution and the run-up to the October 15 referendum on the constitution has been a central point of concern for the Sunnis, who feel that the constitution will institutionalize their reduced role in Iraq. Tensions between Sunnis and Shiites have increased recently and the attacks yesterday in Baghdad only emphasize that point. Yet the constitution is widely perceived to have a large U.S. footprint. Adnan Pachachi described how U.S. Ambassador Zalmay Khalilzad participated in

most meetings for the constitution and was not neutral. Despite the Sunnis wanting to continue negotiations on the constitution, according to Mr. Pachachi, Ambassador Khalilzad was interested in seeing the draft constitution done and sent to the National Assembly as soon as possible in order to prove that US policy has succeeded in Iraq.

Furthermore, the U.S. presence has served to attract and recruit terrorists into Iraq, to fight the U.S. and what they consider to be the U.S.-backed government of Iraq. The insurgents' attacks are becoming more advanced through their practice on U.S. soldiers and now they are applying these improved tactics on the Shiite majority.

The U.S. presence is strengthening tensions within Iraq. There is no better time to leave than now—before the situation worsens. Iraqis themselves have asked for it. On June 23, 83 members of Iraq's newly elected National Assembly signed a petition calling for a timetable for the withdrawal of foreign troops.

A member of the Assembly, Abdul-Rahman al-Neeimi, told the paper that American forces "have used all possible means in order to provoke sectarian strife in Iraq, but have failed thanks to God." He concluded by saying, "We tell the occupation forces: Hands off the Iraqi people and let us heal our wounds by our own means."

It is time for this Congress to put aside the partisan differences that have occurred over the war and to come together in a plan where we can unify to take steps to withdraw our troops from Iraq and to take steps to heal the breach that the war has created between America and the world community. NEIL ABERCROMBIE, WALTER JONES, RON PAUL and I introduced a bipartisan bill calling for the withdrawal of U.S. forces from Iraq, and an announcement of the withdrawal by December 31, 2005. I believe that while a number of factors must come into play for a successful withdrawal, which I hope will be highlighted here today, merely announcing the withdrawal will start to reverse the increasingly disastrous course in Iraq.

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## IN LASTING MEMORY OF RAY BRAXTON MARTIN

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to commemorate the life and legacy of Ray Braxton Martin. Ray died on August 21, 2005 in Pine Bluff, Arkansas. Born on November 23, 1919 in the town of Rison, Arkansas, Ray graduated as co-valedictorian with his twin brother, Roy, from Rison High School in 1937.

Ray and his brother dedicated 31 years to Martin Brothers Gas Company. Ray is perhaps best remembered in Rison for his service to the Election Commission for nearly 35 years. It was imperative to Ray that local elections were carried out with the utmost integrity and honesty. Ray's impressive list of community activities include the Superintendent of Rison Baptist Church Sunday School where he was also a deacon, a 32nd degree Mason, past President of Arkansas Butane Association, and past Chairman of the Board of Trustees for Henderson State University. As you

can see, Ray spent a lifetime giving back to his community.

An avid Rison Wildcat football fan, Ray will be remembered by many in the Rison community for nearly six decades as the voice of the Wildcats. In 1995, Ray and his brother were honored for their dedication to the Rison School District when the school district designated a 'Ray and Roy Martin Week' to honor a half century of service. Ray truly set a high bar of community service for us all to aspire to.

Ray was a dear friend of mine and my heartfelt condolences go out to Ray's wife, Mary Ethel, their daughters, Cindy and Hilda; their grandsons, Marty, Russ, and Jason; and their great-granddaughters, Lindsey and Ella. While Jim may no longer be with us, his legacy and his spirit will always live on in all the lives he touched.

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TRIBUTE TO JESS F. GRANONE

**HON. ROBERT E. (BUD) CRAMER, JR.**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CRAMER. Mr. Speaker, I would like to take this opportunity to recognize Jess F. Granone for his many years of outstanding service as Executive Director of the U.S. Space and Missile Defense Technical Center (SMDTC). Mr. Granone is leaving the position, which he assumed in May of 1999.

As director of SMDTC, he has been responsible for managing the day-to-day research, development, test, and evaluation activities for the Army's space and missile defense technology program. He has ensured that the command's efforts are balanced and integrated to support the Army, the Missile Defense Agency, and the Program Executive Office for the Air and Missile Defense.

Mr. Speaker, Mr. Granone began his career in missile defense as an engineer in the Joint Anti-Tactical Missile Project office in the mid-1980s. He has participated in numerous international defense initiatives in conjunction with NATO, Israel, and Japan, as well as numerous special assignments such as Chairman of the U.S. Army Missile Review Board.

Some of Mr. Granone's accomplishments include developing SMDC's first integrated technology program for Directed Energy, developing the first ever KATYUSHA rocket shot down by a laser system, and developing the Army's science and technology research efforts related to space and office products. Mr. Granone was also instrumental in starting the Rapid Aerostat Initial Deployment System program.

Through his many years of service, Mr. Granone has received numerous awards for his accomplishments. Most notably, he has received the Senior Executive Service Presidential Rank Award, the Meritorious Civilian Service Award, the Superior Civilian Service Award, and a Letter of Commendation from the Secretary of Defense.

Mr. Speaker, on behalf of the people of Alabama's 5th Congressional District, I rise today to express my gratitude to Jess Granone for his service to our military and our Nation.

TRIBUTE TO THOMAS M.  
DEVANNEY

**HON. ROBERT E. (BUD) CRAMER, JR.**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CRAMER. Mr. Speaker, I would like to take this opportunity to recognize Thomas M. Devanney for his many years of outstanding service to our military and our Nation.

Mr. Devanney is currently the Acting Program Director for the Ground-Based Midcourse Defense Joint Program Office. In this capacity, he is responsible for the Ground-Based Midcourse Defense element of the Ballistic Missile Defense System.

Including his service in the GMD Joint Program office, Mr. Devanney has over thirty years of military and civilian missile system acquisition experience. Through his many years of service, Mr. Devanney has served in a variety of roles including the Chief of Missiles and Air Defense Systems in the Pentagon, Deputy PEO for Army Tactical Missiles and the Project Manager for the TOW Heavy Antitank Weapon Systems. He also served two overseas tours with the HAWK Air Defense System, and tours in Germany, Korea, and Vietnam.

Upon retiring from the Army, Mr. Devanney entered the private sector with Alliant Techsystems, Inc. He held several key positions, including Director of the Warheads and Munitions Business Segment.

For his many accomplishments, Mr. Devanney has received numerous prestigious awards. Most notably, he has received the Presidential Rank Award for Meritorious Executives, the Exceptional Civilian Service Award, the Distinguished Service Medal, the Legion of Merit Award, and the Bronze Star Medal.

Mr. Speaker, on behalf of the people of Alabama's 5th Congressional District, I rise today to express my gratitude to Thomas Devanney for his extraordinary service to our military and our Nation.

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IN HONOR OF JOYCE L. FIGGS,  
PRESIDENT OF THE LADIES  
AUXILIARY OF THE DELAWARE  
VOLUNTEER FIREMEN'S ASSO-  
CIATION

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Joyce Figgs, the outgoing President of the Ladies Auxiliary of the Delaware Volunteer Firemen's Association (LADVFA). In addition to logging more than 46 years of service to the Delmar Ladies Auxiliary, Joyce has also served several terms as President of the Delmar chapter.

From 1991-1993, Joyce served as the Ladies Auxiliary President in Wicomico County, Maryland. After a successful term in the Free State, thankfully, Joyce shifted her talents to Delaware and in 1993, was elected President of the Sussex County Ladies Auxiliary.

In 1994, Joyce was inducted into the Del-Mar-Va Hall of Honor, an illustrious and fitting

tribute. However, her service would not stop with this induction. Joyce would serve additional terms as President of the Del-Mar-Va Firemen's Association Ladies Auxiliary from 1996 to 1997 and President in Wicomico County until 2003.

As you know, firefighters are of critical importance to our society. In order to be as effective as possible, they require dedicated and organized supporters. During her tenure, Joyce has led the Auxiliary in these areas admirably.

In closing Mr. Speaker, I would like to recognize Joyce Figgs for her exceptional career of service and dedication. LADVFA 1st Vice-President Barbara Rossiter and 2nd Vice-President Florence Legates join me in congratulating Joyce on her service as President of the LADVFA.

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TRIBUTE TO MS. ELOUISE  
ASHFORD COLEMAN

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a friend and fellow South Carolinian, Ms. Elouise Ashford Coleman. After 35 years of tireless dedication to the students of South Carolina, Ms. Coleman is celebrating her retirement on Saturday with friends and family.

Ms. Coleman received her early public school education in Fairfield County, graduating from McCrorey-Liston High School in 1966. She then matriculated at Vorhees College, receiving a Bachelors of Arts in Mathematics in 1970. Ms. Coleman began her educational career shortly thereafter. First, as a math teacher at Winnsboro High School in Fairfield County, and later, as a math teacher at Columbia High School, in Columbia, South Carolina. She taught at Columbia High for 19 years, during which time she received a Master's degree in Education from the University of South Carolina.

Ms. Coleman left the classroom in 1994 upon accepting the position of Assistant Principal at Columbia High School. It is from this position that Ms. Coleman is retiring after serving as an administrator for 11 years. She will be sorely missed as she begins her well deserved retirement.

Mr. Speaker, I ask you and my colleagues to join me today in honoring Ms. Elouise Ashford Coleman. She has given of her time and talents for 35 years as an educator in my home state. The contributions she has made to her community and to the educational system will leave lasting impressions on the lives she has touched. I wish her continued success and Godspeed.

INDIAN PRIME MINISTER APOLOGIZES TO SIKHS FOR GENOCIDE OF 1984—INDIAN MUST FREE KHALISTAN AND ALL OCCUPIED TERRITORIES

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. TOWNS. Mr. Speaker, recently the Prime Minister of India, Manmohan Singh, apologized to the Sikhs for the massacres of Sikhs that took place in November 1984. Over 20,000 Sikhs died in that massacre just in Delhi. Meanwhile, Sikh police officers were locked in their barracks and the state television and radio were encouraging more Sikh bloodshed.

This is a sad chapter in the history of India and it is appropriate that the Government has finally admitted its own culpability and apologized for this atrocity. These kinds of admissions are always welcome. But Prime Minister Singh's apology is 21 years too late and it is only a baby step in the direction of justice. And an apology for the military attack on the Golden Temple in June of that year is still not forthcoming.

Mr. Speaker, there are families of those who died in this massacre who have still never been compensated in any way. We know that no compensation can bring back their loved ones, but at least it can help make their lives better. India must compensate the victims' families if this apology is serious. It must also bring to justice the officials responsible for the massacre. These are necessary steps for the apology to be taken as anything more than mere empty words.

But there is something else that India must do as well. It must make proper restitution to the whole Sikh Nation for this massacre and its many other atrocities against the Sikhs.

How do you pay such a huge debt, Mr. Speaker? How do you pay back an entire nation for atrocities against it? On October 7, 1987, the Sikh Nation declared its independence, declaring the new country of Khalistan. Since then, India has continued to occupy Khalistan. Over half a million Indian troops still carry out this brutal occupation to this day. These troops must be withdrawn and India must recognize the sovereignty of a free and independent Khalistan. That is how it can compensate the Sikh Nation.

Now, Mr. Speaker, the Indian Government maintains that there is no support for Khalistan among the Sikhs in Punjab, despite large marches that have occurred as recently as June demanding Khalistan. In June, 35 Sikhs were charged with a crime. Their offense? They made some speeches and raised the Khalistani flag. To quote my friend Dr. Gurmit Singh Aulakh, president of the Council of Khalistan, "Is asking for freedom a crime in a democracy?"

So if India is democratic and there is no support for Khalistan, then why is the Indian Government afraid to have a vote on the matter? Why not simply have a vote and prove it? It is time for the United States to hold India's feet to the fire on its proclaimed democratic principles. We must stop our aid to India until it respects human rights and ceases activities such as the Delhi massacre, the arrests of activists for raising a flag, and the like. And we

must demand self-determination for the people of Khalistan, Kashmir, Nagaland, and all the suppressed, captive nations of South Asia. In a democracy you cannot rule against the will of the people, and the essence of democracy is the right to self-determination. It is time to press India, the self-proclaimed "world's largest democracy," to do the right thing and let the people have their freedom.

Mr. Speaker, I would like to insert the Council of Khalistan's press release on Prime Minister Singh's apology into the RECORD at this time. Thank you.

WASHINGTON, DC, Sept. 14, 2005.—Indian Prime Minister Manmohan Singh has formally apologized to the Sikh Nation for the genocide against the Sikhs in November 1984 in which over 20,000 Sikhs were killed in Delhi alone while Sikh police were locked in their barracks and Indian radio and television called for more Sikh blood.

"We appreciate the Prime Minister's apology," said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. "It is more than any other Indian leader has done, but it is too little, too late—21 years too late, in fact." The Council of Khalistan leads the struggle to liberate the Sikh homeland, Khalistan, which declared its independence from India on October 7, 1987. "We need to see if this apology is sincere or just another propaganda ploy by the Indian government." However, he noted that the Indian government's military attack on the Golden Temple, the center and seat of Sikhism, in June 1984 was more important to the Sikh Nation. "Where is the apology for that?" he asked.

"India must pay full and appropriate restitution to the families and bring the officials responsible to justice," Dr. Aulakh said. "But the most appropriate and important restitution that can be made to the Sikh Nation is to withdraw all Indian forces from Khalistan and allow it to enjoy its independence," he said. "Only then can the Sikh Nation live in peace, dignity, and freedom, secure in the knowledge that these kinds of incidents will not happen again," he said. "If India and Prime Minister Singh truly believe in freedom and democracy, they have a moral obligation to withdraw from Khalistan and all the nations they occupy, such as Kashmir, Nagaland, and others," he said.

Professor Darshan Singh, a former Jathedar of the Akal Takht, has said, "If a Sikh is not a Khalistani, he is not a Sikh." The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians in Nagaland since 1948, over 90,000 Muslims in Kashmir since 1988, and tens of thousands of Tamils, Assamese, Bodos, Manipuris, Dalits, and others. The Indian Supreme Court called the Indian government's murders of Sikhs "worse than a genocide." According to the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners in India without charge or trial.

"The flame of freedom still burns bright in the hearts of Sikhs despite the deployment of over half a million Indian troops to crush it," Dr. Aulakh said. "Last year, Punjab Chief Minister Amarinder Singh signed a bill cancelling the agreements that allowed the diversion of Punjabi water to non-riparian states. The bill asserted the sovereignty of Punjab. Sardar Atinder Pal Singh, another former Member of Parliament, held a seminar on Khalistan in Punjab. It was well attended and featured outstanding presentations, including one by Professor Gurtej Singh, IAS, Professor of Sikhism," he said. "There have been several marches through Punjab demanding the establishment of an independent Khalistan. India is on the verge of disintegration," he said.

Cases were registered against dozens of Sikhs for raising the Sikh flag at the Golden Temple on the anniversary of the Golden Temple attack in the presence of over 30,000 Sikhs. Warrants have been issued for their arrest. The flag of Khalistan was also raised on Republic Day, January 26. 35 Sikhs were arrested at that time. Some of them have been denied bail. Dr. Aulakh demanded that India release all the people arrested for hoisting the flag and drop all charges against all these individuals. "Is it a crime to demand freedom in a democracy?," he asked. "Is this the freedom of speech that is guaranteed under India's constitution?"

History shows that multinational states such as India are doomed to failure. The collapse of countries like Austria-Hungary, India's longtime friend the Soviet Union, Yugoslavia, Czechoslovakia, and others prove this point. India is a polyglot like those countries, thrown together for the convenience of the British colonialists. It has never been a single nation. It is doomed to break up as they did. Steve Forbes, writing in Forbes magazine, said that India is a multinational, multiethnic, multireligious, multicultural, multilingual state that is doomed to disintegrate like the Austro-Hungarian Empire. "India is not a homogeneous state," Forbes wrote. "Neither was the Austro-Hungarian Empire. It attacked Serbia in the summer of 1914 in the hopes of destroying this irritating state after Serbia had committed a spectacular terrorist act against the Hapsburg monarchy. The empire ended up splintering, and the Hapsburgs lost their throne." India is doomed to fall apart just as Austria-Hungary and the others did.

"We must continue to pray for and work for our God-given birthright of freedom," Dr. Aulakh said. "While this apology is a small first step, only a free Khalistan will satisfy the Sikh Nation," he said. "We must continue to work until this goal is achieved."

IN MEMORY OF RYAN BRANDT  
YOUNG

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to remember former Navy SEAL Ryan Brandt Young, a 32-year-old native of Halfway, MD, for serving our country in Iraq.

