

Mr. LATOURETTE. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. ADERHOLT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 497.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### CONDEMNING ST. DENIS, FRANCE, FOR NAMING STREET IN HONOR OF MUMIA ABU-JAMAL

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1082) condemning the decision by the city of St. Denis, France, to name a street in honor of Mumia Abu-Jamal, the convicted murderer of Philadelphia Police Officer Danny Faulkner.

The Clerk read as follows:

##### H. RES. 1082

Whereas on the night of December 9, 1981, Police Officer Danny Faulkner was shot and killed in cold blood during a traffic stop in Philadelphia, Pennsylvania;

Whereas in the process of arresting the driver of a car traveling the wrong way down a one-way street, the driver's brother appeared from across the street and proceeded to open fire on Officer Faulkner while his back was turned away; the driver's brother was identified as Mumia Abu-Jamal;

Whereas Mumia Abu-Jamal struck Officer Faulkner four times in the back with his gun; although seriously injured, Officer Faulkner returned fire, striking his attacker; undeterred, Mumia Abu-Jamal stood over Officer Faulkner and shot him in the face, mortally wounding him; Mumia Abu-Jamal attempted to flee, but collapsed several feet from the slain Officer Faulkner, murder weapon in hand;

Whereas Mumia Abu-Jamal was charged and convicted of first degree murder by a jury of his peers; although Mumia Abu-Jamal has had numerous legal appeals, including appeals to the Pennsylvania Commonwealth Court of Appeal, the Pennsylvania State Supreme Court, and the United States Supreme Court, his conviction has been upheld each time;

Whereas on April 29, 2006, the municipal government of St. Denis, a suburb of Paris, dedicated a street in the honor of Mumia Abu-Jamal;

Whereas December 9, 2006, marks the 25th anniversary of Officer Danny Faulkner's murder at the hand of Mumia Abu-Jamal; and

Whereas the official recognition and celebration of a convicted murderer of a United States police officer is an affront to law enforcement officers across the Nation: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the murder of Philadelphia Police Officer Danny Faulkner;

(2) urges the municipal government of St. Denis to take immediate action to change the name of Rue Mumia Abu-Jamal and, if such action is not taken by the municipal government of St. Denis, urges the Government of France to take appropriate action

against the city of St. Denis to change the name of Rue Mumia Abu-Jamal; and

(3) commends all police officers in the United States and throughout the world for their commitment to public service and public safety.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

##### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 1082 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 1082, the resolution that condemns the decision by the city of St. Denis, France, to name a street in honor of Mumia Abu-Jamal, the convicted murderer of Philadelphia Police Officer Danny Faulkner. In 1981, Officer Faulkner was shot multiple times by Abu-Jamal, who was then convicted and sentenced to death. Although Abu-Jamal's conviction was upheld on appeal, the death sentence was overturned on habeas review in 2001, 20 years after the crime was committed.

The city of St. Denis exhibited gross disregard for the family of Officer Faulkner, the city of Philadelphia and the families of slain law enforcement officers all over the United States when it callously announced the naming of a street to honor Abu-Jamal during the 2006 National Police Week.

House Resolution 1082 condemns the heinous murder of Officer Daniel Faulkner and urges the city of St. Denis to reconsider the decision to name a street after a convicted police murderer. Should the city of St. Denis fail to act, the resolution asks the government of France to take action to correct this injustice and concludes by commending all police officers for their commitment to public service and safety.

This resolution has received the support of the Fraternal Order of Police and the National Troopers Coalition.

I would like to thank the gentleman from Pennsylvania (Mr. FITZPATRICK) for his leadership on this issue. I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

I am today joined by a number of my colleagues in expressing strong opposition to this measure in the manner in which it comes before us today.

This proposal, introduced only 2 weeks ago, has conveniently made its way here to the House floor without the benefit of a single hearing, markup or any other consideration or discussion by our committee.

Now, one could understand the need to circumvent the safeguards embodied in the traditional legislative process if this measure proposed to solve some of the problems of the 46 million Americans who every day go without health insurance.

One could also understand the need to rush the bill through if it sought to improve our local schools, proposed to make college more affordable, or attempted to enhance the standard of living of roughly 38 million people in America who currently live in poverty.

Unfortunately, this bill fails to address any pressing public policy problems, but instead its sole aim is to influence the decisions of a local government located several thousand miles away in Paris, France.

