

resolution calling for an inquiry into grounds for the impeachment of U.S. District Court Judge Manuel L. Real, from the Central District of California. This resolution has become necessary due to a breakdown in the judicial branch's enforcement of the judicial discipline statute Congress enacted in 1980. When the judicial branch has failed to address serious allegations of judicial misconduct, as the Ninth Circuit arguably has in this matter, the Constitution provides the Congress only one course of action: opening an impeachment inquiry.

I would caution my colleagues and others not to jump to any conclusions in this matter. Today's resolution merely allows the House Judiciary Committee to open an investigation to determine the facts. Only after the House Judiciary Committee has conducted a fair, thorough, and detailed investigation, will committee members be able to consider whether Articles of Impeachment might be warranted.

The introduced resolution ensures that the investigation will be referred to the House Judiciary Committee. It is modeled after the last three impeachment resolutions that the House used to investigate, respectively, Judge Harry E. Claiborne (1986), Judge Alcee L. Hastings (1988), and Judge Walter L. Nixon (1989). All three were later impeached and removed from office based on the drafting of more detailed articles reported by the committee after the investigations were completed.

According to press reports and legal filings made public, in February 2000 Judge Real allegedly interceded on behalf of a defendant known to him in a joint bankruptcy and California State unlawful-detainer action. The defendant reportedly was going through a messy divorce and was ordered to vacate a home that was held in trust by her husband's family. The defendant filed a bankruptcy petition that automatically stayed eviction proceedings in October 1999, but the stay was eventually lifted. The defendant, represented by counsel, then signed a stipulation that allowed the State court to issue an eviction notice in February 2000, approximately 10 days before Judge Real allegedly interceded.

Judge Real allegedly received ex parte communications from the defendant and through third parties about the matter before he took action. Judge Real was supervising the defendant as part of her probation in a separate criminal case in which she had pled guilty to perjury and loan fraud.

Judge Real withdrew the case from the bankruptcy court and enjoined the State eviction proceeding. He allegedly gave no reasons for his assertion of jurisdiction over the case or his rulings. The defendant was allowed to live rent-free in the home for a period of years. When the trustee appealed by mandamus to the Ninth Circuit, Judge Real transferred the case to another district judge. The trustee reclaimed the property on appeal but reportedly lost at least \$35,000 in rent during the proceedings.

According to news reports, in February 2003 a private citizen filed a complaint against Judge Real for his conduct in the bankruptcy and unlawful-detainer actions. This complaint reportedly was dismissed twice by the Chief Judge of the Ninth Circuit, even though the Judicial Council in the second case reportedly recommended that further investigation take place regarding ex parte communications between Judge Real and the litigant.

Judge Alex Kozinski wrote in his dissenting opinion for the Judicial Council of the Ninth Circuit, "The fact of the matter is that the judge's conduct here caused real harm. It certainly harmed innocent creditors to the tune of \$50,000 or more. Worse, it harmed public confidence in the fair administration of justice in the courts of this circuit. The prohibition against ex parte communications, rules of procedure, principles of law—all of these are not trinkets that judges may discard whenever they become a nuisance. Rather, they are the mainstays of our judicial system, our guarantee to every litigant that we will administer justice, as our oath requires, 'without respect to person'. . . . [T]he majority's exiguous order seems far more concerned with not hurting the feelings of the judge in question. But our first duty as members of the Judicial Council is not to spare the feelings of judges accused of misconduct. It is to maintain public confidence in the judiciary by ensuring that substantial allegations of misconduct are dealt with forthrightly and appropriately. This the majority has failed to do."

Judge Real's actions are under further review by the Ninth Circuit Court of Appeals and have been the subject of numerous news reports by the Los Angeles Times and others.

Based upon these news reports and legal proceedings made public, Judge Real's behavior in the bankruptcy and unlawful-detainer actions may constitute impeachable conduct. Some of the issues that I hope will be reviewed during the Committee investigation include—

His intercession on behalf of a litigant known to him;

His alleged ex parte communications with the litigant known to him;

His assertion of jurisdiction over proceedings in which he lacked jurisdiction;

His alleged failure to explain his assertion of jurisdiction to counsel;

His alleged failure to provide any legal authority for his actions;

His reply, on at least one occasion, to counsel when questioned as to the basis of a ruling ("Just because I said it, Counsel").

I expect the next step in this process to involve the establishment of a bipartisan impeachment inquiry team in the near future.

CHRONOLOGY OF EVENTS BASED UPON NEWS REPORTS AND LEGAL FILINGS IMPEACHMENT INVESTIGATION OF U.S. DISTRICT JUDGE MANUEL L. REAL, PREPARED BY HOUSE JUDICIARY MAJORITY COMMITTEE STAFF

September 11, 1991: Alan and Elizabeth Canter purchase a Los Angeles home as an investment.

September 25, 1991: Their son, Gary, and his wife, Deborah, take up residence at the home. Gary pays rent thereafter.

1997: Title to the home is transferred to a trust (the "Canter Family Trust").

February 24, 1999: Gary and Deborah Canter separate. Gary moves out and rent payments cease thereafter.