Young was based in southern Iraq as a security contractor for Triple Canopy and worked with the Bureau of Diplomatic Security. He was killed Wednesday, September 7, when a bomb went off in the lead vehicle of a motorcade escort from the airport to the U.S. Embassy in Basra.

In my recent visit to Iraq, Young was a member of the detail that protected my mission. His group watched over the delegation as we traveled into dangerous territory. I was fortunate enough to have met him and honored to have him protect our unit. He was courageous, thoughtful and a true American. Today, I would like to recognize and celebrate his life. He made up his mind when he was only 14 that he would someday be a Navy SEAL, and he certainly achieved that goal. Eight of Young's 13 years in the Navy were spent as a SEAL.

His mother talked to him just 10 days before the bombing, and she described him as very happy, very up, and I think we could learn a great deal from him. It was my honor to have

met Ryan Brandt Young. I extend my deepest sympathies to his family and friends. He will be deeply missed and his service was greatly appreciated.

STATEMENT TO COMMITTEE ON  
GOVERNMENT REFORM

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, on September 15, 2005, I submitted the following statement during a hearing in the Committee on Government Reform entitled, "Back to the Drawing Board: A First Look at Lessons Learned from Katrina":

Good morning. Thank you, Chairman Davis, for agreeing last week to hold hearings in this Committee on what went wrong with the government response to Hurricane Katrina. This Committee is the most important venue within the House of Representatives for federal government oversight and I am grateful for your leadership. Interestingly, this first hearing will not focus on Hurricane Katrina and the disaster in New Orleans and the surrounding area, but will focus on 3 other cities that are vulnerable to a natural disaster or terrorist attack: Los Angeles, Miami and Washington, D.C. Further, the hearing is intended to examine the local response to crisis, rather than the federal response, to determine how prepared we are to handle another disaster.

Local, state and federal government all play key roles in handling a disaster and disaster relief, but let's face it: the federal government has the largest resources and should have the greatest ability to deal with a serious disaster in our nation. The first lesson we have learned from Katrina is that this proved not to be the case. The federal government was slow to act and the disaster was far too great for city and state government to handle alone.

The second lesson we have learned from Katrina is that we have not learned the lesson from the Iraq war regarding Halliburton. Halliburton overcharged the government at the taxpayer's expense during the Iraq war. Days after Katrina struck, Halliburton was one of the earliest companies awarded no-bid contracts, to repair 3 different Navy facilities in Mississippi. The flawed contracting procedures of the Iraq war are rearing their ugly head in the recovery of Hurricane Katrina. Congress has already appropriated \$62 billion so far and more is surely to come. Yet the contracts awarded have been cost-plus and no bid contracts, lacking oversight and transparency.

There is an infinite number of issues on the federal level that seriously need to be explored. Why aren't more steps being taken to hire local displaced workers to rebuild their towns and cities? How has the merger of FEMA into the Department of Homeland Security played a role in FEMA's ability as an agency? Why didn't FEMA's Hurricane Pam study—contracted out to IEA to investigate what would happen if a hurricane hit the gulf coast—better prepare the federal response to the Katrina disaster?

As Chairman Davis indicated, however, we'll get into more of these federal issues at future hearings.

A very important local issue that should be considered today is the morality of establishing a mandatory evacuation when there are people who lack the ability to evacuate. We saw this in New Orleans with Hurricane

Katrina. Everyone was forced to evacuate, but not everyone could. There were people in hospitals and nursing homes and people too poor and without cars that were simply left behind. How were these people supposed to leave? How might there have been better emergency plans in place to facilitate the evacuation of these citizens? In one reported story, a dead body was left to decay for over 2 weeks in the Algiers neighborhood of New Orleans, despite swarms of local police, Louisiana state troopers and the Army. Residents believed that law enforcement officials left the body there purposely to encourage the residents to evacuate. If their belief is true, such a practice is truly shameful and must be addressed.

Another issue related to local government observed in New Orleans with the enforced racism that occurred through the application of two standards of justice by law enforcement officials. Local law enforcement reportedly allowed white armed vigilantes to ride throughout the city but would not allow the same for black residents. According to Malik Rahim, a community organizer who recently ran for city council in New Orleans. "If a white person was taking something, he was taking food for his family. But if a black was taking something, he was looting." Rahim further described how the white vigilantes were shooting blacks in his neighborhood under the guise that they were protecting his neighborhood, and were even bragging about it. He said he never before seen New Orleans come so close to breaking into a race riot.

If a race riot had broken out in New Orleans the crisis situation there would have become far more disastrous. How can local governments ensure that one standard of justice is applied equally in times of disaster?

I hope this hearing will address the many concerns raised and what changes are necessary in the local planning for disasters in other large cities. Moreover, I look forward to the series of hearings that this Committee intends to hold that will specifically look at the federal response to Hurricane Katrina.

IN LASTING MEMORY OF MAYOR  
PAUL B. CHOATE

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to honor of the life and legacy of Mayor Paul B. Choate, who passed away at the age of 71 on August 5, 2005. Mayor Choate was born on May 28, 1934 in Lonoke, Arkansas.

Mayor Choate graduated in 1957 from the State Teacher's College and taught school in Paris, Arkansas. He was also a retired biologist with the Arkansas Game and Fish Commission. In 1967, Mayor Choate moved to Hempstead County and distinguished himself as the first juvenile judge and helped to establish Medical Park Hospital in Hope where he served as a Hempstead County Memorial Hospital Board member.

Mayor Choate was an economic ambassador for the small town of Blevins. As Mayor, he updated the city's sewer system, helped to bring industry to the city, and acquired one of only four generators obtainable from the state for Blevins during the horrific ice storm of 2000 that paralyzed much of Arkansas.

Perhaps what drove Mayor Choate the most was preaching the gospel of Jesus Christ. In

Blevins, he was a founding minister of the World of Faith Church and a pastor at the Marlbrook Baptist Church for 7 years.

Mayor Choate truly led an exemplary life and will forever be remembered for his dedication to his family, his community, and the church. My deepest sympathies go out to his wife, Pamela D. Young Choate, their four sons, David, Roy, Timothy, and Andrew, his brothers, William King and Lee King, his sister, Julia, his eight grandchildren and ten great grandchildren.

TRIBUTE TO MAJOR GENERAL  
JOHN W. HOLLY

**HON. ROBERT E. (BUD) CRAMER, JR.**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CRAMER. Mr. Speaker, I rise today to recognize the outstanding career and contributions of Major General John W. Holly. General Holly is retiring from his position as Deputy Director of the Missile Defense Agency, the Program Executive Officer for Ballistic Missile Defense System, and the Director of the Joint National Integration Center.

Prior to assuming his current position, General Holly was the Program Director of the Missile Defense Agency's Ground-based Mid-course Defense (GMD) Joint Program Office.

General Holly was an integral part in the development, construction, initial testing, and deployment of the nation's GMD system, which gives our nation new and advanced capabilities to defend itself against long-range ballistic missile attacks.

Mr. Speaker, I would like to thank General Holly for his work developing our nation's defense capabilities against incoming missile threats. I strongly believe that his efforts have significantly contributed to the defense of our nation.

During General Holly's time in Huntsville, I enjoyed working with him as he led the development of the Ground-Based Missile Defense system. I know his leadership and dedication will be sorely missed.

Mr. Speaker, on behalf of everyone in North Alabama, I rise to express my gratitude to Major General John W. Holly for his many years of service in our nation's military.

IN HONOR OF RAY STEVENS,  
PRESIDENT OF THE DELAWARE  
VOLUNTEER FIREMEN'S ASSO-  
CIATION

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Ray Stevens, the outgoing President of the Delaware Volunteer Firemen's Association (DVFA). During his tenure, Ray has served with distinction in a variety of positions within Delaware's Fire Service.

Originally joining the Selbyville, Delaware Volunteer Fire Company in July of 1967, Ray remains an active member to this day. From 1968 through 1971, Ray served as the 1st and

2nd Assistant Chief of the Selbyville Delaware Volunteer Fire Company. In 1972, he served as the Chief of the Selbyville Fire Company, a post he would hold again from 1996–1997.

In his 38 years, Ray has served the Selbyville Fire Company in a variety of other positions, including work as Assistant Treasurer, a 32-year stint as an Engineer, and his current work as both a human resources officer and a safety officer. After serving as President of the Selbyville Fire Company, Ray moved to the Sussex County Volunteer Firemen's Association, where he would serve as President from 1999–2000.

As you know, firefighters are of critical importance to our society. In order to be as effective as possible, they require dedicated and organized supporters. Over the past year, Ray has exemplified these qualities and effectively led the DVFA. For his hard work, both the State of Delaware and the United States of America are indebted to him.

Mr. Speaker, in closing, I would like to congratulate Mr. Stevens on his exceptional career of service and dedication. DVFA 1st Vice-President and incoming President Ken Pyle and 2nd Vice-President Alan Robinson join me in congratulating Ray on his service as President of the DVFA.

IN HONOR AND REMEMBRANCE OF  
FATHER JOHN C. DALTON

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Father John C. Dalton, Pastor Emeritus of Holy Name Church of Cleveland, Ohio, whose love, kindness and faithful service to the people of Cleveland will be remembered always.

Pastor Dalton entered St. Mary's Seminary in 1943 and was ordained into the priesthood in 1948. For sixty-five years, Pastor Dalton served the people of our community, young and old. He baptized more than 2,000 parishioners and united 545 couples in marriage. At Holy Name parish, Pastor Dalton tended to the spiritual and humanitarian needs of the parishioners, and extended his assistance out into the community.

Pastor Dalton's vision and focus on uplifting his community manifested itself along Broadway Avenue and beyond, where he led efforts to improve Holy Name church and school, and even helped out in the construction of new ball fields. His compassion, patience and love for others reflected throughout his life of service, from tenure as teacher, to his position as Associate Director of Services for the Deaf; to his neighborhood activism and work as a counselor within self-help groups. Even following his retirement, Pastor Dalton continued his life-long mission of regular visits to hospitals and the homebound, offering comfort and support to our most vulnerable citizens.

Mr. Speaker and Colleagues, please join us in tribute and remembrance of Father John C. Dalton, Pastor Emeritus of Holy Name Parish of Cleveland. Pastor Dalton's steadfast service to others, framed by compassion, understanding, and a warm smile, offered healing, hope and faith to all of us. I extend my deepest condolences to the family of Pastor Dalton,

to the parishioners of Holy Name Church, and to the entire Broadway Avenue community. Pastor Dalton will be deeply missed by everyone who knew and loved him well, yet his light and love will always serve as a guiding force throughout our community and will radiate forever along Broadway Avenue and far beyond.

IN LASTING MEMORY OF ROBERT  
COMPTON

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to honor the life and legacy of Robert "Bob" Compton of El Dorado, Arkansas. Mr. Compton passed away on Saturday, August 6th at the age of 76.

A graduate of Hendrix College in 1949 and the University of Arkansas Law School in 1952, Mr. Compton was an agent with the Federal Bureau of Investigation and in 1970 ran for the Democratic nomination for Governor of Arkansas. Additionally, Mr. Compton was a Special Associate Justice and Special Chief Justice of the Arkansas Supreme Court and served as Special Chairman of the Arkansas Public Service Commission.

A member of the Arkansas Bar Association and President from 1975–1976, Mr. Compton distinguished himself among his colleagues as an outstanding attorney. This is further evidenced by his receipt of the Arkansas Outstanding Lawyer Award in 1988, a classroom dedicated in his name at the University of Arkansas School of Law in May 2004, and the Arkansas Bar Foundation Award for Excellence in June 2004.

Mr. Compton was a respected attorney and was dedicated to his family, community and state. Bob was a good friend who inspired me through his wise counsel, deeds and actions, just as he has so many others over the years. Bob leaves the City of El Dorado and the State of Arkansas a better place because of his many contributions.

Bob Compton truly led an exemplary life and developed a profound respect for our legal system. My deepest sympathies go out to his wife, Margaret Compton, their sons, Robert C. Compton, Jr. and Walter Knox Compton, their daughter, Cathleen Compton, and their grandchildren, Maggie, Whitley, Jackson, and Tyler.

TRIBUTE TO AMY SURGINER  
LIGON NORTHPROP

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to Amy Surginer Ligon Northrop on the occasion of her 100th birthday. Born September 28, 1905 in Dixiana, South Carolina, Mrs. Northrop became a successful entrepreneur, owning several businesses, including a thriving beauty shop and a laundromat in Columbia, South Carolina.

Mrs. Northrop, a pioneer among African American businesswomen, attended grade

school in Dixiana and St. Ann Episcopal School in Cayce, South Carolina. She received her bachelor's degree from Allen University in Columbia, South Carolina, where she later established a scholarship named after her and her late husband, John. With a boundless thirst for knowledge, she furthered her education at Tennessee State University, South Carolina State University, Almanella School of Beauty Culture, and the Manhattan Trade School in New York.

Broadening her knowledge of life and mankind through travel, Mrs. Northrop was at various times, a resident of Pennsylvania, New Jersey, and New York. With her foresight and vision, she opened a beauty shop in Brooklyn, New York. She relocated to South Carolina in 1935 and opened Amy's Beauty Shop. In 1936, she became a member of the South Carolina State Cosmetology Association and the first clinic for the association was held at her business. When the Columbia Citywide Cosmetology Association was organized in 1938, Mrs. Northrop became one of the charter members.

In 1941, she successfully negotiated affiliation with the National Beauty Culturists League for the Columbia association. She became a state organizer at a national beauticians' convention and organized beauticians throughout the State. Her interest in cosmetology led to extensive travel throughout the United States, Canada, and Mexico.

Mrs. Northrop has received numerous certificates and awards for her outstanding contributions to the field of cosmetology. In 1945, she received the great honor of being the first African American state inspector of beauty shops in South Carolina. A tireless civic leader, Mrs. Northrop founded Gamma Epsilon, a chapter of the Alpha Chi Pi Mega Sorority, whose first members were beauticians from Charleston, Sumter, Kingstree, and Myrtle Beach, South Carolina.

As an entrepreneur, she was successful in securing the purchase of property on Clark Street in Columbia as a headquarters for the city's beauticians' association. She later helped to secure the land on Fontaine Road where the State Cosmetology Headquarters, the Margarette H. Miller Cosmetology Center, now stands.

Mrs. Northrop is a life member of Mt. Pisgah African Methodist Episcopal Church in Dixiana, South Carolina, where she organized the Youth Church, the Pull Together Club, the National Council of Negro Women, and the NAACP. In 1997, she relocated to the Washington, DC area to live with her niece and nephew, Rose and Edgar Crook, and worships with them at Shiloh Baptist Church. She continues to maintain strong ties to South Carolina, however, and visits as often as she can.

Mr. Speaker, I ask that you and my colleagues join me in saluting Mrs. Amy Surginer Ligon, one of South Carolina's and America's finest citizens, as she celebrates her 100th birthday.

COUNCIL OF KHALISTAN CONVENTION TO BE HELD OCTOBER 7 TO 9 IN DETROIT

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. TOWNS. Mr. Speaker, the Council of Khalistan will be holding its annual convention in Detroit next month. It will be held from October 7 through October 9. This is a very appropriate date because Khalistan declared its independence from India on October 7, 1987 and the Council of Khalistan was formed at that time to lead the struggle to liberate Khalistan, a struggle that continues to this day, 18 years later.

It is outrageous that this struggle has had to go on so long, but the Council of Khalistan has been tireless in keeping it going and keeping the flame of freedom for the Sikh nation burning. I salute them on their convention and I wish them success both with their convention and with their efforts to bring freedom to the Sikh people.

It is time for India to get out of Khalistan and allow the people there to live in freedom. Until then, Mr. Speaker, we should stop our aid and trade with India and demand self-determination for the people of Khalistan, for the Kashmiris, as India promised in 1948, for the people of Nagaland, and for all the people and nations of South Asia. That is the only way to bring peace and stability to that troubled region.

IN MEMORY OF RONALD HYATT

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to remember former Marine Ronald Hyatt, of Calera, Alabama for serving our country in Iraq.

Hyatt was based in southern Iraq as a security contractor for Triple Canopy and worked with the Bureau of Diplomatic Security. He was killed Wednesday, September 7th when a bomb went off in the lead vehicle of a motorcade escort from the airport to the U.S. Embassy in Basra.

In my recent visit to Iraq, Hyatt was a member of the detail that protected my mission. His group watched over the delegation as we traveled into dangerous territory. I was fortunate enough to have met him and honored to have him protect our unit. He was courageous, thoughtful and a true American. Today, I would like to recognize and celebrate his life.

He will be remembered as a family man, a former Marine, a reserve, and to those who knew him, just one of those guys you never forget. Please keep his wife, Robin, and their four small children in your thoughts.