As many may know, the details surrounding the conviction of Mumia Abu-Jamal for the murder of Police Officer Daniel Faulkner are filled with a great deal of controversy. Legal experts have questioned the numerous irregularities that occurred during the course of the trial, including the failure to conduct adequate ballistic tests on Abu-Jamal's gun and the clearly contradictory testimony given by at least two of the prosecution witnesses.

Yet and still, and regardless of one's personal feeling with respect to Abu-Jamal's guilt or innocence, we should not be using the precious time we have to address the needs of the American people with a resolution such as this.

Let us agree to let the French Government focus on the needs of its people while we focus on the needs of everyday, hardworking people here in America.

We can start by providing better jobs, better schools, more affordable health care, not by passing this resolution.

I must note that since his imprisonment, Abu-Jamal has continued his political activism and has completed his bachelor of arts from Goddard College, has earned a master of arts from California State University, and from his cell has made commencement speeches to graduating classes in a number of colleges across the country. He was a guest speaker on the immortal techniques on the musical album. The organization, Access of Justice, interviewed him for their job. Vanity Fair wrote that a supporter of Mumia's, Phillip Block, visited him in prison and asked Jamal whether he regretted shooting a cop, to which Mumia allegedly answered yes. Block, who otherwise supported Mumia, stated he came forward after he grew concerned about the vilification of Officer Faulkner, and this story goes on.

I think this is not one of the great suspension matters which we should be bringing to the floor at this particular time.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), the author of the resolution.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, on the night of December 9, 1981, Philadelphia Police Officer Daniel Faulkner made a routine traffic stop when the driver of a Volkswagen was spotted driving the wrong way down a one-way street. While attempting to take the driver of the vehicle into custody, the brother of the driver appeared from across the street and opened fire on Officer Faulkner while his back was turned away.

The shooter's name was Weslie Cook, who was also known by his alias, Mumia Abu-Jamal. Not only did Mumia shoot Danny Faulkner in the back, but in a final moment of what can only be described as contempt and cold hatred, he stood over Officer Faulkner's prone body and fired again, the bullet striking Faulkner in the head, which instantly killed him.

During the altercation, Officer Faulkner was able to return fire, his shots wounding Mumia Abu-Jamal enough to keep him from leaving the scene of the murder. Police arrived on the scene and found Mumia with the murder weapon close by.

Soon after the crime, Mr. Speaker, Mumia was tried by a jury of his peers. Four eyewitnesses confirmed that Abu-Jamal was in fact Officer Faulkner's murderer, and not even his own brother William Cook agreed to testify in his defense. The jury deliberated only 2 days before convicting Abu-Jamal of first degree murder.

Although Mumia tried many times to have his conviction overturned by Pennsylvania's commonwealth court, the Pennsylvania supreme court, and even the United States Supreme Court, Mumia Abu-Jamal's conviction stood firm and, in fact, still stands today.

The murder of Officer Faulkner has been burnt into the memory of his colleagues, friends, family and into the thoughts of countless police officers across the country as a senseless act of violence.

However, something strange happened during Mumia's trial and subsequent appeals. He became something of a celebrity to the extreme fringe left. Free Mumia movements started to spring up across the country. Activists started calling him a political prisoner.

□ 1430

Word spread, and soon his name became known across the world, leading us to this moment and the consideration of this House resolution.

In early May of this year, I read a disturbing story in the Philadelphia Enquirer. The story reported that on April 29, the Parisian suburb St. Denis named a street of their city in honor of Mumia Abu-Jamal. I was shocked and I was disgusted.

The man who, in 1970 as a founding member of the Black Panthers in

Philadelphia, wrote, "I for one feel like putting down my pen. Let's write epithets for Pigs!" was being honored as a political prisoner. According to the Enquirer article, Suzanne Ross, the co-chair of the Free Mumia Coalition of New York City, said that "in France, they see him as a towering figure." Well, Ms. Rosen, in the United States the vast majority of Americans see him for what he is: a heartless and unrepentant cop killer.

I was so disturbed by this story that I felt compelled to introduce legislation, not just 2 weeks ago, but back in May, to condemn the decision of the city of St. Denis to name a street after this criminal and to urge them to immediately rename the street. If such an action is not taken, the legislation calls on the Government of France to correct the ill-conceived decision of the city and of the municipal government.

