

oath of office you must serve the public. She did so.

As a member of the United Way board, one of the first African Americans to ever serve on our Harris County United Way board, she made sure that the vulnerable were taken care of. A member of the Harris County Council of Organizations. An active and loving member of the Galilee Baptist Church, where she loved her pastor, Pastor Davis, and the first lady.

More importantly, let me tell you that she was a woman of courage and strength and inspiration. I loved her when she stood and fought. She would understand all the debate, those who are against and those who are for. But I tell you she would tell it straight. And the way she would say it is that health care is going to help those who have never had health care before. She would say to those soldiers “thank you” for fighting on the front lines for our freedom. And she would say to them, I am using that freedom.

Because you know, Beulah Shepard had to buy a poll tax to vote. She bought it in 1948. She came to Texas from Louisiana. She was named for her grandmother. She came from the salt of the earth. But she is an inspiration to all of us.

And I am excited today to be able to say that Beulah Shepard lived to be 87 years old and had as one of the starring moments of her life to be able to vote for President Barack Obama. And why do I say that? Because Beulah Shepard walked and fought so that there might be those who would vote who had never voted before to have the opportunity to choose someone of their choosing.

Let me tell you what she did in Commissioner Squatty Lyons’ office. Yes, she worked historically for this commissioner as the first African American among some that came after in those offices. I am gratified for that, because she took care of the vulnerable, those who were afraid to come downtown, those who didn’t think government would work for them. Beulah Shepard took care of them.

She will be laid to rest in these next hours. And I will simply say that we have the flag waving over this great woman’s life and legacy.

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Why do I say that, having not had her serve in the United States military? Because I know that our military represents the people of the United States and all of us have the opportunity to represent the value of the flag of this country. That value is to be able to cherish democracy, justice and to have the courage to fight for it, a loving mother who nurtured her children, a loving friend who cared for everyone, someone who brought joy.

And it was a great joy to me to spend time with her in these last few years as she was so joyful with her family members all around her. She smiled, what a beautiful smile. When we took our pictures together in the front yard and in-

side the house, I know that she had great joy.

So, Mr. Speaker, it is with great sympathy to the family that I offer, on behalf of the United States Congress, this tribute to Beulah Shepard. God bless you, may you rest in peace, and we love you.

The SPEAKER pro tempore (Mr. KRATOVL). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, the last action that we took in this body today was a resolution honoring the Constitution, which we celebrate tomorrow. Since we are not in session tomorrow, I wish to talk for a moment about that inspired document this evening.

It’s difficult to do that, because as we talk about the Constitution, I am looking straight at the relief of George Mason, who was one of those unique characters in American history, one of three men who spent the entire time at the Constitutional Convention and then refused to sign the document.

When I was teaching school, I always insisted my students had to tell me why Mason refused to sign it, which, of course, was because it did not have the Bill of Rights. But I was always hoping, and hoping in vain, that some bright student would ask the better question, which is not why did Mason not sign, but why did all the other people who were there at the Founding Fathers convention not go along with Mason for a Bill of Rights?

It was certainly not because they were opposed to civil liberties, but because the rest of the Founding Fathers realized that they could accomplish the same goal by the structure of government, by dividing power by the three branches of government horizontally so no branch had too much power, but equally by dividing power vertically between the Federal and State level. So no level of government had too much power; you could accomplish the same goal of protection of individual freedoms.

The issue at the Constitutional Convention was that of power. As the States met and then ratified this document, the issue of power was still there. We, of course, know of course that two States, North Carolina and Rhode Island, did not ratify the document until after the country was established. But five States, Virginia, Massachusetts, New York, Maryland and

South Carolina, sent specific amendments that should be added to the document.

Foremost in each of those State’s amendments was the concept of sovereignty or the ability of States to make decisions. Their goal and their concepts were incorporated in the 10th Amendment to the Constitution, which put in written form the unnamed structure that the Founding Fathers had established in the Constitution.

As one of our Justices on the Supreme Court said, the Constitution protects us from our own best intentions. It divides power among sovereigns, among branches of government, precisely so that we may resist the temptation to concentrate power in one location as the expedient solution to the crisis of the day.

For a century and a half, this Nation basically honored that concept. In the last half century, though, we have stretched the idea significantly. Starting with the progressive era at the early 1900s, it was President Wilson who called this concept the separation of powers political witchcraft. He said that separating powers into hidden corners prevented us from consolidating powers to be used.

In the early 1900s, the politicians and the philosophers who believed this did not do so because they misunderstood the Constitution, but because they understood it and did not like the fact that it prevented them from doing what they said were marvelous things.

We, today, still have this issue of power before us. For the last couple of years we have debated on this floor the idea whether it is better to consolidate power in Washington with the ultimate goal of uniformity or to hold fast to the idea that States should be allowed to have alternative ideas and that our ultimate goal should be creativity.

The 10th Amendment is not just about smaller government. It’s about more effective government, what works best for people and the idea that not all programs have to be evolved from Washington. They also have their idea because the 10th Amendment talks power for States and individuals. In a concept that many of us on this floor can never get, there are some problems that don’t need a solution by government at all.

The issue is creativity, efficiency, and justice. The issue is can those best be resolved.

We still have this question of power that we are dealing with today, and I would hope that we would reject the revisionist idea and, instead, go along and support the Founding Fathers. For both the constitutional structure and the 10th Amendment meant that our Founding Fathers were inspired to get it right.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.