It was my honor to have met Ronald Hyatt. I extend my deepest sympathies to his family and friends. He will be deeply missed and his service was greatly appreciated.

IN HONOR AND REMEMBRANCE OF JUDGE ANDREW BOYKO

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Judge Andrew Boyko, dedicated husband, father and grandfather, friend and mentor, and WWII Navy Veteran. Judge Boyko's professional career as Municipal Judge, law director and assistant prosecutor in the City of Parma, reflects a legacy of grace and excellence that extended from the courtroom to the community.

Judge Boyko's unwavering work ethic and sense of service to others characterized who he was and how he lived his life. He grew up in Cleveland, graduated from West Tech High School in 1941, and served as a Navy Corpsman during WWII. After the war, he graduated from John Carroll University and in 1955, Judge Boyko earned a law degree from Cleveland-Marshall College of Law.

In the early 1960's, he settled in Parma with his family, where he served as an assistant prosecutor until 1963, when he was elected to the post of law director. Judge Boyko's political ingenuity shone through when he orchestrated a bid for the post of law director for the City of Parma through a write-in campaign, successfully clinching the Democratic Party's nomination. He served as law director until 1987, when he was appointed to the municipal bench, where he served until his retirement in 1993. Although his professional achievements were significant, family and community were a consistent priority in Judge Boyko's life. He was an active member of numerous civic organizations, including the Elks Club, American Legion Post 572, Municipal Judges Association and the Citizens League, and he served on the Board of the Parma Savings Association. Judge Boyko embraced his heritage through his involvement at St. Andrew Ukrainian Catholic Church, where he headed the Ukrainian Youth League.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Judge Andrew Boyko. His commitment to his family and to his community defined his life, and he will be greatly missed by those who knew and loved him well. I extend my deepest condolences to his wife of 55 years, Eve; to his sons, Chris, Tim, Greg and Jeff; to his ten grandchildren; to his brothers, Michael and Nicholas; and to his extended family members and many friends. Judge Boyko's life was lived with joy, energy and in service to others. His unyielding integrity and faith in our legal system will continue on as a guiding force of truth, fairness and justice for all.

A TRIBUTE TO THE CAREER OF JUDGE EDWARD THOMAS SMITHERMAN, JR.

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to recognize the contributions of Judge Edward Thomas Smitherman, Jr. to Hot Springs, Ar-

kansas and congratulate him on his retirement.

For more than 16 years, Judge Smitherman served on the bench of the 18th Judicial Circuit-East, both as a circuit and chancery judge. He served with distinction as the circuit's first administrative judge, a member of the Ad Hoc Committee on Uniform Reporting of Case Information, and as chairman of the Board of Certified Court Reporter Examiners. Judge Smitherman has also given back to the Hot Springs community by serving on several civic boards including the Hot Springs Optimist Club, the Area Council of Aging, the Boys Club, the Salvation Army and the Hot Springs School Board.

I wish Judge Smitherman the best of luck and success in future endeavors and safe travels in his retirement.

PROVIDING FOR CONSIDERATION OF H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

SPEECH OF

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 14, 2005*

Mrs. MALONEY. Mr. Chairman, I rise today in support of H.R. 3132, the Children's Safety Act of 2005. I can think of few offenses more horrifying than sexually assaulting or abusing a child. Children are among our society's most vulnerable and it's up to us, the adults, to protect them.

We have all heard the tragic stories about young children being kidnaped, assaulted, and too often murdered by sexual offenders who in some cases have been living in the same neighborhoods as these kids. Tragically, many of these offenders have committed multiple crimes against children. According to the National Center for Missing and Exploited Children, more than 500,000 sex offenders are registered in the United States and as many as 100,000 sex offenders cannot be located by law enforcement. Statistics from the Bureau of Justice show that child molesters who are released from prison are more likely to be rearrested for child molestation than other sex and non-sex offenders. Approximately 3.3 percent of 4,300 released child molesters in 1994 were rearrested for another sex crime against a child within 3 years. For those who had more than one prior arrest for child molestation, 7.3 percent were likely to be rearrested for the same crime. And 24 percent of released offenders were reconvicted for a new offense, encompassing all types of crimes.

The legislation before us today would accomplish several critical objectives including requiring sex offenders to register more often and for longer periods of time, providing the public with access to more information on sex offenders, creating new penalties, and requiring DNA to be used to identify and prosecute sex offenders. However, I do share the concerns expressed by some of my colleagues regarding the limitations contained in the bill regarding the review of habeas corpus petitions by Federal courts.

I would like to thank Ranking Member CONYERS for offering an amendment today that is based on legislation that I have introduced, H.R. 1193, the "Hate Crime Statistics Improvement Act," which would require the Attorney General to collect data about gender-

based hate crimes. With accurate data, local communities can identify gender-based hate crimes in their area and chart their progress toward eliminating them. Moreover, the inclusion of gender will send a strong message that gender-based hate crimes will not be tolerated. It is my understanding that Chairman SENSENBRENNER will accept this amendment, and I thank him as well.

We must be diligent in our efforts to protect children from those individuals who would steal their innocence, or worse, take their lives. I am hopeful that this legislation will enhance the efforts already in place so that parents and communities can take the necessary steps to ensure that their children will be safe.

IN HONOR AND REMEMBRANCE OF  
ROBERT L. LEWIS, FOUNDER OF  
CUYAHOGA COMMUNITY COLLEGE

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Robert L. Lewis, beloved husband, father, friend and United States Veteran. Mr. Lewis leaves behind a brilliant legacy that reflects his personal passions and professional accomplishments as admired attorney, educator, author and long-time activist on behalf of the performing arts and educational opportunity for all.

Mr. Lewis was born and raised in New York. As a young boy, he performed song, dance and comedy routines with his family on the vaudeville circuit. His formal education in public school did not begin until age 12. Extremely bright, Mr. Lewis quickly ascended through the grade levels. He graduated from high school at age 15 and enrolled in college at age 16. Following his service in the army in Europe during World War II, Mr. Lewis studied law at Western Reserve University in Cleveland and graduated in 1948 with a law degree.

Mr. Lewis joined the law firm of Ulmer, Berne, Laronge, Glickman and Curtis and retired in 1996 after 46 years of outstanding work with the firm. He worked as a professor at Case Western Reserve University's Mandel Center for Nonprofit Organizations, and also taught corporate and contract law courses at what was then Cleveland Marshall Law School.

Throughout his adult life, Mr. Lewis maintained an unwavering focus on raising the lives of others into the light of possibility and achievement. He volunteered his time as past president of the Association of Governing Boards of Colleges and Universities; board member with PACE (Program for Action by Citizens in Education), and served on the board of the Fairmount Center for the Creative and Performing Arts.

His passion and belief that higher education should be affordable for everyone manifested itself in 1963 with the establishment of Cuyahoga Community College (CCC), an institution that continues to be a significant source of educational and career opportunities for thousands of students each year. Mr. Lewis served on the CCC Board of Trustees for 18 years and Chairman of the Board for 4 years. He also served as CCC's "resident scholar," and

taught courses in Greek mythology and drama.

Mr. Speaker and colleagues, please join me in honor, remembrance and gratitude to Mr. Robert L. Lewis, whose life was defined by his steadfast commitment to his family, his significant contribution to our community and his boundless energy in promoting the performing arts and securing educational opportunities for everyone. I offer my condolences to his wife of 42 years, Joanne; his daughters, Pavia and Clea; his sons, Paul, David and Brian; his nine grandchildren and his extended family members and many friends.

The kindness, vision, energy and personal and professional excellence that flowed from the gracious life of Mr. Lewis will continue to serve as a fountain of learning and strength for the students and educators at Cuyahoga Community College, and his legacy will continue to raise our entire community into the light of hope, possibility and opportunity for all.

RETIREMENT OF VICTOR A.  
MODEER

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. COSTELLO. Mr. Speaker, I rise today to recognize and honor Vic Modeer upon his retirement from the Illinois Department of Transportation, IDOT. For the past 20 years, Vic Modeer has served with utmost distinction at the IDOT.

After graduating from the Louisiana State University and receiving a masters in civil engineering from Purdue University, Vic worked in the private sector for a contractor and consultants prior to his employment at IDOT. Once at IDOT, he worked his way up from various positions within the Division of Highways to eventually become the director of Highways and chief engineer. IDOT's Division of Highways is a vast organization with over 5,000 employees, a \$490 million operating budget, and a \$4.5 billion construction budget.

While serving as the district engineer and as director of Highways, Vic was instrumental in overseeing many important highway projects in my congressional district and across the entire State of Illinois. As director of Highways, he helped lead IDOT to be the first State department of transportation in the Nation to meet and become certified under the process and quality management standards of the International Organization of Standardization, ISO 9001:2000. This is indicative of the dedication Vic and his staff have shown for professionalism, product quality, public accountability, and customer satisfaction.

Vic met the challenges of budget constraints and significant staff reductions during his tenure as director with a typical can-do attitude. He reorganized the division, improved communications, engineered process efficiencies to make up for lost work force, and employed innovative management and training methods to maintain productivity and continue delivering the highway program as promised, with no reduction in service, despite the loss of nearly 20 percent of his staff to early retirement and other attrition between 2002 and 2005.

Mr. Modeer's participation in numerous professional organizations, including the AASHTO

Standing Committee on Highways and the Task Force with Transportation Security, his service as a Navy veteran from Desert Storm serving in Saudi Arabia with the Seabees as an officer in the U.S. Navy Civil Engineer Corps, his long list of publicized articles regarding geotechnical engineering as well as teaching numerous engineering classes at Louisiana State University and Southern Illinois University at Edwardsville exemplify the strength of his leadership.

Mr. Speaker, I know my colleagues join me in offering congratulations and gratitude for his long and successful career at the IDOT. Vic Modeer's meritorious service to Illinois and to our country will have a lasting legacy not only in steel and concrete, but his true legacy will be with the people who served with him and the lives he has helped and touched. I wish him well and hope he continues to achieve happiness, health and success in his future endeavors.

IN LASTING MEMORY OF JOHN H.  
JOHNSON

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to the life and legacy of John H. Johnson. Born in 1918 in Arkansas City, AR, Mr. Johnson passed away on August 8 at the age of 87. Mr. Johnson has set an example for us all by being both an entrepreneur and a philanthropist. I would like to recognize Mr. Johnson's lifetime of contributions to Arkansas and our Nation.

Mr. Johnson began his distinguished career in 1942 as editor and publisher of Negro Digest. Just 3 years later, he began publishing Ebony Magazine, one of the most influential African-American magazines in the world, with a \$500 loan. Mr. Johnson later became the founder, publisher, and chairman of Johnson Publishing Company, the world's largest African-American owned publishing company.

In 1982, Mr. Johnson was the first African-American to be named on the Forbes list of the 400 wealthiest Americans. Mr. Johnson's long list of awards and achievements include: the Black Journalists' Lifetime Achievement Award in 1987, the Wall Street Journal/Dow Jones Entrepreneurial Excellence Award in 1993, the Presidential Medal of Freedom in 1996—the highest honor this Nation gives to a citizen, the Arkansas Business Hall of Fame Award in 2001, the Vanguard Award in 2002, and the Trumpet Award in 2002.

Arkansas City and the University of Arkansas at Pine Bluff have worked together to create the John H. Johnson Cultural and Education Museum. On May 21 of this year, this museum was dedicated in Desha County, AR. The museum captures Mr. Johnson's life by restoring his boyhood home and includes period memorabilia, printed material, and video chronicles. I know it was a tremendous honor for Mr. Johnson to return to his home and see the great tribute dedicated in his honor.

I am deeply saddened by Mr. Johnson's death. His dedication, entrepreneurial spirit, and legacy will continue in Arkansas for the years and decades ahead. My heartfelt condolences go to his wife, Eunice, and their daughter, Linda Johnson Rice, and their granddaughter, Alexa Rice.

IN HONOR OF STANLEY M. FISHER

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Stanley M. Fisher, devoted family man, accomplished attorney, friend and mentor to many, and first-ever recipient of the Lifetime Achievement Award, bestowed upon him by the Northern District of Ohio Chapter of the Federal Bar Association. This premier mark of excellence reflects Mr. Fisher's multifaceted service in the legal profession, service framed by achievement, integrity and heart.

After graduating from Oberlin College and the University of Michigan Law School, Mr. Fisher worked as a clerk for the 6th Circuit with Chief Judge Charles Simon and later for Justice Potter Stewart, before Justice Stewart was appointed to the U.S. Supreme Court. Equipped with unwavering commitment, steadfast integrity and expertise, Mr. Fisher's work serves as a source of knowledge, strength and advocacy throughout all levels of the justice system. His significant service within the Federal Bar Association, FBA, extends from his role as past President of the Northern District of Ohio, lifetime member of the FBA Board of Directors, and most notably, the first Ohioan to serve as National President of the FBA.

In 1983, Mr. Fisher was appointed as an Ohio Commissioner with the National Conference of Commissioners on Uniform State Laws by then Governor, Richard Celeste. He was reappointed by Ohio Governors Voinovich and Taft. Mr. Fisher's talent and conviction have impacted cases from Ohio to our Nation's Capitol. President Clinton appointed Mr. Fisher to the Federal Service Impasse Panel in 1992. For 10 years, he handled mediation and arbitration cases, directing each grievance from preparation to resolution. Mr. Fisher continues his work as a local and national mediator and is currently serving his second term as a member of the American Arbitration Association Advisory Council.

Mr. Speaker and colleagues, please join me in honor and recognition of Stanley M. Fisher, for his outstanding and continued excellence as attorney, guide and leader within the legal profession. His unwavering focus on the balanced scales of justice serves to protect legal equity throughout our American system of justice, from Cleveland, to Washington, DC and beyond.

IN LASTING MEMORY OF  
REPRESENTATIVE NAP MURPHY**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROSS. Mr. Speaker, I rise today to honor the memory of a great Arkansan and a devoted public servant, State Representative "Nap" Napoleon Bonaparte Murphy. Representative Murphy passed away on August 23rd at the age of 83. He worked for nearly 50 years as the owner of a successful car dealership in Hamburg, Arkansas, but is better re-

membered for his colorful personality and career dedicated to helping the people in his community from the Arkansas State Legislature.

Representative Murphy was born on September 26, 1921, in Crossett, Arkansas. After moving to Hamburg in 1948, he bought the Main Street Esso Station and just 4 years later, he purchased the local Ford Dealership. Representative Murphy was elected to the Arkansas House of Representatives in 1959, serving just one term before returning to Hamburg to run his business, and was re-elected in 1963 where he served until his retirement in 1995. Representative Murphy served as the distinguished Chairman of the House Agriculture and Economic Development Committee.

I had the pleasure of knowing Representative Murphy when I served in the Arkansas State Senate. He was a dynamic character who would begin and end every legislative session wearing his white suit and black bowtie. He had a great love for bluegrass music and enjoyed playing the banjo, mandolin, guitar, and fiddle.

Arkansas will certainly miss this great politician from humble beginnings and I will miss his sense of humor and dedication to our state. My condolences go out to Nap's son, Jimmy, his daughter, Ila Murphy Campbell, his eight grandchildren and two great-grandchildren.

FREEDOM FOR OSCAR MARIO  
GONZÁLEZ**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Oscar Mario González, a political prisoner in totalitarian Cuba.

Mr. González is an independent journalist and pro-democracy activist in totalitarian Cuba. 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, the dictatorship forcefully represses those who bravely support freedom and rise in resistance to the despotic regime.

According to Reporters Without Borders, on March 24, 2005, Mr. González was summoned and questioned by regime agents, who threatened that he would not be able to see his family again if he continued practicing as an independent journalist. Despite these gangster tactics and heinous threats, Mr. González continued to demand basic human rights for the people of Cuba.

As part of the tyrant's heinous July 2005 crackdown on peaceful pro-democracy opponents, on July 22, Mr. González was arrested as he tried to participate in a peaceful demonstration outside the French Embassy in Havana, demanding the release of political prisoners in Cuba. As part of this vicious crackdown, approximately 33 brave opponents were arrested at home, on their way to the demonstration or on the sidelines of the gathering.

According to CubaNet, Mr. González has been charged with violating Law 88. This is the same sham law that the tyrannical regime

used to wrongly convict many of the pro-democracy activists arrested in March 2003.

Mr. González is a brilliant example of the heroism of the Cuban people. Despite incessant repression, harassment, incarceration and abuse, he remains committed to the conviction that freedom of the press and democracy are the inalienable right of the Cuban people. It is a crime against humanity that Castro's totalitarian gulags are full of men and women, like Mr. González, who represent the best of the Cuban nation.