Finally, the bill condemns the murder of Daniel Faulkner, and recognizes the sacrifice and commitment law enforcement officers across the world show each day in securing the public safety and the order of the law. I also want to recognize representatives of the law enforcement community who have worked tirelessly to tell Danny Faulkner's story and to pursue justice in his case, including the Philadelphia FOP and its president, Bobby Eddis; the Pennsylvania FOP, and its national organization.

Mr. Speaker, Mumia Abu-Jamal is not a political prisoner. He is a murderer with a penchant for public relations. He has been able to sway extreme liberal and Socialist groups to his side in a sick effort to ride his story of political oppression to freedom. Apparently, the city government of St. Denis has swallowed this lie, hook, line and sinker. It is an affront to Officer Daniel Faulkner's memory, to his widow Maureen, and everyone who puts on a uniform.

As we approach the 25th anniversary of Officer Faulkner's murder, I call on all my colleagues to join me in support of this legislation. We must stand together as one and send a strong message to the world that cop killers deserve to be punished, not to be celebrated.

Mr. CONYERS. Mr. Speaker, I yield as much time as he may need to the gentleman from Virginia, Mr. BOBBY SCOTT, a distinguished member of the Judiciary Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are all saddened by the death of a police officer cut down in the line of duty, and our hearts go out to his family, friends, and coworkers. We all want to see justice for victims and for society for such a tragic loss. Yet, we must leave the search for justice to our courts to apply our constitutional system of administering justice.

There have been advocates and interested parties on both sides of the issue of the Mumia Abu-Jamal case from the

beginning. Regardless of one's views of the merits or the lack of merits of this case, the contentions in the pending case, the Congress of the United States is not the proper forum to debate or determine the merits of this case. The existing appealable issues in the case are now pending before the United States Court of Appeals for the Third Circuit, and Congress should not attempt to wield the court's gavel or presuppose its decision. And this is not an automatic go-through-the-motions appeal. The Federal District Court upheld the conviction, though it did overturn the death penalty in the case. Abu-Jamal is appealing the part of the case upholding the conviction; the State is appealing the part overturning the death sentence. So there are clearly judicial issues on both sides, and Congress should not interject itself on a matter pending before a court of law established to resolve the merits of legal issues.

I thought we had learned from the Terry Schiavo case why Congress should not seek to serve as a judicial appeal arena on emotionally charged issues. Of course, the recent record reflects issues to strip Federal courts of jurisdiction to even hear cases related to emotion-laden issues, which would suggest that we have not learned our lesson. But I do remain hopeful. Let the judiciary do its job. Any suggestion that the legislative branch can or should fix or have a say in a pending case before the courts not only demeans the judicial branch, but it diminishes respect for the law.

Nor should Congress seek to respond to or otherwise address the actions of a municipality in a foreign sovereign nation, and certainly not in the matter contemplating holding the nation accountable for the ministerial actions of its subordinate jurisdictions, as this resolution attempts to do. We should not expect the United States to be urged by a foreign legislative body, as the resolution says, to take appropriate action against one of our municipalities when the foreign government disagrees with the action taken by one of those cities.

There are many advocates for overturning the death sentence in this case, here in the United States as well as other countries. I understand some of those advocates are planning a rally in Philadelphia on December 9, the anniversary of his arrest. The city of Philadelphia will undoubtedly approve a permit for that rally. Now, are we going to pass a resolution condemning the city of Philadelphia for approving a rally in favor of Abu-Jamal, or should we take Federal action appropriate against the city for taking that action?

We also know that the city of San Francisco has made Abu-Jamal an honorary citizen. Are we going to take Federal action against San Francisco because of that action?

And what standard are we setting by this resolution? Municipalities around the world and right here in the United

States take actions that many of us may disagree with. You would think that some in Congress would agree or disagree with many of the resolutions passed by municipalities expressing their opposition to the USA PATRIOT Act or their opposition to the war in Iraq. Are we going to urge the United States to take appropriate action against those cities for criticizing the United States and its military actions? And do we create the opposite effect of the apparent attempt of the resolution by calling even more attention to the otherwise obscure event that is the subject of this resolution? Frankly, I had never heard of the action of the city of St. Denis before I saw this resolution, and I suspect few people in the United States or anywhere else had ever heard of this action. By complaining about those giving attention to the case and the issues through this resolution, we are simply giving more attention to it.