August 13, 1999: Alan Canter files an unlawful-detainer action in California state court, seeking Deborah's eviction from the property and \$5,000 back rent.

October 26, 1999: Deborah Canter files a Chapter 13 bankruptcy petition 24 minutes before her unlawful-detainer trial commences. The trial is stayed.

January 24, 2000: Deborah Canter and Judge Real conduct a probation review meeting in his chambers. (Judge Real was supervising Deborah Canter as part of her probation in a separate criminal case in which she pled guilty to perjury and loan fraud.)

January 26, 2000: The bankruptcy court lifts the stay at the request of the Canter Family Trust, thereby allowing the unlawful-detainer action to proceed. Alan Canter and Deborah Canter subsequently sign a stipulated judgment that Deborah vacate the premises.

February 7, 2000: The California state court enters a judgment pursuant to the stipulation and orders that Alan Canter recover possession of the property from Deborah Canter.

February 17, 2000: Judge Real withdraws the case from the bankruptcy court.

February 29, 2000: Judge Real stays enforcement of the California state court judgment.

Sometime in 2000 or 2001: Judge Real refuses to lift the stay upon motion by the Canter Family Trust.

June 18, 2001: Judge Real again refuses to lift the stay upon motion by the Canter Family Trust. When counsel for the Trust requested a reason, Judge Real replied: "Just because I said it, Counsel."

July 2001: Judge Real transfers the bankruptcy proceeding to a second U.S. district judge. The second judge re-refers the proceeding to the bankruptcy court. (The stay of the unlawful-detainer action remains in effect.)

January 2002: the bankruptcy court grants a motion by the Trust to abandon Deborah Canter's interest in the property.

August 15, 2002: the Ninth Circuit court of appeals vacates Judge Real's order withdrawing the case from the bankruptcy court and the accompanying order staying enforcement of the California state court judgment.

February 2003: A judicial misconduct complaint is filed against Judge Real.

July 14, 2003: The Chief Judge of the Ninth Circuit dismisses the complaint.

December 18, 2003: A Ninth Circuit Judicial Council enters an order recommending that the Chief Judge undertake further investigation into ex parte communications between Judge Real and Deborah Canter.

November 4, 2004: the Chief Judge enters a supplemental order and dismiss the complaint again.

September 29, 2005: A complaint regarding the Chief Judge's November 4, 2004, order is dismissed.

May 23, 2006: Ninth Circuit Chief Judge orders a "special committee" to investigate consolidated complaints against Judge Real.

H. RES. 916

*Resolved*, That Manuel L. Real, judge of the United States District Court for the Central District of California, is impeached for high crimes and misdemeanors.

IN HONOR AND RECOGNITION OF  
DAVID AND REBECCA JEWEL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of David and Becky Jewel, united in marriage and united in their exceptional service to our Nation's veterans, upon the occasion of their retirement that follows more than 53 years of combined, outstanding service within the medical facilities of the Veterans Administration.

Rebecca Jewel is a registered dietician and has guided veterans in nutrition health, awareness and education at VA facilities across the Nation, including VA medical centers in Hines,

IL, Fort Wayne, IN, and in Cleveland and Brecksville, OH. Her medical career also includes work at Parma Community General Hospital in Parma, OH, and Christ Hospital in Cincinnati. Besides serving as the Advanced Systems Dietician, Rebecca provides on-going tech support and training for nutrition employees, and also serves a facilitator for many Goal Sharing teams within her department.

David Jewel, the chief of External Affairs for the Louis Stokes VA in Cleveland, has also served at VA medical centers in Ann Arbor, MI, and Cincinnati, OH. David has consistently led efforts to ensure that veterans are fully informed about the benefits entitled to them. He has led the effort to upgrade vital areas of communication within the VA, with a focus on minority veteran's affairs, community affairs programs and public relations. David has been the codirector of the Medical Center's Combined Federal Campaign for the past 4 years.

Mr. Speaker and colleagues, please join me in honor, recognition and gratitude to David and Rebecca Jewel, whose individual and united dedication to our Nation's veterans is framed by commitment, compassion, integrity and accomplishment. Their service and leadership has been a significant component that reflects the strength and quality within the VA, and is a brilliant example of service for anyone who will follow. I wish David and Rebecca Jewel an abundance of health, peace and happiness as they journey onward from here.

HONORING GAYE HYDE'S SERVICE  
TO CALIFORNIA'S EAST BAY  
COMMUNITY

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2006*

Mr. STARK. Mr. Speaker, I rise to honor Gaye Hyde, my lead caseworker in Fremont, CA, district office, who will be retiring on July 31, 2006.

Gaye has worked for me, and more importantly for the people of California's 13th Congressional District, for 31 years. I dare say that her level of commitment is hard—if not impossible—to match. I'm honored that she's stuck with me for so many years. But, it is my constituents who have been the real winners.

Gaye has presided over tens of thousands of cases herself and has trained every caseworker who has come and gone from my staff over the past 30 years.

She started handling constituent casework in the days before computers were used in the office. She had to type initial inquiries to agencies for assistance, have them mailed to Washington, DC for my approval, and then track their progress through written correspondence from various agencies and seldom returned phone calls. Typically, she took piles of letters home and fact checked and typed responses late into the night. She was always pushing to resolve cases and didn't feel there was time in the day to meet her standards or constituents' needs.