Mr. Speaker, let me be very clear, Mr. González is languishing in the grotesque squalor of the gulag because he desires freedom for all Cubans. My Colleagues, we must demand the immediate and unconditional release of Oscar Mario González and every political prisoner in totalitarian Cuba.

WELCOMING TAIWAN'S PRESIDENT  
CHEN**HON. SHERROD BROWN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BROWN of Ohio. Mr. Speaker, the president of Taiwan, Chen Shui-bian, will be making a stop in Miami en route to Central America later this month. He will stop overnight in San Francisco on his return to Taiwan.

I am sorry that he won't be stopping in Washington, DC. Many of my colleagues and I hope that in the future he and other Taiwanese leaders will be able to visit our capital.

President Chen has been in office for more than 5 years. During his tenure as president, he has been able to unite Taiwan, stabilize cross-strait relations, seek social harmony and reinvigorate the economy.

To maintain cross-strait peace and stability, he reacted calmly to China's enactment of its provocative antiseccession law last March.

Under his presidency, Taiwan's global competitiveness increased and the nation now ranks as one of the world's top economies.

On the international front, President Chen made several state visits to diplomatic allies. In April he went to the Vatican City to pay final respects to the late Pope John Paul II. During his brief stopovers in Miami and San Francisco this September, I hope my colleagues will take the time to visit with President Chen. President Chen is the leader of a young but prosperous democracy, and our mutual love of freedom can only be strengthened by these visits.

Taiwan is one of America's most important allies. Taiwan is also our trading partner and friend. Whenever America has need, Taiwan is there. They have contributed to the Twin Towers Fund, the Pentagon Memorial Fund and most recently, Taiwan gave two million dollars to help victims of Hurricane Katrina.

Mr. Speaker, we must also remember Taiwan's unique role in maintaining peace and stability in the Asian Pacific region. To have permanent peace in the region, the United States should urge Taiwan and China to resume peaceful dialogue and exchanges.

We should also encourage Taiwan's participation in the World Health Organization and the United Nations. Taiwan is a vibrant democracy, and I hope the entire world will recognize its people's love of freedom.

I hope all Members of Congress will join me in welcoming President Chen as he transits through the United States.

IN HONOR AND RECOGNITION OF  
DENNIS MORTON

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Dennis Morton, committed public servant, Vietnam War Veteran, and friend and mentor to many, upon the occasion of his retirement, following 32 years of dedicated service within the U.S. Department of Housing and Urban Development. Mr. Morton's tenure at HUD reflects vision, ingenuity, endless energy and strong leadership, all focused on ensuring the availability of quality housing for the most vulnerable individuals of our society—our struggling and our poor.

Mr. Morton's service at HUD began in 1977, when he was hired as a Realty Specialist in the Housing Management Division. Mr. Morton concentrated his efforts on all phases of acquisition, purchase and restoration of multifamily properties. As they have for decades, these properties exist as a basic yet vital need for thousands of residents in Cleveland and beyond—a dignified and safe place to call home.

Even though HUD has reorganized several times since its inception, Mr. Morton's unwavering focus on transforming bankrupt multifamily properties into vibrant structures, has provided quality housing for thousands of citizens of all ages, from young families to the elderly. From Realty Specialist, to Public Trust Officer, to Director of the Federal Housing Authority Multifamily Program Center Office in Cleveland, Mr. Morton directed the acquisition and rehabilitation of numerous public and senior housing units, including Longwood Apartments, Reserve Square and the award-winning Arbor Park Village.

Mr. Speaker and Colleagues, please join me in honor and recognition of Dennis Morton, whose dedicated work as a HUD administrator has provided a safe home for the most vulnerable residents of our community. Mr. Morton's legacy at HUD will continue to serve as a brilliant example for all those who will follow in his path. His vital contribution continues to offer shelter, dignity, and for many, the necessary support for their journey toward personal independence.

CONGRATULATING PHILLIP'S  
FLOWERS AND GIFTS ON BEING  
NAMED 2005 "RETAILER OF THE  
YEAR" BY THE ILLINOIS RETAIL  
MERCHANTS ASSOCIATION  
(IRMA)

**HON. JUDY BIGGERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mrs. BIGGERT. Mr. Speaker, I rise today to congratulate my friends at Phillip's Flowers in Westmont, Illinois. On September 21, the Illinois Retail Merchants Association, IRMA will

honor Phillip's Flowers as the 2005 "Retailer of the Year" for its commitment to quality, customer service, and floral industry improvement.

Phillip's Flowers deserves to be recognized and honored in this way for its many accomplishments. In the 82 years since James and Helen Phillip started Phillip's Flowers, it has grown to become a Chicago area institution. Since 1923, the founders and their offspring have grown and improved the business to the point where it now ranks among the top 20 florists in the country in terms of delivery volume. In the 1980's, Phillip's helped launch a cooperative delivery program to expand the business's service reach throughout the region and nation. And its service on the American Floral Endowment Board and the Society of American Florists has helped shape the floral industry as a whole. These accomplishments alone are worthy of this high honor.

Mr. Speaker, when the late Pope John Paul II visited Chicago in 1979, Phillip's Flowers was selected to supply more than 17,000 chrysanthemums for the occasion. When Chicago Magazine ran its 2002 Readers Choice Awards, Phillip's Flowers was chosen as "Chicago's favorite florist." And when IRMA in 2001 selected the top Retailers of the 20th Century, Phillip's was honored among them. These honors and superlatives are reserved for only the finest businesses, and Phillip's Flowers has clearly deserved them.

But perhaps most important of all, Phillip's has provided beautiful flowers for many of my constituents' most important moments in life—weddings, bar and bat mitzvahs, and special birthdays and anniversaries.

I congratulate Phillip's Flowers on receiving the "Retailer of the Year" award, and I wish the people of Phillip's the very best wishes for continued success in the years to come.

IN RECOGNITION OF 100 YEARS OF  
CATHOLIC SECONDARY SCHOOLS  
IN GRAND RAPIDS, MICHIGAN

**HON. VERNON J. EHLERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. EHLERS. Mr. Speaker, I rise today to acknowledge the 100th anniversary of the Catholic Secondary Schools (CSS) of Greater Grand Rapids, Michigan, which are located in the Third Congressional District of Michigan, which I proudly represent.

The Catholic schools have a long and illustrious history in our area, serving thousands of children and their families for the past century. The Catholic Secondary Schools of Greater Grand Rapids are pioneering coeducational high schools whose conception, growth, and evolution were driven largely by the desire to offer students a quality, Catholic education. Catholic Central High School opened its doors in September 1906, as Catholic Central for boys and Sacred Heart Academy for girls. Established by Bishop Joseph Richter, with the support of Father Robert W. Brown of St. James and Father John Schmitt of St. Andrew, the first graduating classes consisted of 7 boys and 20 girls. The decision to open a central Catholic high school, let alone a co-educational one, was unprecedented in the Nation at that time. Later growth led to the opening of West Catholic High School in 1962.

This innovative diocesan co-educational school would survive both world wars, the Great Depression, fire, financial stress and clergy shortage. Along the way it inspired hundreds of other schools nationwide and grew into two schools with multiple facilities. The 2 high schools have produced more than 27,000 graduates and thousands of community leaders.

The 2005–06 school year marks the centennial anniversary of Catholic high school education in Grand Rapids, Michigan. Catholic Central and West Catholic's success represents the united effort of the bishop, parish clergy, teaching Sisters and parents. Together they were the foundation that helped realize the dream of having a Catholic high school education in Grand Rapids. This centennial is a true celebration and testament to the enduring resilience of Catholic high school education in Grand Rapids.

Graduates of the CSS have entered into religious life; careers in medicine, dentistry, pharmacy, law, education and coaching, accounting, banking, engineering and retailing and many other walks of life, contributing in a positive, moral, generous and caring fashion to the communities in which their homes and businesses are located, particularly West Michigan.

For nearly a century, the mission of the CSS of Greater Grand Rapids has been to empower students to define their vision and pursue their goals with confidence, competence and Christian generosity. In an environment deeply rooted in faith formation, student achievement and appreciation of God-given talents, Catholic Central and West Catholic students are challenged to become fully integrated persons who lead through service. CSS, in dynamic partnerships with families, alumni and the community, promote learning for everyone, encourage understanding and embracing of diversity, and establish a foundation for life-long learning.

Please join me in honoring the 100th anniversary of the Catholic Secondary Schools of Greater Grand Rapids.

IN RECOGNITION OF THE ROYAL  
FAMILY AND PEOPLE OF THAI-  
LAND

**HON. DANA ROHRBACHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ROHRBACHER. Mr. Speaker, I rise today to acknowledge and thank the people, especially the royal family, of Thailand.

In my lifetime, the people of Thailand, guided by a benevolent and wise royal family, have been among America's best friends. Throughout the ups and downs of the Vietnam era, the Thai's have stood with us steadfastly, even when it was uncomfortable for them to do so. They have also played a tremendous humanitarian role by taking in refugees from tyranny from all directions.

Their generosity and friendship is recognized, respected and appreciated. In a time when millions of Americans are suffering the disastrous affects of Hurricane Katrina, they have stepped forward to offer a helping hand. They have donated thirty tons of humanitarian goods such as food and blankets. It is inspiring to see that there are countries who appreciate our help in their times of need and are

expressing it by helping our distressed people now.

To the people and royal family of Thailand—thank you. Your compassion and friendship is much appreciated.

INTRODUCING A BILL TO MAKE  
FEMA AN INDEPENDENT AGENCY  
HEADED BY A QUALIFIED DIRECTOR

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a bill to reestablish the Federal Emergency Management Agency (FEMA) as an independent agency, and to require that its Director be someone with appropriate training and experience.

The undeniable shortcomings of the federal response to the tragic effects of Hurricane Katrina have shown that FEMA's most recent director, Michael Brown, was not qualified for the job—in fact, he really was in over his head. Now that he has resigned, Congress should begin the process of strengthening FEMA and assuring Americans that Federal emergency management efforts will be handled by a capable and effective leader.

As a first step, I think we should revisit and reverse our decision to fold FEMA—formerly an independent agency—into the Department of Homeland Security (DHS).

I was never completely comfortable with that decision. When the House considered the legislation to establish the new Department, I voted for an amendment (offered by the gentleman from Minnesota, Mr. OBERSTAR) to keep FEMA independent. I did so because, as I said at the time, I feared FEMA's core mission and focus would be lost in the new bureaucracy.

It was argued that FEMA—as the central agency in charge of disaster response and emergency management—should constitute the heart of the new DHS. But FEMA had been primarily engaged in and especially effective at responding to natural hazards, not terrorism. We should have left FEMA outside the new department, or at a minimum transferred its Office of National Preparedness to the new department, while leaving FEMA's Disaster Response and Recovery and Mitigation Directorates intact.

Although the independent-FEMA amendment failed, I voted for the overall bill while expressing the hope that “the President will continue to work with the Congress to make sure the agencies moved to the new Department will be supported in their many other important duties even as they focus anew on their security roles.”

Unfortunately, recent events have given horrific proof that I hoped in vain and that my fears were well-founded.

Therefore, the bill I am introducing today will reestablish FEMA as a separate agency. It also will require that its Director be a person with appropriate formal training and at least two years of experience as the head of a disaster-management agency of either a State or a political entity—a city, county, or other area—smaller than a state but with a population of at least one million people.

To provide continuity and insulation against politics, a director, once nominated by the President and confirmed by the Senate, would serve a 6-year term—although of course, as an Executive Branch official he or she would be subject to the direction and control of the President and thus could be removed by the President.

Reorganizing FEMA is only part of the necessary actions to respond to the tragedy and devastation on the Gulf Coast. But I think it is a necessary part, and I think this bill would help us be better prepared for the next emergency.

TEXAS DISTRICT AND COUNTY  
ATTORNEYS ASSOCIATION

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. POE. Mr. Speaker, I rise today to honor the 100th meeting of the Texas District and County Attorneys Association. The men and women who serve the state of Texas as prosecutors are the foundation of the criminal justice system. As a prosecutor for 8 years and a district judge for 22 years, I witnessed firsthand the remarkable dedication to the law that is exhibited by county and district attorneys and their staffs. Texans are truly privileged to have such an extraordinary group of legal minds who have answered the call to public service.

On November 2, 1905, less than 50 prosecutors met in Dallas, Texas at the first meeting of the Texas District and County Attorneys Association. In 1970, the TDCAA re-organized for the purpose of offering training and technical assistance to prosecutors. The TDCAA has made great strides since that time, currently providing training to two-thirds of the prosecutors and staff in Texas. The 2005 meeting will take place in Corpus Christi, with more than 1100 prosecutors and staff members in attendance.

Mr. Speaker, I am proud to be a lifetime member of the Texas District and County Attorneys Association. Our district and county attorneys make communities safer while holding criminals accountable for their actions, and I commend the TDCAA for setting the bar with regards to training prosecutors. I wish the Texas District and County Attorneys Association all the best as they look forward to another 100 years of success.

TRIBUTE TO WERNER SCOTT

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, there are few things I enjoy more in this job than getting the opportunity to shine the spotlight on truly deserving people who serve as a source of inspiration to the rest of us. Werner Scott of Irving, Texas, is one of those people, and I would like to pay tribute to him today.

Werner Scott is the founder and President of Advantage Marketing Group (AMG), and is

recognized as a visionary in the world of enterprise and sports marketing responsible for initiating many ground breaking concepts.

Werner's credits include the brand positioning of Dallas Cowboys superstar Emmitt Smith, yielding “Brand Emmitt”, “Emmitt Zone” and “Emmitt Zone For Kids” franchises. He has also worked with several corporations like American Airlines, Frito-Lay, and Bank One Texas, providing strategic market development expertise.

Under his guidance, AMG was the key architect in staging the NFL Run To Daylight and the NFL Fast Man competitions, and working with NBC Sports to produce the ongoing Bayou Classic, the Super Bowl of Black College Football.

Prior to finding AMG, Werner started his career in 1979 in brand marketing and sales holding a number of posts with Xerox and never looked back. He climbed through the ranks at Xerox becoming an invaluable executive within the organization from 1979–1985.

A distinguished military and honor graduate from New Mexico State University, Werner majored in human resources management, with a minor in marketing sales.

Werner Scott has not only overcome tremendous challenges in this competitive industry, but he is a brave person who stands by the courage of his convictions. He has a strong passion for civic and charitable organizations including, The Open Doors Foundation, Academies of Excellence, and the Center for the Study of Sports in Society.

He is a truly extraordinary human being, and it is my hope that others will be inspired by his determination to succeed and the strength of his spirit.

PROVIDING FOR CONSIDERATION  
OF H.R. 3132, CHILDREN'S SAFE-  
TY ACT OF 2005

SPEECH OF

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 14, 2005*

Mr. PAUL. Mr. Chairman, as an OB-GYN who has had the privilege of bringing over 3,000 children into the world, I share the desire to punish severely those who sexually abuse children. In fact, it is hard to imagine someone more deserving of life in prison than one who preys on children. This is why I have supported legislation that increases penalties for sexual assaults on children occurring on Federal land.

However, Mr. Chairman, I cannot support this bill because it infringes on the States' constitutional authority over the prevention and punishment of sex crimes. The late Chief Justice William H. Rehnquist and former United States Attorney General Ed Meese, two men who no one has ever accused of being “soft on crime,” have both warned that, although creating more Federal crimes may make politicians feel good, it is neither constitutionally sound nor prudent. Rehnquist has stated that, “[t]he trend to federalize crimes that traditionally have been handled in state courts . . . threatens to change entirely the nature of our federal system.” Meese stated that Congress's tendency in recent decades to make Federal crimes out of offenses that have historically

been State matters has dangerous implications both for the fair administration of justice and for the principle that States are something more than mere administrative districts of a nation governed mainly from Washington.

H.R. 3132 not only creates new Federal programs and crimes, it instructs the States to change their laws to conform with Federal dictates. This violates the Constitution, and can weaken law enforcement. For example, one of the provisions of the new law requires States include those convicted of misdemeanors in their sex offender registries. By definition, misdemeanors are nonserious crimes, yet under this legislation State officials must waste valuable resources tracking non-serious sex offenders—resources that should be going to tracking those who are more likely to represent a real threat to children.

Thus, once again we see how increasing the role of the Federal Government in fighting these crimes—even when it is well intended—only hamstrings local and State law enforcement officers and courts and prevents them from effectively dealing with such criminals as the locals would have them dealt with—harshly and finally.

Mr. Chairman, Congress could both honor the Constitution and help States and local governments protect children by using our power to limit Federal jurisdiction to stop Federal judges from preventing States and local governments from keeping these criminals off the streets. My colleagues should remember that it was a Federal judge in a Federal court who ruled that the death penalty is inappropriate for sex offenders. Instead of endorsing a bill to let people know when a convicted child molester or rapist is in their neighborhood after being released, perhaps we should respect the authority of State courts and legislators to give child molesters and rapists the life or even death sentences, depending on the will of the people of those States.