The death penalty is a controversial issue in this country and around the world. It is an issue of conscience by many here as well as abroad, regardless of how heinous a crime for which someone may have been sentenced to death. The United States is one of few major countries in the world where the death penalty is still applied. Amnesty International and other human rights groups criticize the United States policies on the death penalty as inhumane and inconsistent with international human rights standards, and we encounter many difficulties in getting international cooperation because of it. When we try to have a captured capital crime defendant extradited from another country back to the United States, we routinely face opposition from countries of origin and other countries because we have the death penalty. In fact, a letter from St. Denis has mentioned their opposition to the death penalty as one of the reasons for their action.

And so we should not be shocked by those who are facing death penalties when they are designated as martyrs of what some consider to be a barbaric and archaic practice. Mr. Speaker, because we should not, as the resolution says, urge the Government of France to take appropriate action against the city of St. Denis, when we haven't even done the same against cities right here in the United States, and because this case is pending in the Third Circuit, we should reject this resolution.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, as a citizen of the Commonwealth of Pennsylvania, I rise today to speak in favor of House Resolution 1082. When I first read or heard that the leadership of the Paris suburb of St. Denis had decided to name a street in that municipality for Mumia Abu-Jamal, I thought I had just disappeared down Lewis and Carroll's rabbit hole in Alice in Wonderland. Everything had gone topsy-turvy; left had

become right, up was down, and, most significantly, right was now wrong.

Mumia Abu-Jamal is a man to be condemned, not honored. On December 9, 1981, he shot Philadelphia Police Officer Danny Faulkner. He shot him in the back, then he shot him four more times. The last round from a 38-caliber handgun struck the officer in the face and killed him. Four eyewitnesses at the scene saw him do it and testified as such in a court of law. Abu-Jamal was apprehended at the scene, and his 38, containing five spent shell casings, was found there as well. And I won't even get into the alleged hospital confession.

Abu-Jamal was tried by a jury of his peers in a Philadelphia courtroom. He was convicted of first degree murder and sentenced to death. Philadelphia's Democratic District Attorney Lynn Abraham called it "the most open and shut murder case" that she had ever seen. In fact, current Pennsylvania Democrat Governor Ed Rendell was district attorney at the time, and his office tried that case.

Abu-Jamal also admitted to shooting the officer. And while this confession and a death sentence that he received has been the subject of subsequent appeals, every court that has looked at this case has affirmed the jury's finding that Abu-Jamal murdered Officer Faulkner.

Abu-Jamal, a cop killer, is now feted as a minor celebrity by people like Fidel Castro, a few Hollywood movie stars, and of course the leadership of a small suburb of Paris, France. And some people have argued that they support Abu-Jamal because they oppose the death penalty. May I say, rather respectfully, that the Jamal case is not the case to make that case against the death penalty. We have a death penalty statute in the Commonwealth of Pennsylvania precisely because of cases like this one.

The man that he executed, meanwhile, a true hero who protected and served the people of Philadelphia, is dead, and his widow Maureen continues to grieve for him. I have met with Maureen when I served in the Pennsylvania General Assembly. I know that she misses Danny every day. Only the Mad Hatter could make sense of a scenario like this.

Please, I urge every Member of this House to vote in favor of this resolution sponsored by my good friends and colleagues MIKE FITZPATRICK and ALLYSON SCHWARTZ.

Mr. CONYERS. Mr. Speaker, I yield to the gentlewoman, Ms. SCHWARTZ, 4 minutes.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

I rise today in strong opposition to the decision by the city of St. Denis, France to dedicate a street in honor of Mumia Abu-Jamal, the convicted murderer of Philadelphia Police Officer Daniel Faulkner.

Every day, law enforcement officers selflessly risk their lives to protect us

and our communities, and 25 years ago Officer Faulkner paid the ultimate price for his service to the city of Philadelphia.

On December 9, 1991, Officer Faulkner was shot to death during a traffic stop at 12th and Walnut Street. Officer Faulkner was a respected and loved member of the Philadelphia community, a loving husband to his wife Maureen. He was only 25 years old when he was murdered.

The city of Philadelphia is still mourning the loss of Officer Faulkner, yet some have allowed Mumia Abu-Jamal, his convicted murderer, to become an international cause celebre. Most recently, the French city of St. Denis named a street after this man.