How times have changed. Today, many constituents e-mail their requests for assistance. Gaye is able to e-mail constituent liaison offices in a variety of agencies, and much of the work is done via the Internet. The process makes communication faster, provides better

accountability, and produces much less paper waste—all of which are great advancements.

What hasn't changed over time is the importance of the role of congressional caseworkers. These staff members get little of the glory, but are the key component for an effective Member of Congress.

Constituents who reach out for help from their Member of Congress usually are in great need. They are trying to file immigration documents for a loved one, obtain a lost Social Security check upon which their parent depends, or applying for a federal grant which could make or break their organization's ability to continue providing important services to the community.

With Gaye at the helm of my casework operation, I've never had to worry about my constituents being served—and served superbly. Her retirement is well deserved, but those of us lucky enough to work with her, and thousands of East Bay residents she's helped over the years, will miss her tremendously.

A TRIBUTE TO MARTIN RUBIN

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2006*

Mr. SCHIFF. Mr. Speaker, I rise today to honor the late Martin Rubin. Mr. Rubin will be greatly missed. The transportation engineering world lost a legend whose influence in the development of the Los Angeles Metro Rail and the San Francisco Bay Area Rapid Transit, BART, systems, among other critical transportation projects, continues to facilitate the commutes of residents in some of our nations most expansive metropolitan areas.

A native of Brooklyn, New York, Martin Rubin entered into the United States Army following his graduation from City College of New York. In 1956, he joined Parsons Brinckerhoff, a 120-year-old international engineering firm based in New York City. After moving to Southern California in 1981, he worked indefatigably to expand the prestigious representation of Parsons Brinckerhoff to the western United States, and simultaneously managed a wide array of transportation projects.

Mr. Rubin's undeniably selfless dedication earned him the honor of being in charge of the Western region of Parsons Brinckerhoff in the 1980s, followed in 1990 by his selection as the president and chief operating officer of the firm's United States infrastructure arm. Always dedicated to service, he relinquished those titles to assume his duties in the development of the Los Angeles Metro Rail system where he oversaw the engineering and construction for the Blue Line, Green Line, and Red Line, as well as overseeing preliminary efforts on the Pasadena to Los Angeles Gold Line. He was subsequently honored by being named the chairman of Parsons Brinckerhoff in 1994, an honor that he held until 1997. His retirement in 2004 was a fitting end to his 48 years of distinguished service to his firm, and to the citizens of California.

I ask all Members of the House of Representatives to pause to honor a great man, Martin Rubin, who touched so many people through his deeds in life. He will be missed not only by his surviving wife and his four chil-

dren, but also by all of those who have benefited from the works to which he dedicated his life.

HONORING "MOTHER" RUTH  
VILLIA JONES

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 17, 2006*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life and work of Ruth Villia Jones of Oakland, California. Known to most simply as Mother Ruth, she has been a leader, an activist, and an icon in the Oakland community for decades, providing care and guidance to countless others throughout her life, and on July 16, 2006, the friends and family of Mother Ruth will gather to celebrate this remarkable woman's 100th birthday.

Mother Ruth was born July 12, 1906 in Louisiana, soon after the great quake of San Francisco. She grew up during a time of extreme social and racial segregation, and learned about racial and gender discrimination from her family's experiences. These experiences shaped her resolve to challenge the status quo and begin her quest for social and human rights in the 1930s and as a Red Cross volunteer during World War II in the 1940s.

Throughout the 1950s, 1960s, and 1970s, Mother Ruth combined her deep spiritual commitment with her desire for social justice, becoming active in the civil rights movement and fighting to end racial discrimination in our country. She marched and worked with the Reverend Martin Luther King, Jr., Reverend Jesse Jackson, and the Reverend Cecil Williams. In the 1960s and 1970s Mother Ruth supported the work of a young group of African American activists, known as the Black Panthers, by joining them on picket lines, in the Free Breakfast Programs and Schools, eventually earning her the esteemed honor of "Mother" to these young men.

As "Mother Ruth," through her vision and activism, she has mentored and enriched the lives of many local leaders, such as Oakland Mayor Lionel Wilson, Congressman Ron Dellums, and myself when I was becoming politically active in the 1970s. Working with her helped to instill in me not only a deep sense of community, but also a fundamental commitment to fighting for social equity and social justice throughout my life. She has been a mentor and a friend to me throughout most of my life, and I am deeply thankful to her for sharing with me her wisdom, her compassion, and her support.

Throughout the Bay Area, Mother Ruth is also known for helping to start the meals program at Glide Memorial Church, which continues to this day. In the 1980s and 1990s Ruth Villia Jones turned her energy and expertise to professional organizations, such as the Glide Foundation, the California Legislative Council for Older Americans, the Alameda County Advisory Commission on Aging, the Black Women Organized for Political Action, the Black Women Organized for Educational Development, the National Black Women's Resource Center, the National Association of Negro Business and Professional Women's Clubs to name a few. Through her various