Just as the Founders never intended the Congress to create a national police force, they never intended the Federal courts to dictate criminal procedures to the States. The Founding Fathers knew quite well that it would be impossible for a central government to successfully manage crime prevention programs for as large and diverse a country as America. That is one reason why they reserved to the States the exclusive authority and jurisdiction to deal with crime. Our children would likely be safe today if the police powers and budgets were under the direct and total control of the States as called for in the Constitution.

Finally Mr. Chairman, this legislation poses a threat to constitutional liberty by taking another step toward creating even more Federal “hate crimes” laws. So called “hate crimes” add an extra level of punishment for the thoughts motivating a crime—as if murder or robbery motivated by “hate” is somehow more offensive than murder or robbery motivated by greed or jealousy. Laws criminalizing thought, instead of simply criminalizing acts of aggression against persons and property, have no place in a free society.

In conclusion, Mr. Chairman, since H.R. 3132 further burdens State and local law enforcement with unconstitutional Federal mandates that may make it tougher to monitor true threats to children, I encourage my colleagues to reject this bill. Instead, I hope my colleagues will work to end Federal interference in State laws that prevent States from effectively

protecting children from sexual predators.

CELEBRATING THE BIRTH OF  
CHARLOTTE RILEY CALLAHAN

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. WILSON of South Carolina. Mr. Speaker, today, I am happy to congratulate Jenni and Paul Callahan, natives of Greenville, South Carolina, on the birth of their beautiful baby girl. Charlotte Riley Callahan was born in Alexandria, Virginia, on September 15, 2005 at 8:36 a.m., weighing 7 pounds, 14 ounces and measuring 21.5 inches long. She has been born into a loving home, where she will be raised by parents who are devoted to her well-being and bright future.

Her father Paul serves as a Legislative Correspondent in my office and is a tremendous asset to the Second District of South Carolina. His strong work ethic, attention to detail, and pleasant personality make him a treasured member of my staff. Today, I am pleased to congratulate the Callahan family on Charlotte's birth.

RECOGNIZING THE 50TH ANNIVERSARY OF ROSA PARKS' REFUSAL TO GIVE UP HER SEAT ON THE BUS AND THE SUBSEQUENT DESEGREGATION OF AMERICAN SOCIETY

SPEECH OF

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 14, 2005*

Mr. CUMMINGS. Mr. Speaker, nearly 50 years ago on December 1, 1955, history was altered considerably by the refusal of a Black woman to give up her seat to a White man on a public bus. This woman was Rosa Parks, a seamstress and the secretary of the NAACP from Montgomery, AL.

Mr. Speaker, on that day Rosa Parks was not only tired from a hard day at work, but also of the torment and persecution endured by Blacks of her day. Based solely on the color of her skin, she had encountered much discrimination throughout the years, and finally, on that day, decided she was fed up.

We all know the story, but let me remind my colleagues. On that Thursday evening in December, Mrs. Parks decided that she would not give up her seat for a White man to sit down in the “Colored” section, and was consequently arrested for violating segregation laws.

Ms. Parks' arrest marked the point of conception of the civil rights movement. What followed can be described as no less than monumental. The Black community of Montgomery, AL, decided to boycott the bus system—that by the way, relied heavily on their 75 percent ridership for revenue. Montgomery's Black community, led by a young Martin Luther King, Jr. who endorsed nonviolence as a means to achieve equality, chose to walk, carpool, or ride bicycles instead of riding the bus.

Despite huge revenue losses, the Montgomery bus system refused to alter its segregation policies.

Despite endless provocation from Whites, who often resorted to acts of violence and harassment, the Black community continued its boycott for over a year.

Finally, approximately a year after Rosa Parks refused to give up her seat on the bus, on November 13, 1956, the Supreme Court declared Montgomery's bus segregation ordinance unconstitutional. Shortly thereafter, the Federal Interstate Commerce Commission banned segregation on all interstate trains and buses.

Although there were many other subsequent laws and decrees that helped to desegregate America, Rosa Parks' courage was the incipient act that sparked the stand for equality across the Nation—culminating in the civil rights movement.

It is for these reasons that I strongly support this resolution honoring Mrs. Parks' bravery. I thank my good friend, Representative JOHN CONYERS, for spearheading this noble effort and I urge my colleagues to support its passage.

A TRIBUTE TO SAMUEL L.  
JACKSON

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Ms. MATSUI. Mr. Speaker, today I rise to honor Samuel L. Jackson, a man who through hard work and dedication has become one of the most successful and well-respected attorneys in the state of California. As his friends, family and colleagues gather to pay tribute to Mr. Jackson's remarkable career and to celebrate his retirement, I ask all my colleagues to join me in saluting this great American success story.

Sam was born in 1947 in Pensacola, Florida. At the age of four, Sam's parents separated. Thereafter, Sam's mother, Annette, raised her six children alone while working two jobs. Mrs. Jackson taught her children that education was the key to success, and Sam graduated from high school in segregated Pensacola, Florida. However, despite the fact that Sam was on the honor roll for nearly all of his childhood, he was unable to attend college immediately due to the lack of scholarship money available to graduates of all-black high schools.

To earn money for college, Sam joined the United States Air Force, where he served honorably from 1966 until 1970. Sam's military career included stateside service at Mather Air Force Base in Sacramento and Travis Air Force Base in Fairfield, as well as thirteen months in Vietnam. After receiving numerous medals, ribbons, and awards, Sam was honorably discharged, and returned home to enroll at Sacramento City College.

While still in the Air Force and stationed at Mather, Sam served as best man in a friend's wedding, accompanying the bride's sister Esther. The next time Sam and Esther walked down the aisle together, it was as bride and groom. They married in 1970 upon his return from Vietnam, and recently celebrated their 35th anniversary. Sam and Esther have one child, Andre Reginald.

After earning his Associate of Arts degree from Sacramento City College, Sam continued his education at California State University, Sacramento. He received his Bachelor of Arts degree in only three years of college study, despite working full time for the United States Postal Service throughout his undergraduate career. After concluding his undergraduate education, he proceeded to law school at McGeorge School of Law, where he graduated in 1977.

As a first-year lawyer that same year, Sam was hired as a Sacramento Deputy District Attorney. After two years of working in this capacity, he decided that civil litigation suited him better. Sam obtained a lateral appointment to the position of Deputy City Attorney in 1979, and was promoted to the top of the deputy attorney hierarchy in the minimum amount of time allotted for such advancements.

In 1994, after fifteen years of distinguished service in the City Attorney's office, Sam was appointed by the Sacramento City Council as the 36th City Attorney in Sacramento's history. He has held that post for over 11 years, but last year Sam notified the City Council that he would be retiring no later than December 30, 2005.

Along with his impressive career achievements, Sam has also made substantial contributions to Sacramento through community involvement. The highlight of his community service occurred in 1981, when he undertook the management of a little league baseball team that had never enjoyed a winning season. As to be expected, Sam led the youngsters to a dominating 18-4 record by emphasizing teamwork and respect for others.

Mr. Speaker, as Sam's friends, family, and colleagues gather to celebrate his admirable career, I am honored to pay tribute to one of Sacramento's most selfless and dedicated citizens. Although his legal career may be over, Sam's involvement in his community is, fortunately for us, far from complete. I ask all of my colleagues to join with me in wishing Samuel L. Jackson continued success in all his future endeavors.

COAST GUARD YARD, BALTIMORE,  
MD

**HON. C.A. DUTCH RUPPERSBERGER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. RUPPERSBERGER. Mr. Speaker, it is my honor to rise today to call special attention to the United States Coast Guard and in particular the Coast Guard Yard in Baltimore.

I have always said that I considered the U.S. Coast Guard to be America's secret weapon. After their heroic efforts played before us in the wake of Hurricane Katrina, I believe the secret is out. For over two hundred years, our nation's Coast Guard has patrolled and protected our coast lines, which today totals over 95,000 miles. Fulfilling incredible missions including maritime security, search and rescue, drug interdiction, search and rescue, and recreational boater safety, all Americans are indebted to our Coasties for their dedication and service each and every day.

And for over a century, Coast Guard Yard in Baltimore has served as the backbone of the Coast Guard providing its primary shipbuilding and major repair facility.

I am proud to represent the Yard and the admirable people who work there. Their commitment to the quality of work, excellence, vision and ingenuity makes this Yard an invaluable asset to the Coast Guard. Ship building and repairs require special individuals with highly specialized skills. This is a vanishing art form, particularly for a working Yard and workers that continually live up to the motto of "Service to the Fleet."

For budgetary reasons, the Coast Guard and Yard are planning to cut 50 full time employee positions from the Yard. While I understand our difficult economic times, I am concerned that such a decision would be made when we are fighting a war on terrorism both here at home and abroad. There should be no doubt about the abilities and capabilities of the Coast Guard, and the personnel at the Yard are a vital link in that chain.

This week we will consider H.R. 889, the Coast Guard and Maritime Transportation Act of 2005. I offered an amendment to this legislation that would have restored \$9 million in funding to the Coast Guard Yard FY06 Budget to safeguard those highly specialized jobs. I am concerned that the loss of these skills in the Yard will not only harm my district and the local economy, but it will have a negative impact on the Coast Guard's ability to fulfill its missions in the future. Shipbuilders are not a dime a dozen and you cannot simply call your local temp agency for a new one. These are skills that require apprenticeships and work over years to master. When these jobs leave the area, I worry if we will be able to get them back should we need them at a future date.

Now is not the time to cut corners and jobs in this specialized workforce. Now is the time when we should fully fund the needs of the Coast Guard including the Yard to help them do their jobs and protect Americans.

The Coast Guard Yard in Baltimore has played an enormous role in Operation Enduring Freedom and Operation Iraqi Freedom. Reservists have provided port security in the Persian Gulf, allowing our troops and humanitarian aid to move in safely. They've been involved in telecommunications, boarding operations and search and rescue. The Yard also answered an urgent request from the U.S. Army and Marine Corps to quickly repair over a dozen old style bridge erection boats. These boats were refurbished and shipped to Iraq, allowing bridges to be built over the inland rivers permitting the transportation of personnel and supplies.

I am so proud of the work that has been accomplished at the Yard and the contributions that have been made. It is vitally important that we give them the tools and the money that they need to operate effectively and efficiently. I regret that the House Committee on Rules failed to make my amendment in order to restore this critical funding and I would hope my colleagues on both sides of the aisle will join me in this fight in the future to correct this mistake.

IN HONOR OF PRESIDENT CHEN  
SHUI-BIAN'S VISIT TO THE  
UNITED STATES

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SESSIONS. Mr. Speaker, Taiwan President Chen Shui-bian will be staying for two nights in Miami en route to Central America; on his way back to Taiwan he will be staying overnight in San Francisco. During the last five years as president of Taiwan, Chen has gone on several state visits including trips to some of Taiwan's diplomatic allies. Last April President Chen visited the Vatican City to pay final respects to the late Pope John Paul II. I hope President Chen's stopovers in America this September will be both restful and useful to the exchange of ideas between himself and some of his American friends and supporters.

As a friend of the Taiwanese people, I believe that Taiwan has been unjustifiably denied its proper recognition in the international community. Taiwan is a sovereign state; it is a constructive global citizen and a dynamic democracy. Yet it is not a member of the United Nations. As the United Nations celebrates its 60th anniversary this year, it is time for the UN General Assembly to re-examine the issue of Taiwan's membership. I therefore urge my colleagues, friends and supporters of Taiwan to speak up on the issue of Taiwan's bid to join the UN. The world must not allow China, an authoritarian state, to continue to deny Taiwan UN membership.

As for Taiwan's relations with the United States, Taiwan enjoys the support of both the Bush Administration and Congress. U.S. presidents have all committed the United States to the Taiwan Relations Act and pledged support for Taiwan if it were to be attacked by China. Congress has also passed legislation voicing its support of Taiwan. In the mean time, the United States has continued to sell military articles to Taiwan in accordance with Taiwan's defense needs. In addition, we appreciate our strong trade relations with Taiwan. This September a Taiwan agricultural goodwill mission is touring the United States, pledging to buy up to more than \$3.1 billion of U.S. wheat, soybeans, corn and hide in 2006 and 2007. A letter of intent signing ceremony between members of the Taiwan mission and U.S. grain exporters was held on September 14 on the Hill.

Trade relations aside, the Taiwanese people have been standing firmly behind the United States after 9/11. Their government has made every effort to protect U.S. interests in Taiwan and cooperated with our intelligence agencies. It made monetary contributions to the Twin Towers Fund, the Pentagon Memorial Fund and most recently gave \$2 million to victims of Hurricane Katrina. Other signs of friendship include Taiwanese people sending their brightest students to study at our colleges and universities and a great majority of their tourists choosing to spend their dollars in American destinations.

As President Chen passes through America this September, we'd like him and his people to know that we greatly appreciate his country and have great fondness for his people and their friendship for us.

CELEBRATING 100 YEARS AT  
HANDLEY CHURCH OF CHRIST

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Handley Church of Christ for celebrating its 100th anniversary. This is a great accomplishment, and I am proud to have an establishment such as this in the 26th Congressional District of Texas.

In 1905, J. Dan Thomas invited several families to meet at his house for a worship service; this was the first meeting of the congregation of the Handley Church of Christ. Soon after, the congregation grew and became too large for the Thomas home.

Throughout the years, the congregation continued to grow and with that came the need for more space. In 1919, the church moved to a frame building with seating for 60 people. With church membership listed as 150, there was still not sufficient room. The congregation has since stayed on that property and continually added to and remodeled the building.

Today, the sanctuary will seat 1,000 people and the property includes an educational building as well as a building consisting of classrooms. The church will commemorate its 100 years by unveiling a Texas State historical marker.

As its founders intended, the Handley Church of Christ endures today as an example of a pioneer institution which has adapted itself to new surroundings and times without compromising traditional beliefs and values. As one of Tarrant County's oldest churches, it occupies an important place in the Handley community today as a symbol of endurance, stability and service.

Congratulations to the congregation at Handley Church of Christ on their anniversary. One hundred years of worship is a milestone to be celebrated.

AN EXCELLENT OP-ED ARTICLE  
ON HURRICANE KATRINA

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. RANGEL. Mr. Speaker, I would like to bring to your attention an excellent op-ed article that appeared last week in the New York Times by David Brooks titled, "Katrina's Silver Lining." The op-ed article points out that the devastation which occurred earlier this month along the Gulf region now presents us with the challenge to address the roots of poverty in the United States.

Poverty was the underlying cause of the tragedy that occurred in Louisiana a couple of weeks ago. Many of the people who were unable to evacuate did not have the economic means to flee the hurricane that destroyed their city and countless lives. An individual's financial circumstance should not get in the way of life and death decisions. Low-income families should not be forced to risk their safety and well-being simply because they do not have the financial means to protect themselves.

Addressing the tragedy that occurred in New Orleans will take more than rebuilding the city's infrastructure. In order to ensure that the human suffering that has occurred never happens again, we need to address the high rates of poverty that exist in this Nation.

Every American should have the right to live a better life. We must ensure that everyone has the ability to adequately care for their families. Moreover, we need to ensure that every American has access to educational opportunities which lead to greater outcomes. And we must ensure that no one is forced to make a life and death decision based on their financial circumstance.

Early estimates suggest that thousands of Americans may have perished as a result of Hurricane Katrina and the events that occurred after the storm, while many others were injured. The families that were forced to remain in Louisiana during the storm have finally been evacuated and now faced with the difficult task of rebuilding their lives. Sadly, many of them are also desperately searching for missing loved ones.

In the wake of this disaster, let us move forward with an aggressive agenda to eradicate poverty in the United States. Let us rise to the challenge that Hurricane Katrina presented to us by removing the hurdles that force too many families to live in poverty. We can do this. The survivors of Hurricane Katrina, and the millions of other Americans who are living in poverty, deserve nothing less.

[From the New York Times, Sept. 8, 2005]

KATRINA'S SILVER LINING

(By David Brooks)

As a colleague of mine says, every crisis is an opportunity. And sure enough, Hurricane Katrina has given us an amazing chance to do something serious about urban poverty.

That's because Katrina was a natural disaster that interrupted a social disaster. It separated tens of thousands of poor people from the run-down, isolated neighborhoods in which they were trapped. It disrupted the patterns that have led one generation to follow another into poverty.

It has created as close to a blank slate as we get in human affairs, and given us a chance to rebuild a city that wasn't working. We need to be realistic about how much we can actually change human behavior, but it would be a double tragedy if we didn't take advantage of these unique circumstances to do something that could serve as a spur to antipoverty programs nationwide.