Abu-Jamal was found guilty by a jury of his peers, a sentence that has been upheld by State and Federal courts. It is unfortunate that elected officials in France, who surely understand the importance of honoring those who risk their lives to preserve the rule of law, pay tribute to such a man. In the United States, naming of public places such as buildings and streets is an honor reserved for individuals who have brought significant contributions to their communities, to our Nation, or to the society at large.

Perhaps the mayor and elected officials of St. Denis could learn from the city of Philadelphia, which in the year 2000 named a portion of the Roseville Boulevard in my district in remembrance of Officer Faulkner. Or perhaps the mayor will respond to the collective outrage expressed today by the U.S. House of Representatives when it passes this resolution; because he did not, when I wrote to him earlier this year to express my strong opposition to his actions. Instead, I received a response making clear that the city would not be deterred.

Mr. Speaker, we cannot allow Officer Faulkner's public service to be diminished by the actions of a foreign city. The resolution before us remembers his service to our community and to our Nation. It condemns those involved in his murder and the city of St. Denis for celebrating them. And it recognizes that while 25 years have passed since Officer Faulkner's passing, he has not been forgotten.

Sadly, since Officer Faulkner's murder, 110 brave law enforcement officers have given their lives serving and protecting the communities of my State. I want to take this opportunity to reflect and remember the four officers we lost just this last year: Pennsylvania State Police Corporal Joseph Pokorny; Reading Police Officer Scott Wertz; Upper Saucon Township Police Officer David Petzold; and Police Officer, in Philadelphia, Gary Skerski. Gary Skerski was a constituent of mine. He had befriended my staff, and he was a beloved member of our community. I know how much he is missed by his wife Ann and their two young children as well as the residents of Port Richmond, the Philadelphia neighborhood

where he lived and was so involved. I know the St. Denis actions are an offense not only to Daniel Faulkner and his family, but also to the Philadelphia Fraternal Order of Police and to Officer Skerski and all of our Nation's fallen heroes.

I urge my colleagues to support this resolution and to send a message to the leaders of St. Denis that police officers, not cop killers, are heroes worthy of our respect, admiration, and remembrance.

□ 1445

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Speaker, I include for the RECORD a letter provided by the French Embassy from the city of St. Denis from their mayor.

NOVEMBER 7, 2006.

MARTIN BOZMAROV,  
Attorney,  
Issy-Les-Moulineaux,

DEAR MR. BOZMAROV: On behalf of the Philadelphia City Council, you informed me that a delegation from that council, headed by its chairman, will be coming to Saint-Denis to ask the City of Saint-Denis to reconsider naming one of our streets "Mumia Abu-Jamal." You also informed me that the delegation would like to address the Saint-Denis City Council meeting of November 30.

This request calls for an explanation of the reasons underlying the city's decision to name one of its streets after Mumia Abu-Jamal.

As you know, Mumia Abu-Jamal has proclaimed his innocence for nearly a quarter century. He has always denied firing the shots that resulted in the death of police officer Daniel Faulkner on December 9, 1981. His defenders, as well as the movements and associations that have rallied on his behalf, have accumulated a considerable number of elements that justify his request for a new trial.

These have largely highlighted the unfair nature of the investigation: the lack of ballistics tests, the failure to take fingerprints, the failure to secure the area and perform other tests. It seems that important witnesses were bribed, excluded or intimidated. Several police reports were contradictory. And the American press itself asserted that Judge Sabo had exerted pressure in demanding the death penalty against Mr. Abu-Jamal on July 3, 1982.

Even more troubling, a man who acknowledged he was Mr. Faulkner's killer never testified in court, on the pretext that his confession did not come within the deadline for the proceedings.

All of these aspects largely justify the doubts that exist with respect to Mr. Abu-Jamal's guilt and the growing movement supporting him, to which we wanted to contribute.

Our action also expresses our total opposition to the death penalty, which threatens Mr. Abu-Jamal each day. For even now, despite all the international agreements on human rights, the death penalty continues to be handed down in a majority of American states.

Several dozen American prisoners are on death row. There are more than 60 in Texas alone. Executions are still taking place, and it takes the courageous mobilization of a part of U.S. public opinion to rescue certain convicts from this barbarous practice.

It is in this context that Mumia Abu-Jamal has become one of the emblematic figures in the fight for justice and for the abolition of the death penalty in the United States and throughout the world. And it is precisely this fight that we wanted to support in naming one of our city streets after him.