The first rule of the rebuilding effort should be: Nothing Like Before. Most of the ambitious and organized people abandoned the inner-city areas of New Orleans long ago, leaving neighborhoods where roughly three-quarters of the people were poor.

In those cultural zones, many people dropped out of high school, so it seemed normal to drop out of high school. Many teenage girls had babies, so it seemed normal to become a teenage mother. It was hard for men to get stable jobs, so it was not abnormal for them to commit crimes and hop from one relationship to another. Many people lacked marketable social skills, so it was hard for young people to learn these skills from parents, neighbors and peers.

If we just put up new buildings and allow the same people to move back into their old neighborhoods, then urban New Orleans will become just as rundown and dysfunctional as before.

That's why the second rule of rebuilding should be: Culturally Integrate. Culturally Integrate. Culturally Integrate. The only

chance we have to break the cycle of poverty is to integrate people who lack middle-class skills into neighborhoods with people who possess these skills and who insist on certain standards of behavior.

The most famous example of cultural integration is the Gautreaux program, in which poor families from Chicago were given the chance to move into suburban middle-class areas. The adults in these families did only slightly better than the adults left behind, but the children in the relocated families did much better.

These kids suddenly found themselves surrounded by peers who expected to graduate from high school and go to college. After the shock of adapting to the more demanding suburban schools, they were more likely to go to college, too.

The Clinton administration built on Gautreaux by creating the Moving to Opportunity program, dispersing poor families to middle-class neighborhoods in five other metropolitan areas. This time the results weren't as striking, but were still generally positive. The relocated parents weren't more likely to have jobs or increase their earnings (being close to job opportunities is not enough—you need the skills and habits to get the jobs and do the work), but their children did better, especially the girls.

The lesson is that you can't expect miracles, but if you break up zones of concentrated poverty, you can see progress over time.

In the post-Katrina world, that means we ought to give people who don't want to move back to New Orleans the means to disperse into middle-class areas nationwide. (That's the kind of thing Houston is beginning to do right now.)

There may be local resistance to the new arrivals—in Baton Rouge there were three-hour lines at gun shops as locals armed themselves against the hurricane victims moving to their area—but if there has ever been a moment when people may open their hearts, this is it.

For New Orleans, the key will be luring middle-class families into the rebuilt city, making it so attractive to them that they will move in, even knowing that their blocks will include a certain number of poor people.

As people move in, the rebuilding effort could provide jobs for those able to work. Churches, the police, charter schools and social welfare agencies could be mobilized to weave the social networks vital to resurgent communities. The feds could increase earned-income tax credits so people who are working can rise out of poverty. Tax laws should encourage business development.

We can't win a grandiose war on poverty. But after the tragedy comes the opportunity. This is the post-Katrina moment. Let's not blow it.

COMMENDING DEPAUL UNIVERSITY'S  
RESPONSE TO HURRICANE KATRINA

**HON. RAHM EMANUEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. EMANUEL. Mr. Speaker, I rise today in proud recognition of DePaul University of Chicago. Founded in 1898, DePaul is the nation's largest Catholic University. This institution has a long history of public service, and is continuing this tradition in its extraordinary response to Hurricane Katrina by offering compassion, assistance, and educational opportunities to students affected by this national crisis.

Once it became clear that Hurricane Katrina would disrupt the education of thousands of students attending universities located along the Gulf Coast, DePaul University opened its doors. As of September 9, DePaul had accepted 150 displaced students.

DePaul has offered special tuition grants to their visiting students, requesting that they make tuition payments to their home university. DePaul has also taken steps to secure additional financial aid for these students.

The students at DePaul have also taken action to help victims of Hurricane Katrina. By September 9, these students had raised more than \$5,000 to purchase supplies to be sent to the Gulf Coast. Many campus groups, including student athletes, Student Leaders Emerging, S.A.V.E., and DePaul chapters of the NAACP and Target Hope, have organized relief efforts. Other DePaul students are exploring ways to assist displaced Gulf Coast residents who have migrated to Chicago after evacuating from their homes.

Mr. Speaker, our Nation is faced with an unprecedented challenge. Caring for the victims of Hurricane Katrina and helping them rebuild their lives will require the dedication of all Americans. I am proud of the efforts of the students, faculty and administration of DePaul University in response to this national tragedy, and of similar efforts in colleges and universities throughout Chicago and across the country.

HONORING EVA HALLER AND  
COUNTERPART INTERNATIONAL

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mrs. CAPPS. Mr. Speaker, I rise to recognize a great organization, Counterpart International, and a tireless advocate, Eva Haller.

For 40 years Counterpart International has done extraordinary work, first helping South Pacific countries move from colonialism to independence, and then expanding their efforts to assist the growth of democracy in Africa, Latin America, Eurasia, and around the Caribbean. This global organization's strategy is to engage people in their own communities through education and exchange programs that teach the skills necessary for citizens to strengthen their homeland's independence from within.

Counterpart also brings together and draws upon the support of governments, corporations, and individuals to accomplish this goal. Their approach relies on "smart partnerships" which engage all sectors and benefit all participants. These two principles increase the likelihood of success where other development programs fail.

Another key element in Counterpart's success is my dear friend and constituent Eva Haller. As a board member of Counterpart she has emphasized a focus on women, the environment, and preservation of cultures. She is a passionate and tenacious advocate for all people who need help, be they children, poverty stricken families, or the populations of far off land struggling to become free. With her international outlook she knows that those of us who live in the United States, the wealthiest country in the world, have a special duty

to be generous with our time, money, and cares.

Eva is a tremendous example for us all to live up to and I am proud to recognize the incredible work that she does on her own and with Counterpart International. It is no accident that the organization will honor Eva, among others, at its 40th anniversary benefit reception in New York on September 21. In these trying times there is more and more need for the leadership that Eva and Counterpart International exemplify.

THE POVERTY LEVEL IN OUR NATION IS UNACCEPTABLE—IT IS TIME FOR A CHANGE

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CUMMINGS. Mr. Speaker, I rise tonight to talk about poverty in our nation—the harsh reality of which played out painfully for all of the world to see after Hurricane Katrina struck the Gulf Coast region.

The televised images of hardship, death and despair from New Orleans may have opened the doors to this nation's reservoir of compassion—but something more than a momentary outpouring of conscience will be required to keep those doors from slamming shut again once the television spotlights dim.

Hurricane Katrina and its aftermath revealed the harsh realities of poverty in America. The heartbreaking visions of lost children searching for their families, elderly people trapped in their homes, diabetics suffering without their insulin and corpses floating in the streets have the potential to become a transforming event.

That potential will be realized, however, only if Americans of conscience join together in a national movement to end poverty in America.

Once again, a generation of Americans must find within ourselves the courage, optimism and organizational skills that will allow us to demand an end to the poverty that underscored the New Orleans tragedy—and to make permanent our demand for positive change.

The road toward achieving this goal must begin, as all missions of change begin, in our personal experience as a people. Consider two families who have been transformed by the New Orleans disaster—whom I will call the Jones and Smith families. I am using fictitious names and relaying a blended story to protect their privacy—but quite frankly Mr. Speaker their stories are a common refrain from the Katrina fallout.

Prior to this storm, Mr. and Mrs. Jones lived in public housing with their three children. Neither parent had a high school diploma and—as a result—they lived in a neighborhood surrounded by unemployment and poverty.

If it had not been for Hurricane Katrina, the Jones family might never have met the Smiths, a middle-aged couple who live in an upscale suburban home hundreds of miles away.

The Smiths were haunted by the suffering that they were witnessing on their television screen. Called to take action by their church, they reached out to the Jones family and gave them a place to live in the basement of their home. The impact of their generosity has been profound.

Before the storm and the flood, Mr. Jones had been unemployed due to layoffs at the New Orleans oil refinery where he had worked. Now, one of Mr. Smith's neighbors, a lumber yard supervisor, has given Mr. Jones a job—and the Smiths are helping the Jones family research GED programs that can help them get even better jobs.

Across America, churches and good people like the Smiths are coming together to provide the shelter, warm meals, clothing and other help that will allow many of the survivors of Hurricane Katrina to rebuild their lives. School districts have opened their classrooms to the more than 372,000 students displaced by the storm. Government and non-profit organizations are holding job fairs to help those who have been displaced find employment.

We cannot remake the past, but we can give meaning to the staggering toll of those who have suffered and died as a result of this national tragedy. That is what the Smith family is doing, and they deserve our applause.

Yet, if the debacle in New Orleans is truly to become a "tipping point" that guides this nation toward a more just and humane society, something more than individual acts of compassion will be required.

Consider these facts. In New Orleans before the storm, three out of every ten residents lived below the poverty line—and at least 37 million Americans (including 13 million American children) are now living in poverty nationwide.

In fact, the number of Americans falling into poverty increased again last year for the fourth straight year. While the economy grew 3.8%, median income has remained flat for the fifth straight year at \$44,389. Income inequality is at an all time high with 50.1 percent of income going to the top 20 percent of households—where only the top 5 percent of income earners saw an increase in real income gains in 2004 according to the Economic Policy Institute.

Mr. Speaker, it is an undisputable fact that many of the victims of Hurricane Katrina were victims of poverty and neglect.

However, I believe like many of my colleagues that they should not have to wait for our compassion until another disaster brings with it their televised deaths in our streets.

At the federal level, we must demand that those who now control both the Congress and the White House back up the words of compassion that they speak. That is why I have joined House Minority Leader NANCY PELOSI in urging that the House Republicans set aside their plan to cut the federal budget by \$35 billion to help pay for another \$70 billion tax cut for the rich.

Americans need to know that, while the Republican leadership expresses compassion for this nation's poorest citizens, they are planning to cut \$10 billion from Medicaid, \$9 billion from federal student aid, and additional tens of billions of dollars from the federal food stamp program, public housing assistance, Head Start, public education and job training programs.

As a nation, we can do better than this. Shortly after the New Orleans tragedy touched our Nation, I offered this challenge to the Bush Administration and its allies in the Congress.

"We cannot allow it to be said by history," I declared at a Washington press conference, "that the difference between those who lived and those who died in the great storm and

flood of 2005 was nothing more than poverty, age or skin color.”

This, I submit, is the continuing challenge of poverty in America—a challenge that will continue to test the moral fabric of our Nation. I applaud my colleague Representative BARBARA LEE, for her tireless efforts to shine a bright light on America's economic disparities and resultant poverty. I hope that her bill H. Con. Res. 234, serves to allow us to begin to discuss and to address solutions to ending poverty in this country. To do so, I firmly believe that we have to rethink how our federal fiscal and social policies are lending significantly to the poverty problem.

A moral people would take up this challenge. A moral people would understand that it is time for a change.

TIME TO ESTABLISH AN INDEPENDENT HURRICANE KATRINA COMMISSION

**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. CLAY. Mr. Speaker, this is to register my support for the legislation, H.R. 3764, to establish an independent commission to study the Federal Government's response to Hurricane Katrina.

The disaster brought by Hurricane Katrina is indisputable. The failure of government agencies and elected officials to effectively minimize the suffering and death of the victims in the Gulf Coast is indefensible.

History will record the Katrina disaster as a turning point in this nation's history. When the waters rose and the levees burst, the world watched as thousands of sick and elderly Americans, thousands of poor families with young children cried out for food and water. American citizens who trusted the advice of the government were abandoned in an evacuated city without food or water, without plumbing, without law enforcement, without transportation and without hope. The pictures we saw were nothing short of unbelievable. Mr. Speaker, in September 2005 the image of America was forever changed in the eyes of the entire world.

As a nation we can no longer pretend that all Americans have the opportunity to share in the wealth of this great nation. The winds of Katrina exposed the truth to all Americans and to all the world.

The very least this body must now do is to abandon the partisanship that has stifled public policy making for too many years. We are elected officials and our first responsibility is to represent the people—not to represent political parties. There should be no disagreement that whatever government did or did not do in response to Hurricane Katrina, we did not do our best. The mission failed. And it was not the failure of one person or the failure of one government agency or the failure of any political party—it was a collective failure. Now we must come together to do everything humanly possible to make certain that this never, ever happens again.

Mr. Speaker, we must establish an Independent Katrina Commission to assess the federal government's response to this hurricane and to determine what we must do to ef-

fectively respond to future large-scale catastrophes. The people of this nation expect nothing less. It would be stupid and it would be senseless for this body to even consider doing otherwise.

I implore my colleagues to remember the thousands of American citizens whose trust in our government was destroyed when their livelihoods were lost, their homes were washed away and the poor and the sick were left all alone to die. It will take a generation or more for most of the victims and their families to mend; this Congress must do everything possible to support them. The recovery of our nation is at stake. We must work to ensure that Katrina remains the single greatest natural disaster in our history. We need an Independent Katrina Commission to restore faith in this government and to ensure that we never again experience a preventable disaster.

RELATING TO THE TERRORIST ATTACKS AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. HONDA. Mr. Speaker, I would like to recognize and honor the more than 3,000 lives that were lost on one of the most tragic days in our history, September 11, 2001. Four years after this dreadful day, our Nation continues to mourn the loss of so many friends and family members, whose lives were cut short by previously unthinkable acts of terror.

In remembrance of the bravery of the passengers and crew on United Airlines Flight 93, I strongly supported Senate Concurrent Resolution 26, which pays tribute to their heroic efforts. Their decisive and brave decision to overtake the September 11 terrorists likely saved the lives of countless Congressional Members and staffers, as well as the U.S. Capitol or White House from almost certain destruction.

The San Jose community I represent was especially saddened by the loss of Captain Jason Matthew Dahl, the pilot of Flight 93 and a true American hero. Jason grew up in San Jose, and his parents used to deliver milk to Hillsdale Elementary School, where I served as principal. His courage and the courage of the passengers and crew of Flight 93 was reflective of the spirit displayed in abundance by so many Americans that day. Establishing a memorial as called for in Senate Concurrent Resolution 26 will be a permanent tribute to the 40 selfless individuals of Flight 93 who overcame fear and mobilized into action to defend their fellow Americans.

I hope that Congress will show that same kind of strength and focus in defense of our homeland. The campaign against terrorism will be a long-term engagement, but we owe it to the families of the victims of 9/11 to use all appropriate tools to ensure that such a tragedy will never happen again.

RECOGNIZING HISPANIC HERITAGE MONTH

**HON. PATRICK J. TIBERI**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. TIBERI. Mr. Speaker, I rise today in celebration of National Hispanic Heritage Month, and in special recognition of Hispanics in central Ohio and throughout our country.

During this designated month, America celebrates the culture and traditions of our friends and neighbors with Hispanic roots. Hispanics are now the largest minority group in the United States. The 2000 Census found that 35.3 million people identified themselves as Hispanic American. That represents a 58 percent increase from the 1990 Census.

Beyond the data, the reality is that Hispanics are an integral part of America's social fabric. I am proud that the State of Ohio is home to more than 217,000 residents of Hispanic/Latino descent. Hispanic Americans continue to make great strides in education, employment, health, homeownership, and economic mobility. This is a result of a set of values that includes a strong work ethic, family values, and service to community.

Hispanic Americans in central Ohio serve the community in numerous capacities. In particular, recent immigrants unfamiliar with the English language are served by Spanish interpreters who help provide them access to health care, education, legal assistance and other vital services. Mi Directorio Hispano, a business directory, and Spanish newspapers in central Ohio, like La Voz Hispana, connect Hispanics with the community and keep them informed. The Ohio Hispanic Coalition, a non-profit outreach organization, and the Ohio Commission of Hispanic/Latino Affairs serve as advocates for the needs of Hispanic people and help to promote good relations among the community-at-large.

Mr. Speaker, the Hispanic community is a vital part of central Ohio and our country. As we move forward as a nation, it is important to pursue policies that can further expand opportunities for Hispanic Americans. I ask all of my colleagues to join me in support and in honor of Hispanic Americans, their culture and traditions, and their work and service that contribute to the greatness of this Nation.

PROVIDING FOR CONSIDERATION OF H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

SPEECH OF

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 14, 2005*

Ms. SCHAKOWSKY. Mr. Chairman, I have asked for unanimous consent to be removed from the list of cosponsors on H.R. 3132. My name was added to the list unbeknownst to me and my staff due to a clerical mistake made by the House Judiciary Committee Majority Staff. For the record, I did not ask to be added to the list of cosponsors.

Sexual crimes against children are terrible and reprehensible acts. I believe that it is vital that we take every precaution to protect our

children from sexual violence and that we punish those criminals who prey on our children. However, I stand today in opposition to H.R. 3132, the Children's Safety Act. While I support many of its provisions, I am concerned that this bill would expand the use of the death penalty, impose mandatory minimum sentences, and punish more young people as adults.