In this movement, the town of Saint-Denis is not alone. You are aware that committees supporting this prisoner from Philadelphia have been formed in many communities of France and other European countries. You also know that Mumia Abu-Jamal has been made an honorary citizen of Paris, that French parliamentarians have visited him regularly in prison, and that each year, concerts, demonstrations, marches and assemblies are organized in his support.

In fact, this is not the first time that international public opinion has rallied in support of American citizens who appear to be unjustly accused in their own country. That was the case for Nicola Sacco and Bartolomeo Vanzetti between 1920 and 1927, for Julius and Ethel Rosenberg, who were executed by electric chair in 1953, and in 1973 for Angela Davis, who was initially convicted of murder before being fully acquitted.

In these circumstances, we are happy that the inauguration of a Rue Mumia Abu-Jamal in Saint-Denis lends additional support to this fight. We are proud of this act and have no intention of reversing it.

As for the City Council session of November 30, I would like to remind you that it is public and therefore open to anyone who would like to attend. However, only members of the City Council are authorized to take the floor.

Finally, I would like to mention that quite recently, during a mission to the United States in the course of which he met with Mumia Abu-Jamal, our deputy Patrick Braouezec was not received by the mayor of Philadelphia, even though he had an appointment.

Sincerely,

DIDIER PAILLARD.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this resolution does one thing, and that is it tells a suburb of Paris to butt out in terms of making a statement relative to how the criminal justice system processed the case of the murder of Officer Faulkner.

This is not an issue of whether or not the Federal Government or any of the States should have the death penalty, and I come from a noncapital punishment State. Whether or not a State has the death penalty is a decision that is to be made by their elected representatives. The elected representatives of my State since 1853 have chosen not to impose capital punishment.

But in this case the death sentence was reversed in 2001, so that is a settled issue. Mumia Abu-Jamal is not going to be put to death.

Now 5 years after this happens, the city of St. Denis decides to name a street after a convicted cop killer. I would like to know what the French would think if we started naming streets anywhere in the United States for people who had been convicted of

murdering their police officers. I think they would tell us it is none of our business, and they would be right.

What this resolution says is that the city of St. Denis should not decide to honor and glorify somebody that a jury of 12 unanimously beyond a reasonable doubt said murdered Officer Faulkner. That is all the resolution says. I think that in terms of saying that we Americans can solve our problems within our own constitutional system, we ought to be allowed to do so without some foreign country glorifying a person who has been convicted not only of first degree murder, but first degree murder against a public safety officer whose sworn duty it was to protect the citizens of our country. This resolution should be approved. I ask for a "yes" vote.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to voice my disappointment about H. Res. 1082, a resolution condemning the decision by St. Denis, France to name a street after Mumia Abu-Jamal, being rushed to the House floor as a suspension bill.

The resolution condemns the murder of Philadelphia Police Officer Danny Faulkner and urges the municipal government of St. Denis, France, to change the name of a street named after Mumia Abu-Jamal immediately. It also urges the French government to take appropriate action against the city to change the name of the street.

I do not support the killing of police officers or any law enforcement officials and my heart goes out to the family of Officer Danny Faulkner. However, I respect the rights of other countries and sovereign nations. I do not believe it is the place of the United States House of Representatives to dictate street names in France or any other country.

I also respect the balance of powers in our Nation and the jurisdiction of our courts. Appeals by both the prosecution and the defense are scheduled to be reviewed by the Third Circuit Court of Appeals next year. As Members of Congress, I do not believe it is our place to interject our views on a particular case currently pending in the Federal Courts.

With only three legislative days left in the 109th Congress, there are far more pressing issues we should be addressing, such as education, health care and minimum wage. This resolution invokes too many controversial and sensitive issues to be simply placed on the suspension calendar without any hearings and limited debate.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 1082.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this question will be postponed.

### RECOGNIZING NOTARIZATIONS IN FEDERAL AND STATE COURTS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1458) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce, as amended.

The Clerk read as follows:

H.R. 1458

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. RECOGNITION OF NOTARIZATIONS IN FEDERAL COURTS.

Each Federal court shall recognize any lawful notarization made by a notary public licensed or commissioned under the laws of a State other than the State where the Federal court is located if—

(1) such notarization occurs in or affects interstate commerce; and

(2)(A) a seal of office, as symbol of the notary public's authority, is used in the notarization; or

(B) in the case of an electronic record, the seal information is securely attached to, or logically associated with, the electronic record so as to render the record tamper-resistant.