Although I believe that harsh penalties and aggressive prosecution of sex offenders are necessary, I oppose this bill because it would create at least two new death penalty provisions. I strongly oppose the death penalty because it is fraught with problems such as inadequate representation for the accused, lack of access to DNA testing, police misconduct, racial bias and other errors. Experts have found a national error rate of 68 percent, which means over two-thirds of all capital convictions and sentences are reversed because of serious error during trial or sentencing phase. In fact, former Illinois Governor Ryan declared a moratorium in 2000 after 13 people were released from death row because of innocence. The error rate in Illinois is 66 percent. Therefore, I believe capital punishment is inconsistent with Constitutional requirements of fairness, justice, equality and due process.

This bill would also create 36 new mandatory minimum sentences which are arbitrary, ineffective at reducing crime, and unfair. The United States Sentencing Commission found that minorities were substantially more likely than whites under comparable circumstances to receive mandatory minimum sentences with no evidence that mandatory minimum sentences had any more impact in reducing crime than sentences where the judges had discretion. Judges are exercising their discretion responsibly under advisory guidelines, and there does not appear to be an epidemic of judicial leniency. A proliferation of mandatory minimums is not the answer.

I agree that sexual abuse crimes against children are serious concerns today. Unfortunately, this bill takes the wrong approach. I am especially concerned that this bill allows for more youths to be tried as adults. For example, a 19-year-old who has consensual sex with a 17-year-old would be treated the same as an older adult predator of young children. The vast majority of children and teenagers show a high response rate to treatment and often do not become adult sex offenders. This bill would mandate lifetime sex offender registration for children and youth, and subject them to long prison sentences. Research shows that young people who are prosecuted as adults are more likely to commit a greater number of crimes upon release than youths who go through the juvenile justice system.

Representative CONYERS offered as an amendment to H.R. 3132, the provisions of H.R. 2662, the Local Law Enforcement Hate Crimes Prevention Act. I am an original co-sponsor of H.R. 2662, and strongly supported this amendment to H.R. 3132. This legislation would make it easier for the federal government to investigate, prosecute and prevent hate crimes across the country. And I hope it is enacted.

It is the responsibility of Congress to the young people of this nation and to all citizens to combat violence against children. Unfortunately, this bill takes us in the wrong direction. 33 scientific researchers, treatment professionals and child advocates have written to

express their opposition or serious concerns with this bill. Although this bill included the provisions of H.R. 2662, which I strongly support, I oppose H.R. 3132 because it would treat youths as adult criminals and lead to a potential increase in the number of innocent people being executed or languishing in prison.

#### CREATION OF AN INDEPENDENT HURRICANE KATRINA COMMISSION

**HON. BOB ETHERIDGE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. ETHERIDGE. Mr. Speaker, I rise to support the creation of an independent commission to investigate the preparedness and response to the overwhelming devastation and loss of life from Hurricane Katrina and in opposition to the creation of a partisan select committee.

I cosponsored Congressman HASTINGS (R-WA) bill to create an independent commission because it is the right thing to do. The 9/11 Commission proved successful in investigating all branches and levels of government and offered concrete suggestions to Congress to correct breaches in our national security. The Hastings bill follows that model and presents the best option for a thorough, impartial investigation into the federal response to Hurricane Katrina.

An independent commission is the best approach to this task, as it would allow a higher degree of impartiality and independence than a partisan select committee. I expect the Commission to conduct a thorough investigation of all the people and agencies involved by questioning everyone directly involved in the decision-making process, including the White House Homeland Security Secretary Michael Chertoff and former FEMA director Michael Brown. In addition to investigating the federal government's response to this horrendous natural disaster, the Commission should also determine if our country is adequately prepared to respond to another disaster of this magnitude, as well as serve the needs of all communities potentially affected. This Commission should also provide recommendations regarding improvements to the Executive and Legislative branches that would increase the efficiency and effectiveness of disaster response.

Congress also has a constitutional duty to use its full oversight authority through the committee hearing process to assess the federal government's responsibilities and response to this disaster. We, in North Carolina, have plenty of experience with hurricanes and natural disasters, and we know that we must first rely on our state and local authorities to plan and prepare, but we make these plans with the knowledge that the federal government will back us up when we are overwhelmed.

Congress must make sure that the federal response agencies appreciate and understand their responsibilities to the states in the event of a disaster. Congress must hold the Administration to the highest standards of professionalism and vigorously conduct our constitutional obligation for oversight of these agencies. We must restore the professional integrity of FEMA to protect the American people

from natural disasters as well as terrorist attacks.

Mr. Speaker, our country has worked to increase its preparedness for four years since that tragic day in September 2001, and it appears our efforts have failed. We must work swiftly to correct past mistakes so that we can ensure the safety of all Americans during a time of crisis.

#### TRIBUTE TO HISPANIC HERITAGE MONTH

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to National Hispanic Heritage Month. During this month, America celebrates the traditions, ancestry, and unique experiences of those who trace their roots to Mexico, the countries of Central and South America, the Caribbean and Spain and we thank them for the many contributions they have made to this nation.

Unlike any other country on earth, America thrives on its ability to attract people of all faiths, colors and creeds to reside within its borders. Such mixing of cultural knowledge and experiences has helped this country to become the greatest nation the world has ever known. Moreover, as a Puerto Rican, I am very proud of the contributions Hispanics have made and continue to make to this cultural mosaic.

Hispanic influence on American culture is evident from every aspect of American life including music, film, food, arts, sports and politics. Economically, culturally, and politically, Latinos are an integral part of our nation. As we celebrate this special month I would like to pay special tribute to those who were Hispanic trailblazers and helped to bring the rich culture of the Hispanic people to the United States. As a Hispanic Member of Congress, I along with the rest of the Congressional Hispanic Caucus, follow in the footsteps of great pioneers such as Joseph Marion Hernandez who became the first Hispanic to serve as a member of the United States Congress in 1822. Roberto Clementé, Celia Cruz, Raul Julia and countless others helped to open doors in their respective fields enabling the Hispanics of today to share their rich history and culture with all Americans.

As we forge ahead in the 21st century we must continue to work to guarantee that America is not only rich with diversity but equality as well. I am committed to ensuring that Hispanics are able to enjoy a higher standard of living for generations to come. It is important that Hispanics become home owners, attend institutions of higher learning, earn higher wages and receive quality healthcare. The success of this nation depends upon the success of all its citizens.

Mr. Speaker, for their many contributions to our nation and culture, and for their unyielding drive to achieve the American dream, I ask my colleagues to join me in paying tribute to Hispanic Americans during Hispanic Heritage Month.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF NAPA SOLANO HEAD START

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. GEORGE MILLER of California. Mr. Speaker, my colleagues Mrs. TAUSCHER and Mr. THOMPSON of California and I rise today to recognize the tremendous contributions made to Napa and Solano Counties in California by Child Start, Inc. (CSI) as that organization celebrates its 40th anniversary. CSI is a single purpose child and family services agency that operates the Head Start program in this two-county region.

Head Start began in Napa County in 1965, and in 1986 its catchment area expanded to include neighboring Solano County. In 2000, CSI was formally incorporated as the legal entity overseeing the Head Start programs.

CSI strives to create partnerships with parents and public, private and corporate entities to promote social, economic and intellectual growth for families and to promote community change that values each child and family in their diversity and supports them with dignity, pride and compassion.

The Head Start programs in the two-county area serve over 1,000 children and their families. Their successful projects include central and home-based child development activities, children's literacy projects, an early childhood education program and Early Head Start.

Early Head Start provides comprehensive services to pregnant women, infants and toddlers. The Therapeutic Child Care Center in Napa serves families in a center-based infant mental health model. Home-based services are provided in collaboration with Healthy Moms and Babies, Black Infant Health and Child Have, all very successful local programs.

In March 2005 the National Head Start Association recognized CSI as one of the top 40 outstanding Head Start programs in the United States and in August 2005 the California Head Start Association presented CSI with a Distinguished Program Award.

Mr. Speaker, CSI is an invaluable part of the social service network in Napa and Solano Counties and it is appropriate that we acknowledge CSI at this time for its many contributions to our communities.

PERSONAL EXPLANATION

**HON. JANE HARMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Ms. HARMAN. Mr. Speaker, on Wednesday, September 14, 2005, I was unavoidably absent from the House of Representatives during rollcall votes 468 and 469. Had I been present, I would have voted "no" on rollcall vote 468 and "aye" on rollcall vote 469.

IN RECOGNITION OF THE YEAR OF THE MUSEUM

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Ms. McCOLLUM of Minnesota. In 2006, American museums will celebrate 100 years as a profession with a prominent place in U.S. society. The recognition of 2006 as the Year of the Museums will allow Congress and the American people to have the opportunity to formally recognize and celebrate the many contributions our Nation's museums continue to make to our culture and life.

Thank you to Congresswoman SLAUGHTER and Congressman SHAYS, co-chairs of the Congressional Arts Caucus, for taking the leadership in introducing this resolution. As a member of the Congressional Arts Caucus and of the National Council on the Arts, as well as a Representative for a Congressional District rich in the arts and humanities, I am proud to be a cosponsor.

Museums encourage the participation in and appreciation of the arts and humanities. They connect citizens to increasingly diverse world and help to preserve a community's culture and history.

Museums also play a critical role in providing children and youth with opportunities that enhance their education in arts and humanities, by providing hands-on learning experiences. Relationships between museums, schools, colleges and universities, and other community organizations ensure that children, youth, students, and adults all have access to objective and educational information that enhance and broaden our understanding of the world we live in.

Without museums, the historical preservation of, as well as the display of and care for, artistic pieces, artifacts, and living specimens would not be possible. Museums exist to connect people with art, history, and culture.

In my District, more than a dozen museums contribute to the historical preservation and artistic expression of their communities, including the American Museum of Asmat Art, the Bell Museum of Natural History, the Como Zoo and Marjorie McNeely Conservatory, the Dakota County Historical Museum, the Gibbs Museum of Pioneer and Dakota Life, the Goldstein Museum of Design, the Jackson Street Roundhouse Museum, the Minnesota Children's Museum, the Minnesota History Center's Museum, the Minnesota Museum of American Art, the Minnesota Wing Commemorative Air Force Museum, the New Brighton History Center Museum, the Schubert Club and Museum of Musical Instruments, the Science Museum of Minnesota, and the Twin City Model Railroad Museum.

Our communities count on our nation's museums, as well as our art and humanities organizations, to help educate, engage, and delight our citizenry and to strengthen our local economies. It is with great pride and appreciation for the role of museums in our communities that I submit this statement for the official United States CONGRESSIONAL RECORD.

TESTIMONY OF RALPH NADER REGARDING THE CONFIRMATION OF SUPREME COURT NOMINEE JUDGE JOHN ROBERTS

**HON. JOHN B. LARSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. LARSON of Connecticut. Mr. Speaker, I rise today on behalf of an honorable gentleman from my home state of Connecticut, Mr. Ralph Nader, to submit for the RECORD a copy of testimony that he earlier submitted to the Senate Judiciary Committee's hearing regarding the confirmation of Supreme Court Chief Justice Nominee Judge John Roberts.

Mr. Chairman and members of the Senate Judiciary Committee, thank you for the opportunity to submit testimony on the nomination of Judge John G. Roberts Jr. for the position of Chief Justice of the Supreme Court of the United States. I ask that this statement be made part of the printed hearing record.

In 1994 I testified before the Senate Judiciary Committee on the nomination of Stephen G. Breyer by President Clinton to be an Associate Justice of the Supreme Court of the United States. In that testimony I called attention to the importance of balance in the way our laws handle the challenges of corporate power in America.

I said:

"For our political economy, no issue is more consequential than the distribution and impact of corporate power. Historically, our country periodically has tried to redress the imbalance between organized economic power and people rights and remedies. From the agrarian populist revolt by the farmers in the late 19th and early 20th century, to the rise of the federal and state regulatory agencies, to the surging trade unionism, to the opening of the courts for broader non-property values to have their day, to the strengthening of civil rights and civil liberties, consumer, women's and environmental laws and institutions, corporate power was partially disciplined by the rule of law."

Today it is more important than ever for all Supreme Court Justices and, in particular, the Chief Justice of the Supreme Court to have the inclination and wisdom to realize that our democracy is being eroded by many kinds of widely reported systemic corporate excesses. Giant multinational corporations have no allegiance to any country or community, and the devastation and other injustices they visit upon communities throughout the United States and around the globe have outpaced the countervailing restraints that should be the hallmark of government by, for and of the people. Unfortunately, the structure and scope of these hearings are not likely to devote a sufficient priority to the corporate issues of our times.

In 1816 Thomas Jefferson wrote: "I hope we shall . . . crush in its birth the aristocracy of our moneyed corporations, which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country." Imagine his reaction to the corporate abuses of Enron Corp, HealthSouth Corp., Tyco, WorldCom or Adelphia Communications Corp to name only a few, along with the drug, tobacco, banking, insurance, chemical and other toxic industries. The corporate crime and greed of today tower over the abuses of the "moneyed corporations" of Jefferson's day. The economic power of giant corporations is augmented by a flood of Political Action Committee (PAC) money and

other donations that shape the quality and quantity of debate in our country and consequently drive our society to imperatives that are increasingly more corporate than civic.

You will hear about Judge Roberts from several perspectives, but it is safe to assume that questions and testimony about Judge Roberts' views on corporate power and the rule of law will be inadequate given the broad and profound impact giant corporations have on our democracy. An important procedural and substantive corollary is the important role our civil justice system plays in expanding the frontiers of justice and in giving individuals the ability to hold "wrongdoers" accountable in a court of law. "If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice," said the famous jurist, Learned Hand.

Unfortunately, powerholders, corporations and other institutions which are supposed to be held accountable by the civil justice system, are striving to weaken, limit and override the province of juries and judges. Some companies, led by insurers, have used expensive and focused media to promote the view that civil juries are too costly and too unpredictable. This narrow and short-sighted perspective is contrary to the long-standing tenets of our democracy and in particular the Seventh Amendment to our Constitution.

The civil jury system of the United States embraces a fundamental precept of tested justice: ordinary citizens applying their minds and values can and do reach decisions on the facts in cases that often involve powerful wrongdoers. This form of direct citizen participation in the administration of justice was deemed indispensable by this nation's founders and was considered non-negotiable by the leaders of the American revolution against King George III. But the civil jury is more than a process toward bringing a grievance to resolution. The civil jury is a pillar of our democracy necessary for the protection of individuals against tyranny, repression and mayhem of many kinds and for the deterrence of such injustices in the future. Our civil jury institution is a voice for and by the citizenry in setting standards for a just society. Jury findings incorporated in appellate court decisions contribute to one of the few authoritative reservoirs of advancing standards of responsibility between the powerful and the powerless—whether between companies and consumers, workers, shareholders and community or between officialdom and taxpayers or citizens in general. Knowing the evolution of the common law and the civil jury provides compelling and ennobling evidence of this progression of justice. Chief Justice William Rehnquist wrote, "The founders of our Nation considered the right of trial by jury in civil cases an important bulwark against tyranny and corruption, a safeguard too precious to be left to the whim of the sovereign, or, it might be added, to that of the judiciary."

As the hearing unfolds, I suggest that the members of the Judiciary Committee devote some time to areas beyond those that are traditionally the focus of witnesses and questioning by Committee members and ask fundamental questions about the views of Judge Roberts, a former corporate lawyer at Hogan & Hartson, regarding corporate power and the civil justice system.

In the spirit of expanding the criteria by which the Committee and the public can measure Judge Robert's judicial and civic philosophy, I offer the following questions for you to pose to the nominee. Some of the questions are narrowly focused and some are broad-gauged. But, in their totality they constitute the broad kind of "litmus test" that should be applied in selecting and con-

firming all judges. In short, does the nominee, having met the threshold requirements of competency, believe that the rule of law should be used to broaden and deepen, procedurally and substantively, our democracy—even if it means the rights of the giant corporation or powerful interests must be circumscribed to protect the rights of the individual citizen and of our communities—rural or urban, large or small?

In pursuing its own line of questions, the Committee should not let its exploration of the nominee's views be artificially restricted. Judicial nominees have given two reasons for refusing to answer questions, but these reasons are contradictory. First, they say, if they publicly express their views, it will compromise them if the issue comes before the Court. Second, they say, judges do not decide legal issues in a vacuum: they only decide a concrete dispute in a specific adversarial context. Accordingly, some nominees claim it's silly or inappropriate, for example, to say whether they believe the Constitution protects the right to abortion, because Justices don't decide cases by asking such abstract questions. They face a particular statute, challenged by a particular party directly affected in a particular way, and the resolution of that dispute will turn on all those particulars.