#### SEC. 2. RECOGNITION OF NOTARIZATIONS IN STATE COURTS.

Each court that operates under the jurisdiction of a State shall recognize any lawful notarization made by a notary public licensed or commissioned under the laws of a State other than the State where the court is located if—

(1) such notarization occurs in or affects interstate commerce; and

(2)(A) a seal of office, as symbol of the notary public's authority, is used in the notarization; or

(B) in the case of an electronic record, the seal information is securely attached to, or logically associated with, the electronic record so as to render the record tamper-resistant.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **ELECTRONIC RECORD.**—The term “electronic record” has the meaning given that term in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006).

(2) **LOGICALLY ASSOCIATED WITH.**—Seal information is “logically associated with” an electronic record if the seal information is securely bound to the electronic record in such a manner as to make it impracticable to falsify or alter, without detection, either the record or the seal information.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material

on H.R. 1458, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1458, a bill to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located.

A notary public administers oaths and serves as an impartial witness when certain documents are signed. Many States require these documents, such as affidavits, deeds, and powers of attorney, be notarized before they can become legally binding on parties. Since the point of legal notarization is to deter fraud, a notary must positively identify the signatory to a document and ensure that he or she signs the document knowingly and willingly.

Notaries are currently licensed by individual States. However, legal disputes are not always confined to the geographic and judicial domain of a single State. The bill ensures that lawfully notarized documents from one State are also acknowledged by sister States in interstate commerce. The bill also clarifies standards by which electronic seals are to be recognized. This is especially important as more lawyers and business people notarize documents electronically.

I emphasize that H.R. 1458 does not conflict with the 10th amendment's defense of States' rights. In fact, the bill promotes States' rights through its compatibility with the full faith and credit clause of article IV of the Constitution.

The bill address an obscure but important subject in the legal and business realms, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of this legislation which would require Federal and State courts to recognize the validity of a document notarized in other States. It has been clearly and accurately described. It would operate to smooth out evidentiary rules which would treat notarized documents differently from public documents.

Under section 1738 of title 28, Federal and State courts must recognize the official acts of State legislatures and courts. With respect to notarized documents, however, courts must determine whether they are authentic. This can delay court proceedings and negate the entire purpose of notarization, which is to authenticate the identity of the person signing the document.

The measure before us would make it easier for notarized documents to be admitted into evidence and thus speed up court proceedings. We on this side

are in total agreement of that. I urge support of the legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Alabama (Mr. ADERHOLT), the author of the bill.

Mr. ADERHOLT. Mr. Speaker, I appreciate the chairman's support in allowing this bill to be brought to the floor to the House of Representatives today. I would also like to thank my friend, Mike Turner of Freedom Court Reporting in Alabama, who first brought this matter to my attention.

I am pleased we have been able to work together with the committee of jurisdiction to find a satisfactory remedy to the issue of recognition of notarizations across State lines.

During the hearings held on this bill by the Subcommittee on Courts, the Internet and Intellectual Property, Ranking Member Berman pointed out that, “Although the topic of notary recognition between the States is not necessarily the most exciting issue, it is an extremely practical one.” To my colleague across the aisle, I would have to agree with both points.

During that hearing in March, we heard from several witnesses who all agreed that this is an ongoing and a difficult problem for interstate commerce. To businesses and individuals engaged in business across State lines, this is a matter long overdue which is being resolved.

H.R. 1458 will eliminate the confusion that arises from States who refuse to acknowledge the integrity of documents notarized out of State. H.R. 1458 would require that documents be recognized in any State or Federal court if the subject affects interstate commerce and the document is duly notarized by a seal or if a seal is tagged to an electronic document.

Currently, each State is responsible for regulating its notaries. Typically, an individual will pay a fee, will submit an application, and takes an oath of office. Some States require applicants to enroll in educational courses, pass exams, and even obtain a notary bond. Nothing in this legislation will change these steps. It shall be made clear that we are not trying to mandate how States regulate notaries public they appoint. In addition, the bill would also not preclude the challenge of notarized documents such as a will contest.

During the subcommittee hearing, the executive director of the National Notary Association stated, “We like this bill because it is talking about a standard for the legal effects of the material act, the admissibility of it, not at all interfering with the State requirements for education and regulation of the notaries themselves.”

Thank you again, Mr. Chairman, for your support of this legislation and allowing the legislation to move forward today. I urge my colleagues to support