This second response has a degree of merit—and undercuts the first reason for refusing to answer most questions. Precisely because neither nominees nor the public can know in what context issues will reach the Court (if at all), it is not problematic for nominees to discuss their views. They should not say how they would decide an actual pending case, but, short of that, it is fine for them to discuss issues because that in no way commits them to taking sides in any actual dispute—such disputes are invariably context-specific. For example, a nominee may be asked about the doctrine that treats a corporation as a "person" entitled to various constitutional rights. His or her thoughts on this issue will not tell us what he or she will do if such an issue is raised in a case before the Court. The latter may depend on the nature of the corporation (non-profit? media? multi-national?), the nature of the claimed right, and much more.

Moreover, even if the nominee testifies that he or she disapproves the doctrine, as a Justice the nominee may hold that the question is settled law. Or if a nominee says that he or she agrees with the doctrine, a new circumstance—or a party making a new argument—may lead the nominee to hold otherwise. Nothing a nominee says guarantees that he or she will decide any case any particular way. Nothing that is said has to be fixed in stone. Judges do give opinionated public speeches, do they not?

It may be wondered whether, in light of the above, any purpose is served by asking the nominee his views. The answer is yes. It's no secret that nothing a nominee says binds the nominee once he or she receives an office with life tenure. Nominees can't and shouldn't be bound. But especially with a nominee who has a limited public record, the hearings provide some basis for gauging the nature and quality of his ideas, about his philosophy of due process for example. At any rate they have that potential—if Senators do their job and do not accept a nominee's self-serving refusal to answer questions.

At the outset, it would behoove the Committee to establish the parameters the nominee will use in fashioning responses to your questions by asking:

What criteria are you using to determine if you will directly answer or not answer questions posed to you by members of the Senate Judiciary Committee?

If the Court has recently ruled on a matter, will you provide the Committee with your views on the Court's ruling?

If a matter is long settled, will you provide the Committee with your views on the Court's ruling?

Once this baseline has been established, the following questions should shed light on nominee's approach to some major issues of our day.

1. Lloyd Cutler, speaking as a prominent corporate attorney, once said: "There is one point I want to make clear: we believe in the arguments that we make." Do you believe the arguments you have made on behalf of your corporate clients?

2. Do you believe limits on television station ownership abridge the free speech rights of corporate broadcasters?

3. What is your view of the First Amendment rights of the listeners being paramount to those of the broadcasters as articulated by the Court in *Red Lion Broadcasting Co. v. FCC*, 395 U. S. 367 (1969)?

4. Do you see a problem when corporations are treated as equal participants, with every right to use their First Amendment rights to dominate public policy debates such as those that occur in state and local referenda?

5. Do you believe the Court should uphold state and Congressional limits on corporate political expression in order to equalize contributions to public debates?

6. Do you believe that a strict reading of the Constitution provides for the treatment of corporations as "persons" under the law for purposes of equal protection, freedom of speech or due process of law? And, if so, what in the Constitution's text provides a basis for this belief?

7. Many observers complain that law firms representing large corporations routinely abuse the discovery process in order to delay and harass their opponents. Have you observed that phenomenon? If so, what should be done about it?

8. In 1986, in *Pacific Gas & Elec. Co. v. Public Util. Comm'n of Cal.*, 475 U.S. 1 (1986) the Supreme Court (5 to 3) struck down a state regulation as violating a utility company's "right of conscience" under the First Amendment. What makes the case particularly unsettling is its disconnectedness to opinions past and future. As Justice Rehnquist observed in his lengthy dissenting opinion in the case, "the two constitutional liberties most closely analogous to the right to refrain from speaking—the Fifth Amendment right to remain silent and the constitutional right of privacy—have been denied to corporations based on their corporate status." Do you think it makes sense to attribute a right of conscience to a commercial corporation?

9. Would any trade agreement, such as GATT, NAFTA, or CAFTA ever require Senate ratification as a treaty?

10. Does the President have complete discretion to determine whether an international trade or other agreement must be submitted to the Senate for two-thirds treaty approval? If not, what are the criteria that determine when an international agreement must be submitted to the Senate for two-thirds treaty approval?

11. Are there limits on Congress' power to strip federal courts of jurisdiction over a particular issue? If so, what are such limits?

12. Do you believe victims of defective products that meet federal standards should be limited from recovering damages from the manufacturers of the defective products?

13. Do you believe Congress should federalize and pre-empt state products liability common law in any or all sectors?

14. Plaintiffs' trial lawyers have been blamed by their corporate critics for all sorts of problems with the economy and

legal profession. Do you believe that those representing injured persons in product liability and medical malpractice cases are harming America?

15. So-called tort-reform is aimed at restricting the amount of non-economic damages, such as pain and suffering, a party can receive. Are you concerned that this interferes with the traditional role of juries and judges to find facts and mete out appropriate justice?

16. Do you believe the use of the government contractor defense should be limited in nonmilitary procurement? If so, how?

17. Some people say the Ninth Amendment can play no substantive role in protecting rights, that it's merely a statement of principle or reminder of limited government. Do you agree?

18. A number of legal scholars argue that the 11th Amendment has been interpreted by the Court to shield states from liability for wrongdoing in a way that blatantly contravenes the original intention of the Amendment. Are you familiar with that scholarship and do you find it persuasive?

19. In what circumstances, if any, is it appropriate for a contractual arbitration clause to contract away substantive contract law, tort, or statutory rights? For instance, can an arbitration clause require arbitration of a worker's Title VII rights and at the same time limit the worker's compensatory damages to \$200,000? Can that same clause require the loser to pay the winner's attorney's fees? Can that clause require that the parties to arbitration bear their own attorney's fees?

20. Describe the presumption against preemption of state law. Does it apply in some or all instances where federal law is said to preempt state law?

21. Is the presumption against preemption of state law (by federal law) similar to the plain statement rule that demands that Congress speak with unmistakable clarity if it wishes to override the states' sovereign immunity? If the presumption against preemption is not similar to the plain statement rule, explain how it is different?

22. How is the presumption against preemption applied in cases where federal regulatory law (regulating, for instance, drugs, boats, pesticides, motor vehicles, and the like) is said to preempt state tort law that provides monetary remedies to compensate for injuries caused by a product that the federal government regulates?

23. Do you believe Congress should preempt the state-law-based medical malpractice system?

24. What are your views on the "American rule" as opposed to the English rule under which the losing party in litigation generally pays the winner's costs, including attorney's fees?

25. What has been your reaction or views on Congressional funding levels for federally funded legal services programs over the last two decades? Should government be responsible for funding representation for poor people in civil litigation where important property or liberty interests are at stake? Or should that be mainly or entirely a private function?

26. Some scholars and judges believe that "Originalism" is the only principled method of constitutional interpretation. Do you agree?

27. Do you believe that a declaration of war by Congress is Constitutionally required for the United States to engage in war?

28. Does a Congressional delegation of the war-making discretion to the President in the form of a war resolution meet the test of Article One, Section Eight of the Constitution?

29. What level of equal protection scrutiny was applied in *Bush v. Gore*, 531 U.S. 98 (2000)?

30. What is the precedential effect of *Bush v. Gore*? In other words, what kinds of equal protection claims does *Bush v. Gore* control or apply to? After *Bush v. Gore*, may a political entity (city, county, state) holding an election use more than one type of voting methodology (paper ballots, standard machines, punch cards, etc.) knowing that the error rates (whether through undercounts or otherwise) are different from one methodology to another?

31. Is there a need to amend our open government laws to make the President subject to them in whole or in part? Would such amendments be constitutional?

32. Do you believe arguments before the Supreme Court should be televised in the way C-SP AN televises Congressional deliberations?

33. In your view, is the Freedom of Information Act functioning properly at this time? If not, what are the major problems facing the Act?

34. In *Buckhannon Board & Care Home, Inc. v. West Virginia Dept. of Health and Human Resources*, 532 U.S. 598 (2001) case, the Court rejected the argument that a party that has failed to secure a judgment on the merits or a court-ordered consent decree, but has nonetheless achieved the desired result because the lawsuit brought about a voluntary change (the catalyst theory) in the defendant's conduct is entitled to attorney's fees. Does the rejection of the catalyst theory of fee recovery in the Supreme Court's *Buckhannon* decision apply across-the-board to federal fee-shifting statutes? If not, to what kinds of fee-shifting statutes is it likely to apply and to what kinds is its application more doubtful?

35. Brian Wolfman, Director of the Public Citizen Litigation Group notes, "The Bush administration says that *Buckhannon* applies to [Freedom of Information Act] FOIA cases, even though Congress stated explicitly, when it enacted FOIA, that fees should be available when FOIA cases settle. The Bush Justice Department has consistently argued to expand *Buckhannon* to every pro-consumer and civil rights statute in every conceivable situation." What approach (or approaches) to statutory construction of Congressional enactment was evident in the Supreme Court's *Buckhannon* decision? How would you describe the reliance on (or lack of reliance on) legislative history in the majority's reasoning in that case? Do you believe the Bush Justice Department is applying the *Buckhannon* decision correctly?

36. From both a legal (constitutional) and practical perspective, what is your view of the trend in the federal judiciary toward releasing more of its opinions in "unpublished" form, i.e., where the relevant court accords no precedential effect to the decision for other cases?

37. Should federal judges attend seminars which are funded by private corporations (or by foundations that are funded by such corporations) that have matters of interest to the corporations before the courts?

38. Do you believe a government attorney, in a subordinate position, should be forced (under penalty of discharge) to work on a case or argue a position that he or she believes is illegal, unconstitutional or unethical? Or should government lawyers have a "right of conscience" like other professionals?

39. What kinds of participation in civic life may federal judges continue to be involved in once they assume their judicial positions?

40. How many hours or what percent of their work time do you think partners in major firms should devote to pro bono work each year?

41. How many hours on average did you bill per year as a partner and at what rates?

42. How many hours on average did you bill per year as an associate?

43. What was the nature of your pro bono work and approximately how much time per year did you devote to pro bono work?

44. Corporate attorneys and legal scholars have written books and articles decrying unethical or fraudulent billing practices in large corporate law firms. An article in the Summer 2001 *Georgetown Journal of Legal Ethics* titled *Gunderson Effect and Billable Mania: Trends in Overbilling and the Effect of New Wages* states that unethical billing practices are "a pervasive problem in law firms across the country"—do you agree?

45. Did you ever observe unethical billing practices when you were in private practice?

46. If so, what was the nature of and who were the protagonists of such practices?

I hope these questions, whether asked orally or submitted to the nominee in writing for response, spark a robust, constructive debate between the Committee members and the nominee. Such exchanges should provide the Senate and the larger public with insights into how Judge John G. Roberts will, if confirmed as Chief Justice, perform his duties.

#### A TRIBUTE TO EDA KAMINSKI

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2005*

Mr. LANTOS. Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of a truly extraordinary woman, Eda Kaminski, who passed away on September 6, 2005. We celebrate her remarkable life for the perseverance, tenacity and grit that helped her survive four German concentration camps and the resilience and resourcefulness that allowed her to prosper when she immigrated to America.

Eda was born in the mountain village of Zawoja, Poland on July 22, 1916. She was married in 1939 to Salek Künstler in Krakow two days before the Germans invaded Poland and began the Second World War. Their daughter, Anita was born in 1942 and fortunately was smuggled out before the Krakow ghetto was destroyed. Eda and her husband were sent to Plaszow. The Germans separated Eda from Salek and later murdered him. Eda struggled and survived Auschwitz and Bergen-Belsen, where many of those too sick to work were sent. The camp was liberated by British troops in April 1945.

After the war Mrs. Kaminski found Anita hidden by a Catholic family in Krakow. Even though she had a sister who lived outside of London, most of Eda's family was killed in the Holocaust. Without resources or help, Eda and Anita moved to a Displaced Persons camp in Selb, Germany. It was there that she met her husband Reuven Kaminski and finally in 1949, they immigrated to New York to begin a new life. Their son, Harvey Kaminski became a successful financier in the New York area. Her daughter, Anita K. Epstein, came to Washington and pursued a successful career in government relations.

Mr. Speaker, her truly incredible and inspiring story was chronicled in the *Washington Post* on September 20, 2003. I ask that the text of the article be included in the CONGRESSIONAL RECORD. Once again, I ask my colleagues to join me in honoring her extraordinary life.

IN THE HOLOCAUST, HIDE-AND-SEEK WAS NO GAME

(By Reilly Capps)

Under glass in the new exhibit at the U.S. Holocaust Museum is a letter. It was written in 1943 by Eda Kunstler, a prisoner in Plaszow, Poland, the same forced-labor camp where Schindler's list saved a thousand lives. Eda was hoping to save just one life, her baby daughter's, when she wrote these words to a stranger:

"Dear madam,

"I beg you, you are a mother as well, save my child. God will reward you and I will pay you as well. Remember that the child has wealthy parents, and that if we survive you will have everything we promised. . . . Give her food and keep her clean. That is all that a child needs. My child is bathed every day at 8:30, is fed and then placed on her side and she will sleep until 5 or 6 AM. She is fed every three hours, a roll dipped in water, or a roll with butter and sugar, a lot of sugar. . . ."

She prayed her daughter, Anita, would survive. The little girl was born into the Krakow ghetto in late 1942, and so was already a miracle, a little bundle of life amid the canyons of death. Maybe there would be another miracle, Eda thought, and Anita would survive the ghetto's liquidation. Maybe her husband had been right. He was a rational man, the wealthy co-owner of a leather factory, and he told her that babies weren't useful to the Nazis, that the baby would be killed instantly, that the baby's only chance was in hiding. He told her all these things as he pried the little girl from her arms.

"I didn't want to give it," Eda says now, "but he took the baby."

He slipped the baby in a canvas sack, got in a taxi and headed for the gentile side of town, where a Catholic woman named Zofji Zandler waited. With a fake birth certificate, Zandler changed Anita's name to Anya and passed her off as her own. She even took her

to church. Which was how it came to pass one Sunday in Krakow that a 3-month-old Jewish girl was baptized Catholic and therefore saved.

According to the museum, more than a million children were killed during the Holocaust, but tens of thousands were hidden during the war and thousands of those survived.

Little Anita is now 60 years old. She's married, has two children of her own, and she cries when she looks at the letter, which is part of "Life in Shadows: Hidden Children and the Holocaust," scheduled to open to the public today. It's written carefully, in Polish. There are no water marks on it, even though her mother was crying as she wrote it.

"Each one of us that survived has a story," says Anita Epstein, a lobbyist in Washington. "It is very powerful. It's very strong for me. Too much. I have to do it in pieces."

The exhibit is almost entirely little pieces, small things that played a small part in some incredible stories. There's a sweater worn by an 8-year-old girl as she cowered in the sewers for more than a year. A wardrobe in which a small boy hid from inspectors. Words from a diary written by an adolescent girl as she hid in an attic in Amsterdam.

"In so many ways, the stories of children's experiences are powerful for everyone—for parents, for children, for the general visitor," says museum curator Steven Luckert. "It deals with so many different emotions: separation, fear, play, education, tough choices."

Flora Singer was 10 years old when the German tanks rolled into Belgium. Her cousin in Nounou was just a baby. Singer was hidden in a secret apartment and in a convent by the legendary Father Bruno, who saved hundreds of children. But not Nounou.

"My mother begged my aunt to let Nounou be hidden, because Father Bruno was willing to hide him also," says Singer. She says her mother said to her aunt: "You can go, but at least let Nounou be hidden." My mother

could not convince her to go to another place, or let Nounou go with Father Bruno.

"The next time my mother came to the apartment with food, maybe five, six days later, the Gestapo had a seal on the door, you know: 'Property of the Third Reich.' My mother ran in and grabbed the photos of the family." One of those photos is displayed in the new exhibit. It's Singer and Nounou, her hands on his arms. They're all smiles.

Singer lives in Montgomery County and volunteers at the museum, but life has never been as simple as it was the day that picture was taken.

"I am here, and [Nounou] is not, and I still can't believe it, even to this day. I say, 'How come I escaped?' It's an enormous feeling of responsibility."

For Eda Kunstler, it was an enormous feeling of guilt. She felt guilty in Plaszow, and in Auschwitz, and she thought of her daughter every single day in both places. And then she got to Bergen-Belsen, and she was too tired to think of anything at all.

Eda survived Bergen-Belsen, survived hunger, survived typhus, even as every member of her family, including her husband, perished. She lives in Queens now, 86 and all alone, but she remembers returning to Poland to look for her only living relative, her daughter.

She found her on a stoop in Katowice, eating a roll and frankfurter. There were 20 kids hanging around, but Eda could tell right away which girl was hers.

"I am your mother," she told her daughter.

"No, you are not my mother," Anita said.

"My mother is inside."

Eda cried, because she knew the letter had worked.

"Dear Madam, my husband and I are convinced and believe that you will save our wonderful child . . . be her mother and give her love, because I her mother cannot give her anything."